

REVISED ORDERING PROCEDURES FOR MEMORIAL HEADSTONES/MARKERS

1. PURPOSE: This notice establishes new procedures for ordering memorial (“In Memory Of”) headstones and markers for placement in Department of Veterans Affairs (VA) and other Federally-administered national cemeteries, and in VA-funded State and Tribal Veterans’ cemeteries.

2. BACKGROUND

a. Memorial headstones/markers are available from the National Cemetery Administration (NCA) for the remains of decedents who would have been eligible for interment but are not available because they 1) have not been recovered or identified; 2) were buried at sea, whether by the individual’s own choice or otherwise; 3) were donated to science; or 4) were cremated and the ashes scattered without interment of any portion of the ashes (38 U.S.C. 2306).

b. On July 1, 2009, NCA amended the “Headstone and marker application process” regulations published in title 38, of the Code of Federal Regulation (CFR). Section 38.632 requires that the applicant for a headstone/marker be the decedent’s next-of-kin (NOK), a person authorized in writing by the NOK, or a personal representative authorized in writing by the decedent. Additionally, NCA began making applicants aware of the right to appeal headstone/marker denial determinations on June 23, 2009.

3. CHANGE TO PROCEDURES: To ensure that NCA consistently processes claims for memorial headstones/markers ordered electronically using the Burial Operations Support System (BOSS), effective as of the publication date of this notice:

a. NCA Cemetery Directors will ensure that the procedures stated below are followed:

(1) Provide the claimant with a VA Form 40-1330 “Claim for Standard Government Headstone or Marker” (available at <http://www.va.gov/vaforms/va/pdf/VA40-1330.pdf>) and assist the claimant with completing the form if necessary.

- If the request is made in person: Ask the claimant to complete the form and provide copies (not originals) of any supporting documentation. Make a copy of the completed application for the claimant.
- If the request is made by telephone: Provide the website address for the form to the claimant - or offer to mail a copy - and ask that the completed form and copies (not originals) of any supporting documentation be returned to the cemetery.
- If the request is received in writing: Mail a copy of the form to the claimant. Ask the claimant to complete the form and return the completed form and copies (not originals) of any supporting documentation to the cemetery.

(2) Ask all claimants to provide a brief explanation in Block 27 (Remarks) explaining why the decedent's remains are unavailable for interment, e.g., not recovered or identified, buried at sea, donated to science, or cremated and ashes scattered. Additionally, ask all claimants to provide supporting documentation and/or statements to support the reason for unavailability of remains, for example:

- Not recovered or identified – Provide a copy of a Department of Defense letter or similar document that serves as official notification that a service member killed in action had no remains that could be recovered, or an individual who was Missing In Action was later determined to be deceased and remains were never located;
- Buried at sea – Provide a copy of the burial at sea document that recorded the date and time of burial at sea and latitude and longitude, or provide primary source documentation from a Department of Defense office certifying a service member died at sea when their ship was destroyed and sank;
- Donated to science – Provide a copy of the medical institution document certifying that the remains were donated for medical research;
- Cremated and ashes scattered – Provide a signed and dated statement certifying the ashes have been scattered and no portion(s) of the ashes have been interred or retained; for example, provide a certified statement that cremated remains were commingled in an ossuary or a reef and no portions of the cremated remains have been interred or retained;

(3) Inform the claimant, in person or using the telephone number provided on the form, that the application and supporting documentation will be reviewed and they will be notified by telephone within ten business days whether a final determination has been made or NCA will need additional information or more time for review. If more time is necessary, MPS will provide cemetery staff with regular updates regarding progress of review.

(4) Establish the record in BOSS. If a memorial service and/or military honors are requested, enter a tentative date for the service and inform the claimant that the tentative date will become final only after VA makes an eligibility determination. From the decedent screen enter "M" for memorial in the "remains" field. Assign the location where the memorial will be placed (shown in BOSS as the section, row and grave number) in the Gravesite Assignment screen and in the "container" field enter 000 for memorial. All remaining information in the BOSS record will be completed in accordance with the BOSS User Guides.

(5) Scan the completed form and supporting documentation and send as encrypted email to Memorial Programs Service (MPS) at nca.imo@va.gov.

b. MPS staff will review requests for memorial headstones/markers in the order received, and will respond by email to the cemetery when a determination is made.

(1) If the claim is approved, MPS will instruct cemetery staff to complete the case in BOSS using the MPS eligibility determination date, or the memorial service/honors date if later than the eligibility determination date, as the date of interment, and order the memorial headstone/marker at the cemetery level.

(2) If the claim is denied, MPS will prepare a signed formal letter of denial that includes information about the right to appeal the determination, and mail it directly to the claimant. MPS will provide a copy of the denial letter to the cemetery (for information only) after it has been dispatched.

c. MPS staff use VA Form 40-1330s submitted by mail or fax to order memorial headstones/markers for those cemeteries that do not use BOSS.

(1) Use of similar procedures by Federal National, State and Tribal Veterans cemeteries that do not use BOSS will assist with ensuring that claims for memorial headstones/markers include all relevant information and can be processed consistently and accurately.

(2) If NCA cemetery staff receive an application for placement of a memorial headstone/marker in a private cemetery they will refer it to MPS by scanning the completed form and supporting documentation and sending by encrypted email to MPS at nca.imo@va.gov.

d. NCA Scheduling Office (NCSO): NCSO will refer all requests for a memorial headstone/marker to the cemetery where placement of the headstone/marker is requested. The Cemetery Director will follow the procedures stated in paragraph 3.a.

4. RESPONSIBLE OFFICE: National Cemetery Administration, Office of Field Programs, Memorial Programs Service, 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the contents of this notice.

5. RESCISSION: Field Operations policy memorandum "Submission of VA Forms 40-4956 to NCS Central Office," dated May 7, 1991, is rescinded in its entirety.

6. EXPIRATION: The information contained in this notice will be in effect until incorporated into NCA Handbook 3315 – NCA Procedures for Ordering Government-Furnished Headstones/Markers.

/s/
Glenn Powers
Deputy Under Secretary
Office of Field Programs