



**DEPARTMENT OF VETERANS AFFAIRS
UNDER SECRETARY FOR MEMORIAL AFFAIRS
WASHINGTON DC 20420**

July 28, 2014

**The Honorable Ed Royce
U.S. House of Representatives
Washington, DC 20515**

Dear Congressman Royce:

Thank you for your cosigned letter requesting the Department of Veterans Affairs (VA) provide information about the implementation of Public Law 112-260, the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Act), and respond to your additional questions regarding how best to ensure the proper burial of unclaimed remains of Veterans.

I am pleased to report that VA continues to make significant progress towards implementing the Act, which was enacted to ensure that all Veterans who earned the right to burial in a national, state, or tribal Veterans cemetery are accorded that honor. On July 2, 2014, the National Cemetery Administration (NCA) published a proposed rule in the *Federal Register* to implement section 101 of the Act requiring VA to furnish a casket or urn for Veterans who have no identifiable next of kin and insufficient resources available. A copy of the proposed rule was provided to House Veterans' Affairs Committee (HVAC) staff. In the rule, NCA proposes procedures to provide reimbursement for privately purchased caskets or urns. Additionally, in June 2014, the Veterans Benefits Administration finalized a rule on burial benefits, which implements Section 104 of the Act to provide VA's reimbursement for certain funeral expenses and the costs of transportation for remains of Veterans with no next of kin and insufficient resources.

In your letter, you suggest NCA implement a policy to periodically follow up on the status of unclaimed remains held by custodial agents. A similar suggestion was made during a June 9, 2014, call between NCA representatives and staff from HVAC and several Member offices to discuss the reports of unclaimed remains of Veterans found at the Los Angeles County morgue. We agree with your suggestion and have changed our operations to address such concerns.

NCA completed a comprehensive review of all eligible cases over 30-days old that were shown in our system as "pending" as of June 11, 2014; that is, they have not been scheduled for burial in a VA national cemetery. VA found the vast majority of these pending cases are waiting for the next of kin to select a burial date that is convenient for all family members. However, pending cases also include eligible cases in which we recognize coroner offices, morgues, public administrators, and medical examiners as the authorized representatives of unclaimed remains of Veterans.

Page 2.

The Honorable Ed Royce

Although we want to provide families as much latitude as possible in determining the timing of burial, we intend to follow up every thirty days with the public officials on any cases shown as pending until the cases are scheduled and the Veterans' remains are buried with honor.

While the process above will ensure that eligible unclaimed cases that are brought to VA are resolved timely, NCA is proactively reaching out to local morgue and coroner officials, as well as to funeral directors, across the country to ensure they are aware of the process for obtaining a prompt determination of Veteran eligibility for and scheduling of burial in a VA national cemetery. Employing mass direct emailings and letters, Web site postings and social media promotion, NCA is increasing awareness and encouraging the proper treatment and dignified burial of our Nation's Veterans. Specifically, NCA is including in its target audience the coroners of 54 major cities and 23 states that we have identified as having such positions. NCA is also partnering with the national associations for funeral directors and cremationists to ensure the information is distributed to their members. NCA will leverage VA's social media presence to amplify its message, which has the potential to reach more than 15,000 NCA Facebook followers, 4,100 NCA Twitter followers, 559,700 VA Facebook followers and 170,000 VA Twitter followers.

Your letter requests NCA commission a study regarding the unclaimed remains of Veterans. Because VA lacks sufficient internal resources to conduct a study as described in your letter, NCA would be required to contract with an appropriate party to conduct the study. Although we have not calculated an estimated cost for the specific requirements outlined in your letter, based on previously contracted studies with similar scopes, we estimate the cost of this study would be in excess of \$1.5 million. To illustrate, the requirement to identify and assess the state and local laws affecting NCA's ability to identify, claim, and inter unclaimed remains of Veterans would take significant resources to complete. There are over 3,000 counties in the United States, each of which would potentially have its own set of laws and regulations defining who may claim remains. NCA does not have resources on its own to research and analyze such broad and complex information.

We also suggest that undertaking this study at this time may be premature, given the fact that many of the authorities related to this issue provided in the Act went into effect only in January of this year. We respectfully request that the Committee allow the Department time to fully implement these new authorities that directly expanded benefits for the unclaimed remains of Veterans. Once VA has implemented these authorities and collected sufficient workload data, we would be better able to determine what gaps, if any, still exist for these Veterans. We believe this approach would enable

Page 3.

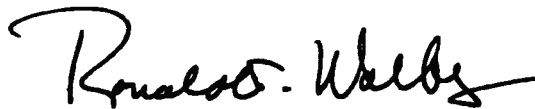
The Honorable Ed Royce

VA to work with Congress to then assess any further measure that may be appropriate to ensure dignified interment of the unclaimed remains of Veterans.

Finally, in regard to your request that NCA continue to work with the Missing in America Project (MIAP), rest assured that we will do so. To illustrate our strong relationship, in 2013, NCA reviewed 1,453 requests from MIAP to determine eligibility for burial in a VA national cemetery, of which 512 were identified as Veterans eligible for burial in a VA national cemetery. Former Under Secretary Muro was the keynote speaker at a recent burial ceremony made possible through NCA's collaboration with MIAP. NCA commends the great work of MIAP and the individual funeral directors, coroners' offices, and medical examiners whose efforts on behalf of all Veterans, including those whose remains are unclaimed, complements VA's role of ensuring that all Veterans receive a dignified burial.

I look forward to continuing to work with you and the Committee to ensure our Veterans receive the benefits they have earned. A similar letter has been sent to Chairman Miller. Thank you for your interest in VA's mission.

Sincerely,

A handwritten signature in black ink, reading "Ronald E. Walters". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ronald E. Walters
Acting