



SURVIVOR AND BURIAL BENEFITS

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Objectives



Survivor benefits – recurring benefits designed to assist eligible dependents of deceased veterans

Burial benefits – one-time benefit(s) designed to assist claimants in meeting burial costs of eligible veteran



Applications

VA Form 21P-534EZ, Application for DIC, Death Pension and/or Accrued Benefits

VA Form 21P-535, Application for DIC by Parent(s)

VA Form 21P-0969, Income and Asset Statement in Support of Claim for Pension or Parents' DIC

VA Form 21P-530, Application for Burial Benefits

VA Form 40-1330, Claim for Standard Government Headstone or Marker

VA Form 40-1330M, Claim for Government Medallion for Placement in a Private Cemetery

VA Form 40-0247, Presidential Memorial Certificate Request Form

VA Form 27-2008, Application for US Flag for Burial Purposes

38 USC 5101



Recurring Monthly Benefits

- Dependency and Indemnity Compensation (DIC)
- Parents' DIC
- Death Pension



Relationship and evidence criteria

- Surviving Spouse – 38 CFR 3.50
- Child – 38 CFR 3.57 and 3.58
- Parent – 38 CFR 3.58
- Marriage – 38 CFR 3.205
- Divorce – 38 CFR 3.206
- Death – 38 CFR 3.211
- Birth – 38 CFR 3.209
- Child's relationship – 38 CFR 3.210



Dependency Documentation

IF SURVIVING SPOUSE recognized by VA as veteran's spouse during lifetime, relationship conceded and no documentation required*, *OTHERWISE NEED*

Copy of public record of marriage

Complete info regarding prior marriages of veteran and spouse

Copy of birth certificates

Custodian and address for children

Social Security numbers for all

**cannot concede if marriage date requirements in 38 CFR 3.54 not met*

DIC



- Dependency and Indemnity Compensation (DIC)
- Monthly benefit
- Paid to unmarried surviving spouses, dependent children, and dependent parents
- Service member who died during active military service, or
- Veteran who died from disease or injury incurred in/or aggravated by service, or
- Veteran died due to service connected causes
- Veteran died due to non-service connected causes for certain claimants if rated totally disabled for a certain period of time prior to death (38 USC 1318)
- Service connected death under 38 USC 1151



Entitlement

DIC

- Death in military service
- Death due to service connected disability 38 USC 1310
- Death under 38 USC 1318 (10 year rule)
- Death under 38 USC 1151

Pension

- Limited income
- Meets bright line limits (Assets totaling \$150,538)



Month of Death benefit

Available for surviving spouse

Vet died 10-1-82 or later (38 CFR 3.20(b))

- Application for surviving benefits received in 1 year from date of death
- Pay veteran's rate for month of death only if greater than surviving spouse's monthly rate
- Automatic payment with processing of award

Veteran died after 12-31-96 (38 CFR 3.20 (c))

- When not entitled under 3.20(b), pay as one-time benefit
- Need to claim



Military Service Minimums

38 CFR 3.5(a)

Character of discharge

- Honorable
- General, or
- Under honorable conditions



Marriage Dates for DIC

Surviving spouse must meet 1 of the following:

- Married to veteran one year or more before veteran's death
- A child born of or prior to marriage
- Married before expiration of 15 years after termination of period of service where injury/disease causing death incurred or aggravated*

*Does not apply for DIC under 38 USC 1318
38 CFR 3.54(c)



Continuous Cohabitation – DIC and Death Pension

Must show continuous cohabitation from date of marriage to date of death of veteran

Separation due to misconduct of, or procured by, veteran without fault of surviving spouse

Temporary separations will not break continuity

38 CFR 3.53

Deemed Valid Marriage – DIC and Death Pension



Where attempted marriage:

Occurred 1 year or more before veteran died or any period of time if child born of or before “marriage”, **AND**

Claimant entered “marriage” without knowledge of impediment, **AND**

Claimant cohabited continuously from date of “marriage” to date of death, **AND**

No claim filed by legal surviving spouse who is found entitled

38 CFR 3.52

38 CFR 3.205(c)

M21-1, Part VII, Subpart i, 2.D.8



Impact of COVID-19

Death certificate may or may not list contributory causes of death

Review veteran's service connected disabilities to identify those that could have accelerated death with COVID

Claim service connection for cause of death

DIC



Eligible individuals

- Unremarried or whose marriage ended (38 CFR 3.50)
- Remarried on or after age 57
- Unmarried children under age 18 (38 CFR 3.57 and 3.58)
- Unmarried students between 18 and 23 attending a VA approved school
- Adult helpless children age 18 and over
- Parents with low income (38 CFR 3.58)



Survivor Benefit Plan and DIC

- PL 92-425 effective 9-21-72 prohibited concurrent receipt
- Combined benefits not to exceed higher of two benefits
- Only amount of DIC for surviving spouse used (*excluded additional amount for child*)
- National Defense Authorization Act for Fiscal Year 2020 restored full benefits of both SBP and DIC on phased schedule
 - Phased in offset amount – full offset through 2020
 - 2021 – 2/3 offset
 - 2022 – 1/3 offset
 - 2023 – no offset



DIC Surviving Spouse Rates

For deaths prior to 1-1-93, surviving spouse receives amount based on veteran's military pay grade (*see website for varying pay rates*)

For deaths 1-1-93 and thereafter, rate not related to military pay grade
Additional payment

- veteran in receipt or entitled to receive comp for service-connected disability rated totally disabling (including individual unemployability), for continuous 8-year period preceding death and spouse married to veteran for same 8 years

Additional for surviving spouse with dependent child(ren) payable for initial 2 years of entitlement to DIC or until last child turns 18, whichever is earlier

Entitled to housebound benefits

Entitled to A&A benefits

DIC Surviving Spouse Rates Effective 12-1-22



Payments for Deaths after 1-1-93

Basic payment rate	\$1,562.74
Add dependent child	\$ 387.15
Add A&A	\$ 387.15
Add Housebound	\$ 181.37
Add special allowance*	\$ 331.84
Additional for dependent children**	\$ 332.00

**if veteran totally disabled 8 yrs before death and
married to vet for same 8 years*

***If dependent children under age 18 and award
begins 1-1-05 or later (2 yrs max) – Transitional Benefit
38 USC 1311*



Other DIC Rates

Child (no surviving spouse) – depends on number of children entitled

- Single child \$659.83 (same under age 18 and over 18)
- Helpless child over age 18, add \$659.83

Parent

- Contingent on income computation
- Not dollar for dollar

School child-surviving spouse exists \$327.99

Helpless child-surviving spouse exists \$659.83



38 USC 1318 DIC Automatic Payment Process

VA receives notice of death

Automated system searches for spouse on veteran's award

Notice to surviving spouse

- Payment of 38 USC 1318 to be issued
- Any additional survivor/burial benefits possible
- Application required for additional benefits

Automated system to suspend for 6 days to verify no information that 38 USC 1318 should not be paid

Check issued

Total automated process



Parents DIC

Parents

- Whose veteran-child died in service **or**
- Whose veteran-child died from a S/C disability, **and**
- In financial need (income based benefits)
- May be biological, step, adopted or in loco parentis

Establish parent/child relationship 38 CFR 3.59, 38 CFR 3.209

Meet income limitations 38 CFR 3.251, 3.260, 3.261, 3.262

Limit to one parent in each parental line (one father—one mother)

Income



- Annual limit impacted by marital status
- Income for VA purposes (IVAP) calculated on calendar-year basis except under 3.260(d) proportionate income computation
- Income of parent's spouse is factor in determining income if living together
- Spouse can be parent of veteran or not
- Income from any source counted unless specifically excluded (38CFR3.251(b))
- 38 CFR 3.261(a) lists income sources and countability
- Social Security, Railroad, Civil Service, military retired pay, public or private retirements, life insurance counted at rate of 90%
- 38 CFR 3.261(b) lists deductible expenses
- Net worth is not a factor



Deductible expenses

Unreimbursed medical expenses exceeding 5% of reported annual income

- Reported annual income includes all *countable* family income before 10% reduction for retirement income

Unreimbursed final expenses of veteran's last illness/burial when paid by parent or parent's spouse as long as parent and spouse live together
(NOTE: does not include just debts)

VA allows deduction of unreimbursed expenses of parent's deceased spouse's last illness and burial and just debts when paid by parent



Death Pension

Monthly benefit paid to

- Unremarried spouses
- Dependent children

Wartime veteran whose death not due to service connected disability

Within [Bright Line](#) limit

Meets qualifying income limits

Benefit based on amount of other income



Eligibility requirements

Veteran separated from active military service under conditions other than dishonorable

Served 90 days or more of which 1 day was during wartime period

Service after 9-7-80 – need 2 years or completion of active duty obligation

38CFR3.3(a)(ii)(3)



Eligibility requirements (*continued*)

Service during a period of war and discharged/released for service connected disability or had a service connected disability at time of discharge that would have justified discharge for disability

Aggregate of 90 days of actual wartime service in 2 or more separate periods of service during more than one period of war

Includes active duty for training or inactive duty for training if veteran had service connected condition due to ADT or IADT

At time of death, veteran met wartime service requirement for veterans pension, or

Veteran was receiving (or entitled to receive) compensation for service connected disability due to service during a period of war

38CFR3.16

38USC1541(a), 1542

Wartime Periods



World War I	4-6-1917 thru 11-11-1918 (<i>thru 4-1-20 if served in Russia</i>)
World War II	12-7-1941 thru 12-31-1946
Korean Conflict	6-27-1950 thru 1-31-1955
Vietnam Era	8-5-64 thru 5-7-75 (<i>includes 11-1-1955 to 5-7-1975 if served in the Republic of Vietnam</i>)
Gulf War	8-2-90 to present time

38CFR3.2



Expansion of Vietnam Era Service Dates

Service in offshore waters as defined in PL 116-23 will satisfy “in country” requirement for inclusion of earlier dates for Vietnam Era service to be considered “wartime” service

- 2-28-61 to 5-7-75 for VA decisions before 1-5-21
- 11-1-55 to 5-7-75 for VA decisions 1-5-21 and thereafter

Evidence Required



Application

Proof of requisite military service

Marital and dependents documents *(if applicable)* – *not needed if established for veteran while he/she was living*

Income and net worth information



Military Service Documentation

Copy of discharge papers showing dates of service and character of discharge

Certification by accredited service organization representative

VA may already have if prior C&P claim filed (*check BIRLS for verified service*)

Retrieval of service documentation from NPRC currently available for emergency situations. Allow VA to request if documentation not available. Secure all information possible to aid in retrieval.

38CFR3.203



Marriage Dates

Surviving spouse must meet at least 1 of the following:

- Married to veteran one year or more before veteran's death
- A child born of or prior to marriage
- Married before the delimiting date

Must be unremarried surviving spouse



Delimiting Dates

When pension eligibility is based on the veteran's service during . . .	Then the delimiting date is . . .
World War II	January 1, 1957
Korean Conflict	February 1, 1965
Vietnam Era	May 8, 1985
Gulf War	January 1, 2001



Defining net worth

Bright line rule (AO 73 Rule)

Bright line net worth limit – value of combined assets and annual income cannot exceed for pension purposes

Assets include fair market value of all real and personal property minus mortgages

2023 level is \$150,538



Real and Personal Property

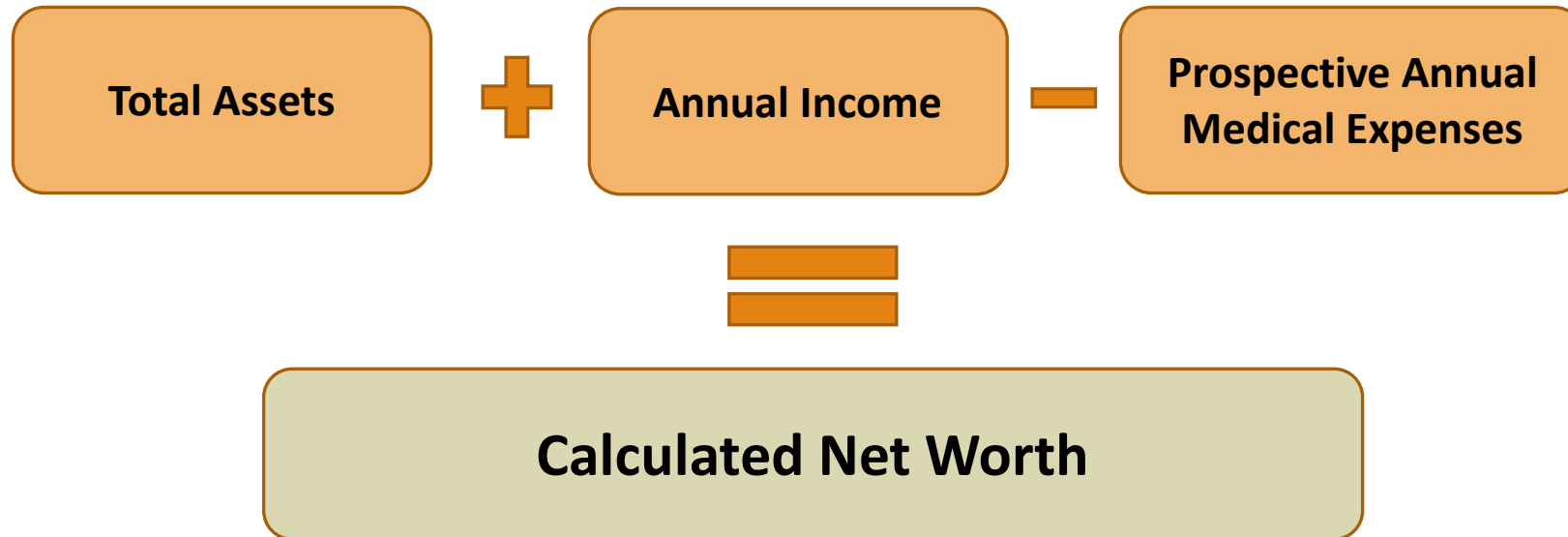
Real property includes land/buildings but not

- Primary residence plus residential lot area (not to exceed 2 acres – 87,120 SF unless additional acreage is not marketable) - VA to develop value of additional acreage over 2 acres
- Car
- Basic home items like appliances not taken if moving

Personal property includes

- Investments (e.g. stocks/bonds)
- Furniture
- Boats

How to Calculate Net Worth



At or Under the limit: Eligible for Benefits

Over the limit: Not Eligible for Benefits



Income and Medical Expenses

Prospective medical expenses is after deduction for 5%

Continuing medical expenses can be used to calculate income for net worth purposes

Unreimbursed medical expenses cannot be used for net worth calculation



When to calculate net worth

VA receives

Original pension claim

New pension claim after period of non-entitlement

Info that surviving spouse's or child's net worth has increased or decreased

NOTE: VA may deny a pension claim due to excessive net worth before determining if claimant meets other entitlement factors. In this case, VA will notify claimant of entitlement factors that have not been established.



Child's net worth

Net worth of child of veteran or surviving spouse can be factor for pension purposes

Child's net worth evaluated independently (not added to "family" net worth)

If child's net worth excessive, child would be removed from award



Look back period

36 month look-back period

Begins 36 months immediately preceding date VA **receives claim**
(does not begin with date of intent to file)

Length of penalty period calculated based on amount of covered asset not to exceed 60 months

NOTE: Look back period does not include any time prior to 10/18/18



Covered asset

A covered asset is an asset that was part of claimant's net worth, and was transferred for less than fair market value within the 36 month period prior to applying for benefits, and if not transferred, would have caused or partially caused claimant's net worth to exceed net worth limit.

Fair Market Value (FMV) – price which an asset would change hands between willing buyer and seller

Transfer for less than FMV – selling, conveying, gifting, exchanging asset for amount less than fair market value, or voluntary asset transfer to, or purchase of, any financial instrument that reduces net worth



Trust for helpless adult

VA to not consider transfer to trust if established on behalf of a child whom **VA has rated** incapable of self-support

Exception to rule for transfers for less than FMV

Income



Report all income from all sources

VA will exclude appropriate sources 38 CFR 3.271 thru 3.277

Medical expenses

- Continuing expenses for prospective allowance
- Keep records/receipts

38 CFR 3.272





Excludible income examples

Burial and last expenses

Welfare

Maintenance

Fire insurance

Agent Orange settlement payments

Cash surrender value of life insurance

Medicare Prescription Drug Discount and Transitional Assistance Program

COVID related stimulus payments

38 CFR 3.272



Unreimbursed medical expenses (UME)

Expenses paid by surviving spouse for:

- Self
- Children
- Parents
- Other relatives with moral/legal obligation of support

Person who is member of household

Expenses exceeding 5% of maximum annual pension rate (MAPR) can reduce IVAP

Only paid expenses with no prospect of reimbursement

Continual medical expenses

- Nursing home expenses
- Static expenses (e.g. Medicare deduction, medical insurance, insulin)



Deductible medical expenses

Bright line rule (AO 73) defined and clarified

- Activities of daily living (ADLs)
- Instrumental activities of daily living (IADLs)
- Custodial care

Medical expense deduction contingent on type of care disabled individual receiving in the facility and necessity for the individual to be in the facility

Generally does not include assistance with IADLs

Does not include payments for meals and lodging



Activities of daily living (ADLs)

Basic self-care activities

- Bathing/showering
- Dressing
- Eating
- Toileting
- Transferring (moving from one position to another, such as getting in/out of bed)
- Ambulating within home or living area



Instrumental activities of daily living (IADLs)

Independent living activities

- Shopping
- Food preparation
- Housekeeping
- Laundering
- Managing finances
- Handling medications
- Using telephone
- Transportation for non-medical purposes



In home health care expenses

Payments for assistance with ADLs and IADLs are medical as long as attendant provides disabled individual with health care or custodial care.

Attendant must be health care provider unless:

- Disabled individual needs aid and attendance (A&A) or is housebound, or
- Physician, physician assistant, certified nurse practitioner, clinical nurse specialist states in writing that, due to physical, mental, developmental, or cognitive disorder, the individual requires the health care or custodial care that in-home attendant provides

Medical expenses claimed after application filed



Completion of VA Form 21P-8416, Medical Expense Report

Show specific purpose for expense

Certify out of pocket without reimbursement

Identify dates of payments

Show who paid

Identify illness/condition for expense

Retain copies of receipts for at least 3 years after VA makes decision on medical expenses



Last Expenses

Final expenses of last illness

Just debts of the veteran (*unsecured expenses*)

Final expenses paid by surviving spouse prior to date of pension

Burial expenses (including pre-paid burial)

Deductible final expenses include amounts paid by

- Surviving spouse/child for the unreimbursed expenses of veteran's last illness, burial, just debts
- Surviving spouse for unreimbursed expenses of veteran's child's last illness and burial



Special Monthly Allowance

Provides higher maximum level of death pension rate (**MAPR**) for death pension

- Housebound level
- Aid and Attendance level

Same disability criteria provides for higher monthly rate for DIC

Cannot receive both at same time

Housebound



Criteria

- substantially confined to home (ward or clinical area, if institutionalized) or immediate premises due to disability or
- disabilities reasonably certain to be permanent

Use VA Form 21-2680, Examination for Housebound Status or Permanent Need for Regular Aid and Attendance

38 CFR 3.351(d)



Aid and Attendance

Medical evidence shows need of aid of another person to perform personal functions of every day living (VAF 21-2680)

Medical evidence shows individual is bedridden (VAF 21-2680)

Patient in a nursing home (VAF 21-0779, Request for Nursing Home Information in Connection with Claim for Aid and Attendance)

Blind

[38CFR3.314\(b\)\(3\)](#)

[38CFR3.351\(a\)\(1\)](#)



\$90 Medicaid rate

\$90 rate

No survivor's **pension** in excess of \$90 per month paid to or for beneficiary for any period after month in which Medicaid payments begin

Applies to:

- veteran without a spouse or child
- surviving spouse without a child
- surviving child (effective 10-18-18)

38 CFR 3.551



Medicaid Impact on DIC Surviving Spouse/child

No impact

Medicaid determines amount allowed for incidentals which generally is below \$90

May want to consider election of death pension for survivor to receive higher benefit (if eligible)

Survivor would have to meet criteria for death pension



Pension Benefit Rates

Affected by income

- Surviving spouse
- Child not in spouse custody

Remarriage terminates benefit for surviving spouse

- **No restoration** following termination of remarriage (*different from DIC*)

Child's rate

- Much lower MAPR
- Calculation same as for surviving spouse

Determining monthly death pension rate

Monthly VA benefits reduced dollar for dollar of other income (*i.e. Social Security, interest*)

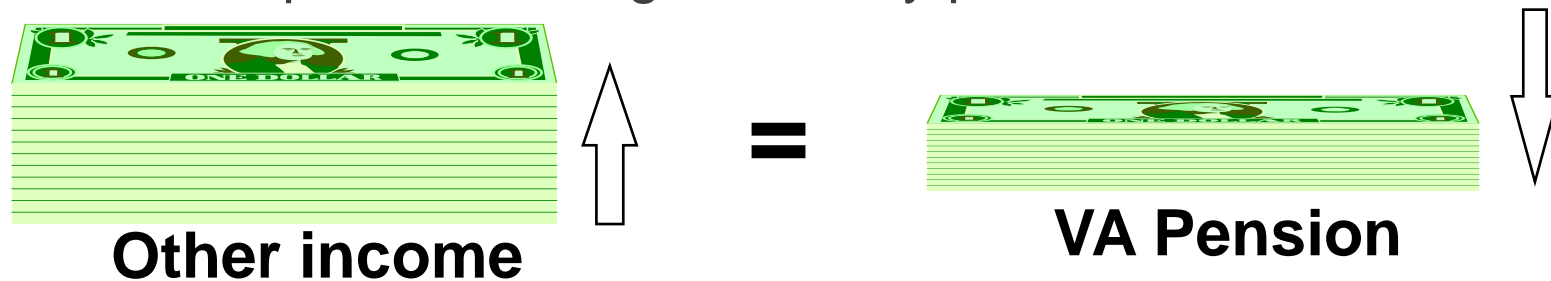
Unreimbursed medical expenses over 5% of basic **MAPR** can be used to reduce countable income

First compute IVAP

Next identify applicable MAPR

Subtract IVAP from MAPR

Divide by 12 and drop all cents to get monthly pension rate





Death Pension Calculation of Income Example

Single widow with A&A - \$17,815
(Basic MAPR - \$12,229)

Income:

- SS \$900 mo.
- Interest \$200 mo.

IVAP - \$11,000 annual

UME \$4,000 year

UME	\$4,000
Less 5% of basic	<u>- \$611</u>
Deductible UME	\$3,389

IVAP	\$11,000
Ded. UME	<u>\$ 3,389</u>
IVAP	\$ 7,611

MAPR	\$17,815
Less IVAP	<u>\$ 7,611</u>
Difference	\$10,204
= \$850 monthly VA benefit	



Effective dates

Beginning date

- Claim filed within 1 year of veteran's death = date of veteran's death
- Claim filed over one year from veteran's death = date of claim
- Reopened claim following termination/denial = date of claim unless termination/denial found in error

Termination date

- Remarriage of surviving spouse
- Income exceeds limits for death pension
- Net worth becomes a bar for death pension

38 CFR 3.400(c)



Restoration of benefits

Death pension surviving spouse **cannot** be restored to rolls after remarriage

Death pension unremarried surviving spouse may reapply if income or net worth change



Burial Benefits

Burial allowance

- Service connected
- Non-service connected

Plot-interment allowance – non-service connected death

Transportation allowance

Headstones and markers

Flag

Medallion

Presidential Memorial Certificate (PMC)



Service Connected Burial Allowance

Rating activity must grant service connection for cause of death either on direct or contributory basis

Death due **solely** to paired non-service connected organ/extremity under 38 CFR 3.383 with no contributory case of service connected disability, no service connected burial benefit

Service connected burial benefits payable even if veteran's death not service connected as long as DIC payable under 38 USC 1318

Service Connected Burial Allowance



Service connected death

- Plot allowance not payable in addition to service connected burial allowance (exception below)
- Plot allowance may be paid to State cemetery, in addition to service connected burial benefits
- Transportation expenses only payable if buried in National cemetery

Payment rate - \$2,000



Non-Service Connected Burial Allowance

- Other than dishonorable service
- In receipt of pension or compensation at time of death or would have been eligible but receiving military retirement or disability pay
- Had claim pending at time of death and found entitled prior to date of death
- Hospitalized by VA at time of death
- Died while receiving care under VA contract at non-VA facility
- Died while traveling, under proper authorization and at VA expense, to or from a specified place for purpose of exam, treatment, or care
- Died while a patient at an approved State Veterans' home



Non-Service Connected Burial Rates

Basic burial allowance \$300

Qualifications – at time of death, vet

- In receipt of compensation or would have been but for receipt of military retired pay, or
- In receipt of pension, or
- Remains are unclaimed without resources to cover burial/funeral expenses

Plot allowance \$807 (death 10-1-20 or later)

Qualifications:

- Must be eligible for basic burial, or
- Wartime vet and buried in state veteran's cemetery



Burial in VA national cemetery

Pre-need eligibility

- Veteran who did not receive dishonorable discharge from military, or
- Spouse/dependent child of service member or veteran, or
- In some cases, adult dependent child, if not married

Identify VA national cemetery where burial desired

Does not extend to state or tribal veterans cemetery (apply to those directly)

Pre-need application does not apply to Arlington or US Soldiers and Airmen's Home National Cemeteries (apply to those directly)

Getting pre-need determination does NOT guarantee burial in a specific VA national cemetery (no reservations)



Pre-Need Application

Application VA Form 40-10007 Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery

Apply online, by mail, or fax

Information needed to apply

- Social security number
- Date and place of birth
- Military status and service history (information commonly found on DD214 or other separation documents)
- Discharge papers (DD214 or other separation documents)



Pre-Need Application (cont'd)

For unremarried adult child

Need supporting documents regarding child's disability

Child's current doctor to verify documents

Documents to include:

- Onset date of disability AND
- Description of disability (mental or physical) AND
- Description of how dependent the disabled child is on the veteran AND
- Marital status of child



Hospitalized by VA at time of death

Death in department facilities (38 CFR 3.1600(c))

- Admitted to VA facility for hospital, NH or domiciliary care, [or](#)
- Contract hospital care, [or](#)
- Contract NH care, [or](#)
- Receiving NH care in State home

Burial allowance \$796

Plot allowance \$796

38 USC 2303



Transportation allowance

Cost of transporting veteran's body to place of burial when

- Enroute for VA authorized examination, treatment, or care
- Properly hospitalized at a medical center, domiciliary, or nursing home under direct jurisdiction of VA
- Receiving nursing home care under 38 USC 1720 in non-VA facility, or
- Patient at an approved State nursing home (38 USC 2303(a)(1)(b)), or
- Burial in National Cemetery

Allowance paid in addition to burial allowance



Time Limits

Application VA Form 21P-530

Non-service connected burial

- Must be filed within 2 years of date of permanent burial or cremation of veteran

Service connected burial

- No time limit

Plot allowance – no time limit

Transportation – no time limit



Automated Burial Payments

Surviving spouse listed in veteran's profile

Upon notice of veteran's death, payments automatically sent for the set amount for

- Plot
- Interment
- Transportation



Headstones and Markers

VA provides headstones and grave markers for graves of veterans anywhere in world and of eligible dependents buried in military post, state veteran or national cemeteries

Niche markers available for identifying cremated remains in columbaria

Memorial markers if remains or not available for burial

Styles

- Marble, granite, bronze flat marker
- Marble and granite upright headstone
- Marble and granite niche covers
- Bronze niche marker



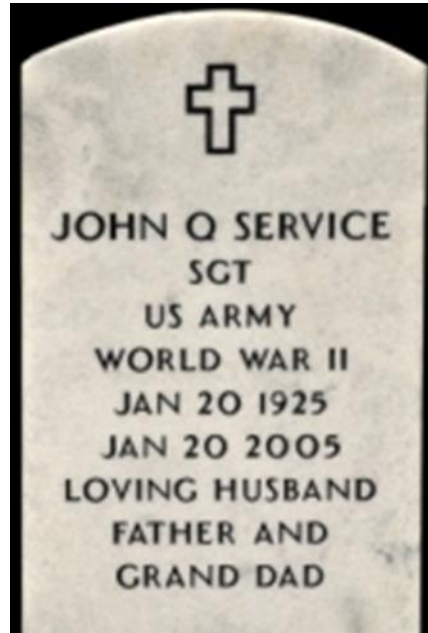
Headstones and Markers

Eligibility

- Buried in a national, State-owned, or post cemetery, or
- Eligible for burial in a national cemetery but not buried there, provided veteran
 - Meets length of service requirements PL 96-342, or
 - Died while on active military, naval, or air service, or
 - Was a member of Reserve Officer Training Corps whose death occurred while attending or on authorized travel to training camp
 - Was member of Reserve component whose death occurred while hospitalized or undergoing treatment at expense of US for injury or disease contracted or incurred under honorable conditions while performing active duty for training or inactive duty training
 - Was a member of specifically designated groups recognized as Veterans as a result of 1977 legislation allowing the DoD to grant military discharges for certain wartime service previously considered civilian, or
 - Was a soldier of the Union and Confederate Armies of the Civil War

Headstones and Markers

Pre-need eligibility application also applies for veteran headstone/marker





Non-eligible

Any individual convicted after 9-1-59 of any of a list of offenses involving subversive activities forfeit right to VA gratuitous benefits

PL 108-183 expanded list of offenses for claims filed after 12-16-03

For death on or after 12-6-02 (PL 107-330), eligibility is precluded when

- Convicted of Federal capital crime for which that person was sentenced to death or life
- Convicted of State capital crime for which person was sentenced to death or life imprisonment without parole
- Found to have committed Federal or State capital crime but not convicted by reason of unavailable for trial due to death or flight to avoid prosecution

Criteria



Deaths prior to 11-1-90, Government headstones or markers furnished for unmarked graves only

Deaths 11-1-90 and after, Government headstones or markers may also be furnished for graves marked with headstone or marker purchased at private expense

Memorial headstone or marker, if requested, furnished for placement by applicant in any national, private or local cemetery to commemorate any veteran whose remains

- Have not been recovered or identified, or
- Were
 - Buried at sea, or
 - Donated to medical science, or
 - Cremated and the remains scattered



Criteria

Government prepays shipping charges

Government does NOT cover costs for

- Transportation of headstone from consignee's address to private cemetery, or
- Erection of headstone at grave or
- Maintenance and other fees



Burial Flag

Eligibility

- Discharge under honorable conditions
- Reservist entitled to retired pay or would have been but not for being under age 60
- Selected Reservist who served at least 1 enlistment, or discharged for disability incurred or aggravated in line or duty or died while member of Selected Reserve



Not Eligible

Dishonorable discharge

Peacetime veterans discharged before 6-27-50 and did not serve one complete enlistment or incur or aggravate a disability in line of duty

Convicted of Federal capital crime and sentenced to death or life imprisonment

Convicted of State capital crime and sentenced to death or life imprisonment without parole

Committed Federal or State capital crime but not convicted by reason of not being available for trial due to death or flight to avoid prosecution



Who Receives?

Issued to next of kin or close friend. Preference order for next of kin:

- Surviving spouse
- Children, in order of age
- Parents
- Brothers or sisters
- Uncles or aunts
- Nephews or nieces, and
- Others, such as cousins or grandparents

VA will not issue flag if next of kin or close friend also entitled to receive burial flag from service department

Flag delivered to next of kin following interment

When not claimed by next of kin, given (upon request) to close friend or associate of veteran



Additional Information

Only one issued

Replacements not permitted even if damaged or lost

VA Form 27-2008, Application for U.S. Flag for Burial Purposes

Typically funeral home secures from local post office



Presidential Memorial Certificate

Certificate bearing current President's signature issued to recognize service of deceased veterans discharged under honorable conditions

VA Form 40-0247, Presidential Memorial Certificate Request Form

38 USC 112 effective 8-6-12 expanded eligibility to individuals who died in active military, naval, or air service

Attach copy of veteran's discharge and death certificate (no originals)
Submit to any VARO

Fax to 1-800-455-7143



Eligibility

Next of kin and loved ones of honorably discharged deceased veteran



Medallion

Veterans who died on or after 11-1-90

For affixing to existing privately-purchased headstone or marker in private cemetery

Bronze medallion in three sizes: 5 inches, 3 inches, and 1 ½ inches

Denotes branch of service

Cannot receive both Government furnished headstone or marker and medallion

Medallion shipped without charge to name/address in Block 13

Government not responsible for costs associated with affixing medallion to privately purchased headstone or marker

Appropriate affixing adhesives, hardware and instructions provided



Application



VA Form 40-1330M, Claim for Government Medallion for Placement in a Private Cemetery

Attach copy of military discharge certificate or other official document establishing qualifying military service (no originals)

Mail to

- Memorial Products Service (41B)
- Dept of Veterans Affairs
- 5109 Russell Road
- Quantico, VA 22134-3903
- Fax to 1-800-455-7143



QUESTIONS?