



VFW GUIDE FOR POST SERVICE OFFICERS

Part 4



VETERANS OF FOREIGN WARS.

PART 4: MEMORIAL BENEFITS



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MEMORIAL BENEFITS

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BURIAL BENEFITS

Sec. 1. VA Burial Allowance: VA burial allowances are flat rate monetary benefits that are generally paid at the maximum amount authorized by law for an eligible veteran's burial and funeral costs. Upon notification to VA of the veteran's death, eligible surviving spouses of record are paid automatically, without the need to submit a claim.

NOTE: All claims for burial allowance that are not automatically awarded must be submitted via a VA Form 21P-530, *Application for Burial Benefits*.

Effective July 7, 2014: VA is changing its monetary burial benefits regulations to simplify the program and pay eligible survivors more quickly and efficiently. These regulations will authorize VA to pay, without a written application, most eligible surviving spouses basic monetary burial benefits at the maximum amount authorized in law through automated systems rather than reimbursing them for actual costs incurred.

- Under the current regulations, VA pays for burial and funeral expenses on a reimbursement basis, which requires survivors to submit receipts for relatively small one-time payments that VA generally pays at the maximum amount permitted by law.
- The new burial regulations will permit VA to pay, at a flat rate, burial and plot or interment allowances thereby enabling VA to automate payment of burial benefits to most eligible surviving spouses and more efficiently process other burial benefit claims.
- The burial allowance for a non-service-connected death is \$300, and \$2,000 for a death connected to military service
- For additional information visit "Burial Benefits" website at: <https://www.va.gov/burials-memorials/veterans-burial-allowance/>

If the burial benefit has not been automatically paid to the surviving spouse, VA will pay the first living person to file a claim of those listed below:

- Veteran's surviving spouse; **OR**
- The survivor of a legal union* between the deceased veteran and the survivor; **OR**
- The veteran's children, regardless of age; **OR**
- The veteran's parents or surviving parent; **OR**
- The executor or administrator of the estate of the deceased veteran.

*Legal union means a formal relationship between the decedent and the survivor that existed on the date of the veteran's death, which was recognized under the law of the State in which the couple formalized the relationship and evidenced by the State's issuance of documentation memorializing the relationship.

NOTE: Funeral homes are NOT authorized to file for burial allowances.

The veteran must have been discharged under conditions other than dishonorable. In addition, at least one of the following conditions must be met:

- The veteran died as a result of a service-connected disability, **OR**
- The veteran was receiving VA pension or compensation at the time of death, **OR**
- The veteran was entitled to receive VA pension or compensation, but decided instead to receive his or her full military retirement or disability pay, **OR**
- The veteran died while hospitalized by VA, or while receiving care under VA contract at a non-VA facility, **OR**
- The veteran died while traveling under proper authorization and at VA expense to or from a specified place for the purpose of examination, treatment or care, **OR**
- The veteran had an original or reopened claim for VA compensation or pension pending at the time of death and would have been entitled to benefits from a date prior to date of death, **OR**
- The veteran died on or after October 9, 1996, while a patient at a VA-approved state nursing home.

VA will also pay a plot allowance when a veteran is not buried in a cemetery that is under U.S. Government jurisdiction, if the veteran is discharged from active duty because of a disability or disabilities incurred or aggravated in the line of duty, the veteran was in receipt of compensation or pension, the veteran would be

entitled to compensation or pension but did not receive it due to the receipt of military retired pay, or the veteran died while hospitalized by VA. The plot allowance may be paid to a state if a veteran is buried without charge for the cost of the plot or interment in a state-owned cemetery reserved solely for veteran burials. Burial expenses paid by the deceased's employer or a state agency will not be reimbursed.

a. Service-related Death: There is no time limit for filing for a service connected burial allowance. VA will pay up to \$2,000 toward burial expenses for deaths on or after September 11, 2001, or up to \$1,500 for deaths prior to September 11, 2001. If the veteran is buried in a VA national cemetery, some or all of the cost of transporting the deceased may be reimbursed.

- b. Non-service-related Death:** Claim must be filed within two (2) years of the veteran's death.
- If the veteran died on or after October 1, 2019, VA will pay up to \$796 toward burial and funeral expenses (if hospitalized by VA at time of death), or \$300 toward burial and funeral expenses (if not hospitalized by VA at time of death), and a \$796 plot-interment allowance (if not buried in a national cemetery)
 - If the veteran died on or after December 1, 2001 but before October 1, 2011, VA will pay up to \$300 toward burial and funeral expenses and a \$300 plot-interment allowance. For deaths on or after April 1, 1988 but before October 1, 2011 VA will pay \$300 toward burial and funeral expenses (for Veterans hospitalized by VA at the time of death)
 - If the death occurred while the veteran was properly hospitalized by VA, or under VA contracted nursing home care, some or all of the costs for transporting the veteran's remains may be reimbursed.

c. Evidence Requirements to file for a burial allowance:

- Acceptable proof of death as specified in 38 CFR 3.211., **AND**
- Receipted bills that show that you made payment in whole or part, **OR**
- A statement of account, preferably on the printed billhead of the funeral director or cemetery owner.

The statement of account must show:

- The name of the deceased veteran for whom the services and merchandise were furnished, **AND**
- The nature and cost of the services and merchandise, **AND**
- All credits, **AND**
- The amount of the unpaid balance, if any

NOTE: Under Section 2411 of title 38 of the United States Code, certain otherwise eligible individuals found to have committed federal or state capital crimes are barred from burial or memorialization in a VA national cemetery, and from receipt of government-furnished headstones, markers, burial flags, and Presidential Memorial Certificates.

Sec. 2. Eligibility for Burial in a National Cemetery: The Department of Veterans Affairs national cemetery directors have the primary responsibility for verifying eligibility for burial in VA national cemeteries. A determination of eligibility is usually made in response to a request for burial in a VA national cemetery.

NOTE: VA also now provides eligibility determinations for interment in a VA National Cemetery prior to the time of need.

Interested individuals may submit VA Form 40-10007 *Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery* along with their DD214 or discharge documents by mail to the VA National Cemetery Scheduling Office at:

National Cemetery Scheduling Office
P.O. Box 510543
St. Louis, MO 63151
Toll free: 1-800-535-1117

The documents may also be submitted by fax to:

Fax (toll-free): 1-866-900-6417

Once Received, VA will review the application and provide the veteran with a written notice of eligibility.

Note: This program does not reserve spaces in a National cemetery, it only provides veterans with a document that will help to expedite the burial process once the need for service arises.

For more information and to obtain a copy of the form please visit www.cem.va.gov/pre-need/.

The following are the criteria for burial:

a. Veterans and Members of the Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard)

(1) Any member of the Armed Forces of the United States who dies on active duty.

(2) Any veteran who was discharged under conditions other than dishonorable. With certain exceptions, service beginning after September 7, 1980, as an enlisted person, and service after October 16, 1981, as an officer, must be for a minimum of 24 months or the full period for which the person was called to active duty. (Examples include those serving less than 24 months in the Gulf War or Reservists that were federalized by Presidential Act.) Under Other Than Honorable, Bad Conduct, and any other type of discharge other than honorable may or may not qualify the individual for veterans' benefits, depending upon a determination made by a VA Regional Office. Cases presenting multiple discharges of varying character are also referred for adjudication to a VA Regional Office.

(3) Any citizen of the United States who, during any war in which the United States has been or may hereafter be engaged, served in the Armed Forces of any Government allied with the United States during that war, whose last active service was terminated honorably by death or otherwise, and who was a citizen of the United States at the time of entry into such service and at the time of death.

b. Members of Reserve Components and Reserve Officers' Training Corps

(1) Reservists and National Guard members who, at time of death, were entitled to retired pay under Chapter 1223, title 10, of the United States Code, or would have been entitled, but for being under the age of 60. Specific categories of individuals eligible for retired pay are delineated in section 12731 of Chapter 1223, title 10 of the United States Code.

(2) Members of reserve components who die while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while performing active duty for training or inactive duty training, or undergoing such hospitalization or treatment.

(3) Members of the Reserve Officers' Training Corps of the Army, Navy, or Air Force who die under honorable conditions while attending an authorized training camp or on an authorized cruise, while performing authorized travel to or from that camp or cruise, or while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while engaged in one of those activities.

(4) Members of reserve components who, during a period of active duty for training, were disabled or died from a disease or injury incurred or aggravated in line of duty or, during a period of inactive duty training, were disabled or died from an injury incurred or aggravated in line of duty.

c. Commissioned Officers of the National Oceanic and Atmospheric Administration

(1) A Commissioned Officer of the National Oceanic and Atmospheric Administration (formerly titled the Coast and Geodetic Survey and the Environmental Science Services Administration) with full-time duty on or after July 29, 1945.

(2) A Commissioned Officer who served before July 29, 1945, and;

(a) Was assigned to an area of immediate military hazard while in time of war, or of a Presidential declared national emergency as determined by the Secretary of Defense,

(b) Served in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter; or,

(c) Officers and crewmembers of ships transferred to the Department of the Army or the Department of the Navy under the provisions of the Act of May 22, 1917 (40 Stat. 87; 33 U.S.C. § 855).

d. Public Health Service

(1) A Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who served on full-time duty on or after July 29, 1945. If the service of the particular Public Health Service Officer falls within the meaning of active duty for training, as defined in section 101(22), title 38 of the United States Code, he or she must have been disabled or died from a disease or injury incurred or aggravated in the line of duty.

(2) A Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who performed full-time duty prior to July 29, 1945:

(a) In time of war;

(b) On detail for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard; or,

(c) While the Service was part of the military forces of the United States pursuant to Executive Order of the President.

(3) A Commissioned Officer serving on inactive duty training as defined in section 101(23), title 38, United States Code, whose death resulted from an injury incurred or aggravated in the line of duty.

e. World War II Merchant Mariners

(1) United States Merchant Mariners with oceangoing service during the period of armed conflict, December 7, 1941, to December 31, 1946. Information as to how to obtain verification of WWII Merchant Marine service can be found at https://www.dco.uscg.mil/nmc/record_request/

(2) United States Merchant Mariners who served on blockships in support of Operation Mulberry during World War II.

f. Spouses and Dependents

(1) The spouse or un-remarried surviving spouse of an eligible person, even if that person is not buried or memorialized in a national cemetery, is eligible for interment in a national cemetery. In addition, the spouse of a member of the Armed Forces of the United States lost or buried at sea, or officially determined to be permanently absent in a status of missing or missing in action or whose remains have been donated to science or cremated and the ashes scattered is also eligible for burial.

(2) The surviving spouse of an eligible decedent who remarries an ineligible individual and whose remarriage is void, terminated by the ineligible individual's death, or dissolved by annulment or divorce is eligible for burial in a national cemetery. The surviving spouse of an eligible decedent who remarries an eligible person retains his or her eligibility for burial in a national cemetery.

(3) The minor children of an eligible person. For purpose of burial in a national cemetery, a minor child is a person who is unmarried and:

(a) Who is under the age of 21 years; or,

(b) Who is under 23 years of age and pursuing a course of instruction at an approved educational institution.

(4) An unmarried adult child of an eligible person if the child is physically or mentally disabled and incapable of self-support before reaching the age of 21 years. Proper supportive documentation must be provided.

g. Parents

(1) Biological or adoptive parents, who died after October 13, 2010, and whose biological or adoptive child was a service member:

(a) Whose death occurred on or after October 7, 2001, **AND**

(b) Whose death was the result of a hostile casualty or a training-related injury, **AND**

(c) Who is interred in a national cemetery, in a gravesite with available space for subsequent interment, **AND**

(d) At the time of the parent's death, had no spouse, surviving spouse, or child who is buried, or who, upon death, may be eligible for burial in a national cemetery.

h. Others

Such other persons or classes of persons as designated by the Secretary of Veterans Affairs (38 U.S.C. § 2402(6)) or the Secretary of the Air Force (Public Law 95-202, § 401), or (38 CFR § 3.7(x)).

NOTE 1: Public Law 107-330 the *Veterans Benefits Act of 2002*, prohibits VA from providing Presidential Memorial Certificates, flags to drape caskets, and headstone or markers to those who commit capital crimes.

NOTE 2: Public Law 108-183 the *Veterans Benefits Act of 2003*, provided the remarried surviving spouses of veterans eligible for burial in a national cemetery shall remain eligible for burial in a national cemetery providing the remarriage took place on or after December 16, 2003. The law also extends eligibility for burial to certain New Philippine Scouts who died on or after December 16, 2003, provided they enlisted in the U. S. Armed Forces with the consent of the Philippine government between October 6, 1945 and June 30, 1947. At the time of death, the person must have been a citizen of the United States or an alien lawfully admitted for permanent residence in the United States, and residing in the United States.

Sec. 3. Payments from Non-VA Sources: Reimbursement for burial expenses may not be made if such expenses were covered by an amount actually paid by the Federal or a state government or by an obligated employer of the deceased veteran or if expenses were pre-paid by the veteran prior to their death. Reimbursement will not be allowed for more than the difference between the entire amount of expenses and the amount paid by any of the aforementioned or when such allowances would revert to a public or private organization or would absolve the organization's responsibility. VA burial allowance may be paid for reimbursement of burial expenses incurred solely as a humanitarian measure.

Sec. 4. Unclaimed Bodies: If a veteran dies and their remains are unclaimed, the entity responsible for the burial of the veteran would be entitled to a \$300 burial allowance. If the veteran is buried in a VA national cemetery, VA may reimburse the cost of transporting the deceased veteran's remains. VA may also reimburse for the cost of a plot.

Sec. 5. Military Burial Benefits: When a member dies while on active duty (including members who are retired and remain in a military hospital, and who continue to be hospitalized as patients therein to date of death; or who dies on active duty for training; or while performing inactive duty training), the military will provide for care and disposition of remains.

When military authorities arrange for disposition of remains, services at the place of death, removal, embalming, preparation, preservation, casket, and transportation to a common carrier are normally obtained under contract; however, when no contract is available, military authorities negotiate with local funeral directors to obtain these services.

The Secretary of the service concerned will provide: cremation (if cremation is requested in writing), a suitable urn for the cremated remains, a U. S. Flag to drape the casket, transportation of remains, accompanied by an escort, from the place of death to the place designated by the next of kin, and military honors if requested.

When the next of kin makes private arrangements for the care and disposition of remains, reimbursement is limited to those items normally obtained by the military under contract (removal, embalming, other preservation, casket, outside case, and hearse services to a local cemetery or common-carrier terminal) in these instances the Government will reimburse up to \$6,900 depending on the type of arrangements. In addition, the Government will pay travel expenses for the next of kin to the place of internment.

Sec. 6. Burial at Sea: Burial at Sea is a means of final disposition of remains that is performed on United States Navy vessels. The committal ceremony is performed while the ship is deployed. Therefore, family members are not allowed to be present. The commanding officer of the ship assigned to perform the ceremony will notify the family of the date, time, and longitude and latitude once the committal service has been completed. Burial at sea is available to active duty, retired, honorably discharged veterans and their family members, U.S. civilian marine personnel of Military Sealift Command, other U.S. citizens who are determined eligible by the Chief of Naval Operations because of notable service and/or other contributions to the government. Anyone desiring burial at sea should indicate that preference in writing (in a will or other legal document). During funeral planning, the the Person Authorized to Direct Disposition (PADD) should contact the Navy and Marine Corps Mortuary Affairs office at 1-866-787-0081 to request a packet and for additional information.

The supporting documentation that must accompany a request for a burial at sea are:

- a photocopy of the death certificate
- the burial transit permit or the cremation certificate
- a copy of the DD Form 214, discharge certificate, or retirement order

Additional information can be found at
<http://www.navy.mil/navydata/questions/burial.html>

Sec. 7. Burial of a Military Dependent: When the dependent of a member of the armed forces on active duty other than for training dies, the expense for shipping remains from place of death to home of decedent or other appropriate place of interment will be furnished by the appropriate service. When the death of a dependent occurs in an overseas command, preparation of remains will be furnished, if available, on a reimbursable basis.

CEMETERIES

Sec. 8. National Cemeteries: The Department of Veterans Affairs' (VA) National Cemetery Administration maintains 141 cemeteries in 40 states (and Puerto Rico) as well as 33 soldier's lots and monument sites. Please note that there is not a VA national cemetery in every state. These are under the jurisdiction of the Department of Veterans Affairs and the Department of Interior. Information concerning gravesites, setting of monuments or head stones, and arrangements for burial in a national cemetery should be obtained directly from the Director

of the national cemetery concerned. No official application form is used in applying for burial of an eligible person in a national cemetery. Arrangements may be made by personal contact, telephone, telegram or letter. A copy of DD Form 214 or other acceptable discharge certificate is required.

Sec. 9. List of National Cemeteries: Department of Veterans Affairs (VA) National Cemetery listing by state may be found at <https://www.cem.va.gov/cems/allnational.asp> , or by contacting your local Funeral Home Director.

NOTE: Many closed national cemeteries may still inter cremated remains. Occasionally full-casket gravesites become available in closed cemeteries due to disinterment's or relinquishment of gravesite reservations made prior to 1962. Contact the cemetery director or call the Memorial Program Service Applicant Assistance Unit at 1-800-697-6947 for information.

Sec. 10. Listing of State Veteran Cemeteries: A listing of State Veteran Cemeteries may be found at <https://www.cem.va.gov/cem/cems/allstate.asp> or by contacting your local Funeral Home Director.

Sec. 11. Arlington National Cemetery: Arlington National Cemetery is a national cemetery under the jurisdiction of the Department of the Army. The primary mission of Arlington National Cemetery is to function as the nation's premier military cemetery and shrine honoring those men and women who served in the Armed Forces. Funeral services are provided Monday through Friday, except federal holidays, from 9:00 a.m. through 3:00 p.m. Family and friends should arrive at the cemetery approximately one half hour prior to the scheduled service time. Telephone (877) 907-8585 to request funeral services.

Eligibility for Interment (Ground Burial):

The persons specified below are eligible for ground burial in Arlington National Cemetery. The last period of active duty of former members of the Armed Forces must have ended honorably. Interment may be casketed or cremated remains.

- Any active duty member of the Armed Forces (except those members serving on active duty for training only).
- Any veteran who is retired from active military service with the Armed Forces.
- Any veteran who is retired from the Reserves is eligible upon reaching age 60 and drawing retired pay; and who served a period of active duty (other than for training).
- Any former member of the Armed Forces separated honorably prior to October 1, 1949 for medical reasons and who was rated at 30% or greater disabled effective on the day of discharge.
- Any former member of the Armed Forces who has been awarded one of the following decorations:
 - Medal of Honor
 - Distinguished Service Cross (Navy Cross or Air Force Cross)
 - Distinguished Service Medal
 - Silver Star
 - Purple Heart
- The President of the United States or any former President of the United States.
- Any former member of the Armed Forces who served on active duty (other than for training) and who held any of the following positions:
 - An elective office of the U.S. Government
 - Office of the Chief Justice of the United States or of an Associate Justice of the Supreme Court of the United States.
 - The chief of a mission.
- Any former prisoner of war who, while a prisoner of war, served honorably in the active military, naval, or air service, whose last period of military, naval or air service terminated honorably and who died on or after November 30, 1993.
- The spouse, widow or widower, minor child, or permanently dependent child, and certain unmarried adult children of any of the above eligible veterans.

The widow or widower of:

- A member of the Armed Forces who was lost or buried at sea or officially determined to be missing in action.

- A member of the Armed Forces who is interred in a US military cemetery overseas that is maintained by the American Battle Monuments Commission.
- A member of the Armed Forces who is interred in Arlington National Cemetery as part of a group burial.
- The surviving spouse, minor child, or permanently dependent child of any person already buried in Arlington National Cemetery.
- The parents of a minor child, or permanently dependent child whose remains, based on the eligibility of a parent, are already buried in Arlington National Cemetery. A spouse divorced from the primary eligible, or widowed and remarried, is not eligible for interment.

Eligibility for Inurnment in the Columbarium:

The following persons are eligible for inurnment in the Columbarium. The last period of active duty (other than for training) of former members of the Armed Forces must have ended honorably:

- Any member of the Armed Forces who dies on active duty.
- Any former member of the Armed Forces who is retired from active duty.
- Any former member of the Armed Forces who served on active duty (other than for training).
- Any member of a Reserve Component of the Armed Forces who dies while he/she is on active duty for training or performing full-time service under Title 32, United States Code.

For more information go to: <http://www.arlingtoncemetery.mil/>

Application for an Exception to the Interment/Inurnment Policy:

A letter requesting an exception to policy should be submitted to the Superintendent, Arlington National Cemetery, Arlington, VA 22211. A request for an exception to policy will not be considered until the death of the individual. Letters may be faxed to the Superintendent at (703) 607-8583. The letter should contain the following information: Name of the deceased, Reason(s) why the deceased should be favorably considered for an exception to policy, all relevant information regarding military service or service to the nation should be included, all documentation of service should be included (i.e., DD Form 214, award certificates, orders, etc.)

If interment is to be in the same grave as someone already interred, provide the full name of the previously interred person and the section/grave number where interred, if known. Include the relationship of the deceased to the previously interred person. Include a point of contact and both a daytime and evening telephone number for questions concerning additional information and notification purposes. Family member or personal representative will read and sign the public disclosure form and forward it with the exception request. Copies of the public disclosure form are available at the Administration Building or you may telephone to request a copy of the form at (703) 607-8585. Decisions generally provided within 24 to 48 hours after receipt of the request.

The cemetery is open year round (365 days) for visitation. The cemetery is open from 8:00am through 5:00pm, October 1 through March 31. During the period April 1 through September 30, the cemetery is open for visitation from 8:00 a.m. through 7:00 p.m.

Sec. 12. Overseas Cemeteries: Construction and permanent maintenance of military cemeteries and memorials on foreign soil are the responsibility of the American Battle Monuments Commission. Questions concerning the location of final interment of deceased armed forces personnel buried in overseas cemeteries as well as other information regarding travel, passports and visas and photographs of actual grave sites, colored lithographs of the cemetery and floral decorations may be secured by addressing correspondence to the American Battle Monuments Commission, Court House Plaza II, Suite 500, 2300 Clarendon Blvd. Arlington, VA. 22201-6900. Telephone 703-696-6900. Or visit their web site at: <http://www.abmc.gov/>. It is important to furnish full details including the name, relationship, and address of the person making the request.

MEMORIALS, HONORS, AND OTHER BENEFITS

Sec. 13. Military Funeral Honors: Upon request, DOD will provide military funeral honors consisting of folding and presentation of the United States flag and the playing of "Taps". A funeral honors detail consists of two or more uniformed members of the armed forces, with at least one member from the deceased's branch of service. Family members should inform their funeral directors if they want military funeral honors. For

additional information regarding Military Funeral Honors please visit:
<https://www.militaryonesource.mil/military-life-cycle/veterans-military-funeral-honors>

Sec. 14. Headstones and Markers: Headstones and markers are provided for the graves of veterans anywhere in the world and of eligible dependents of veterans buried in national, state veteran or military post cemeteries. On December 27, 2001, the President signed Public Law 107-103, the *Veterans Education and Benefits Expansion Act of 2001*. This law includes a provision that allows the Department of Veterans Affairs (VA) to furnish an appropriate marker for the graves of eligible veterans buried in private cemeteries, whose deaths occur on or after September 11, 2001, regardless of whether the grave is already marked with a non-government marker.

Headstones and markers are inscribed with the name of the deceased, branch of service, and years of birth and death. Optional items that may be inscribed are military grade or rate; war service such as World War I, World War II, Korea, Vietnam, or Gulf War, an emblem reflecting ones religion; and text indicating valor awards.

The VA may furnish a memorial headstone or marker for any eligible veteran whose remains are not available for burial, was buried at sea, cremated or donated to science. Memorial headstones and markers are provided for placement in a cemetery other than national cemetery. In such cases, VA supplies the marker and pays for the cost of shipping but does not pay for the plot or placement of the marker.

The VA may furnish a headstone or marker for the grave of a veteran's spouse or child who is buried in a state-owned veterans' cemetery or national cemetery. The VA does not provide headstones or markers for dependents of veterans buried in private cemeteries.

A. Application:

1. A headstone or marker will automatically be placed at the grave of a person buried in a national cemetery.

2. VA Form 40-1330, *Application for Standard Government Headstone/Marker* must be used to request a headstone/marker and in a private cemetery. Only the following individuals may apply for a headstone, marker or medallion:

- Decedent's next-of-kin (NOK)
- Authorized representative on behalf of decedent
- Authorized representative on behalf of next-of-kin

If someone other than the NOK is applying for the headstone, marker or medallion, the application package must include a written statement signed by the NOK or decedent authorizing that person (the applicant) to apply for this benefit. A notarized statement is not required for these purposes.

If possible, a copy of the veteran's last DD Form 214 or other separation document should accompany the application. Applications should be sent to:

Memorial Programs Service (41A1)
Department of Veterans Affairs
5109 Russell Road
Quantico, VA 22134-3903

Applications can also be faxed in; instructions for applying in this manner can be found at <https://www.va.gov/burials-memorials/memorial-items/headstones-markers-medallions/>

B. Costs: The original headstone or marker is provided free of charge. Marble headstones and flat marble or granite markers are shipped at government expense to the person or firm designated as consignee. Bronze markers are shipped to the consignee or, if no consignee is designated, to the applicant. Any cost associated with the transportation of the headstone or marker from the location of the consignee to the cemetery and with placing it at the gravesite, is the responsibility of the next-of-kin or applicant.

C. Foreign Private Cemeteries: Headstones and markers may be shipped overseas for placement at unmarked graves in private cemeteries. Arrangements for delivery will be made through U.S. Embassy or Consulate offices in the country involved by the National Cemetery System.

D. Replacement Headstones or Markers:

1. A replacement headstone or marker will be provided without charge if the contractor or VA makes an error in the inscription.

2. Replacements for damaged, stolen or unserviceable headstones or markers may be requested by calling the Memorial Programs Service Applicant Assistance Unit at (800) 697-6947. Additional information can be found at <https://www.va.gov/burials-memorials/memorial-items/headstones-markers-medallions/>

Sec. 15. Medallions in Lieu of Government Headstone/ Marker: Public Law 110-157 enacted December 26, 2007, expanded VA authority to provide a medallion instead of a headstone or marker for veteran grave in private cemeteries when the grave is already marked with a private-purchased headstone or marker. Claimants will have the option to apply for either a traditional headstone or marker to place on the grave, or a medallion to affix to a privately-purchased headstone or marker. Until a new form specifically for ordering the medallion is available, claimants may use the form used for ordering government headstones and markers, VA Form 40-1330, *Application for Standard Government Headstone /Marker*.

Sec. 16. Flag: A flag of the United States will be furnished by the VA to drape the casket of a deceased veteran discharged under honorable conditions who served during a period of war, served after January 31, 1955, veterans who are entitled to retired pay for service in the reserves or who would have been entitled to such pay but not for being under age 60, and members of former members of the Selected Reserves who served at least one enlistment, or in the case of an officer, the period of initial obligation, or were discharged for disability occurred in or aggravated in the line of duty, or who die while a member of the Selected Reserve. In any case where a flag has not been issued at the time of interment, the nearest relative of such deceased person may be issued a U.S. Flag for memorial purposes. A memorial flag will be issued to the next-of-kin in the same order of preference as a flag issued at the time of burial to drape the casket. When requesting a flag use VA Form 21-2008, *Application for United States Flag for Burial Purposes*. Flags may be obtained from VA regional offices, national cemeteries, and first class post offices. After burial of the veteran, the flag may be given to the next-of-kin. When death occurs in service, the issuance of a flag to the parents of deceased servicemen is authorized. This is in addition to the flag presented to the surviving spouse. The law allows one flag for a veteran's funeral. It cannot be replaced if it is lost, destroyed, or stolen.

NOTE: The deceased serviceman's branch of service should be contacted for issuance of this flag. Otherwise, only one flag will be issued in any case. If no claim is made for the flag by the next-of-kin, it may be given upon request, to a close friend or associate of the deceased veteran. In the event that death occurs in a location or under circumstances where a flag is not available at the time of the burial, the VA may issue a flag for memorial purposes.

Sec. 17. Presidential Memorial Certificates: Presidential Memorial Certificates express the nation's recognition of a veteran's service. Certificates bearing the signature of the current President are issued honoring deceased veterans with honorable service. Eligible recipients include next of kin or other loved ones. The award of a certificate to one eligible recipient does not preclude certificates to other eligible recipients. A copy of a document such as a discharge to establish honorable service must accompany request for a certificate. In most instances, the VA will issue the certificate automatically during the processing of a death claim. Therefore, no formal application is required. However, in those instances where a claim was not initiated for death benefits and the certificate was not issued, a simple letter request by the applicant, with sufficient information provided to identify the veteran will be honored. This request should be forwarded to the local VA regional office. VA Form 40-0247 is to be used when requesting the certificate. There is no time limit for requesting a Presidential Memorial Certificate.

Sec. 18. Social Security Death Benefit: A lump sum death payment of \$255 may be payable by the Social Security Administration to surviving spouses or minor children if applied for within two (2) years of the date of the veteran's death. Call 1-800-772-1213 for more information. Additional information regarding Social Security benefits is available on line at <http://www.ssa.gov>.

Sec. 19. Memorial Plots: Memorial plots are authorized in national cemeteries to honor the memory of eligible veterans. Memorial headstones and markers are furnished for members of the armed forces missing in action, who died while serving in such forces but whose remains have not been identified, who have been buried at sea, or remains have been determined to be unrecoverable. Installation of appropriate markers in honor of individuals or groups paid for by other than government funds will also be permitted, with prior

approval. A marker will also be provided for those members of the armed forces who have their remains donated to science or whose remains are cremated.

RESOURCE LINKS

Sec. 20. Resources: Below is a series of current web links to additional details on burial and memorial benefit programs offered to honor our veterans:

<http://www.benefits.va.gov/compensation/claims-special-burial.asp>

<http://www.benefits.va.gov/BENEFITS/factsheets/burials/Burial.pdf>

<http://www.navy.mil/navydata/questions/burial.html>

<http://www.cem.va.gov/cem/cems/listcem.asp>

https://www.dco.uscg.mil/national_maritime_center/https://www.cem.va.gov/cem/docs/factsheets/Planning_Legacy_Booklet.pdf



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www.vfw.org