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of War
American Legion
AMVETS
Association of the United
States Army
Disabled American
Veterans
Fleet Reserve
Association
Korean War Veterans
Association
Legion of Valor of the
U.S., Inc.
Marine Corps League
Military Order of the
Purple Heart
Military Officers
Association of America
Military Order of the
World Wars
National Association for
Uniformed Services
Navy Seabee Veterans of
America
Non-Commissioned
Officers Association
Paralyzed Veterans of
America
Reserve Officers
Association
Roanoke Valley Veterans
Council
Veterans of Foreign Wars
Vietnam Veterans of
America
Virginia National Guard
Association
Women Marines
Association*

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July 13, 2011

Amended
December 20, 2011

COMMONWEALTH OF VIRGINIA JOINT LEADERSHIP COUNCIL OF VETERANS SERVICE ORGANIZATIONS

2012 POSITION PAPER Unclaimed Cremated Remains of Veterans

1. **OBJECTIVE:** Facilitate the honorable burial of the unclaimed cremated remains (cremains) of Virginia Veterans in a state veterans cemetery.
2. **BACKGROUND:**
 - The cremains of veterans sometimes go unclaimed by family from funeral homes; the cremains may sit on shelves in funeral homes for years or even decades.
 - The Code of Virginia allows funeral homes to dispose of unclaimed cremains after 90 days, but many funeral homes retain unclaimed cremains for extended periods.
 - The Virginia Department of Veterans Services (DVS) operates veterans cemeteries in Amelia, Dublin, and Suffolk that provide honorable burials to eligible veterans.
 - If a set of unclaimed cremains can be positively identified as belonging to a veteran eligible for burial in a veterans cemetery, then DVS can provide that veteran an honorable final resting place among his/her comrades in arms.
 - While the Code of Virginia allows funeral homes to dispose of unclaimed cremains, it does not require the funeral homes to provide the names of the unclaimed cremains to DVS for determination of veterans status.
 - In an effort to encourage funeral homes to provide the names of unclaimed cremains, DVS signed a Memorandum of Understanding (MOU) in 2009 with the Virginia Funeral Directors Association (VFDA) – one of three funeral director associations in Virginia.
 - The other funeral directors associations did not wish to sign an MOU.
 - Though the MOU with the VFDA has been in effect for two years, few names have been provided by funeral homes to DVS for determination of veterans status.
 - DVS staff members have made a considerable effort to request the names of unclaimed cremains from funeral directors, but have met with limited success, as have the efforts of the non-profit Missing in America Project (MIAP) in Virginia.
3. **DISCUSSION:**
 - Veterans who served our Nation honorably deserve an honorable final resting place among their comrades in arms, not to end up unclaimed and forgotten on the back shelf of a closet in a funeral home.
 - If provided the names of unclaimed cremains, DVS can work with the U.S. Department of Veterans Affairs to identify those belonging to veterans, and can determine if they are eligible for burial in a state veterans cemetery.
 - The Code of Virginia gives funeral directors the authority to transfer the unclaimed cremains of veterans to DVS for honorable burial.
4. **RECOMMENDATION:** That the General Assembly support the legislation, proposed by the Governor and patroned by Delegate Anderson and Stolle (HB1056) and Senators Reeves and Puller (SB433), which requires funeral homes to provide the names of unclaimed cremains to the Department of Veterans Services, in order to facilitate the honorable burial of unclaimed cremains of Virginia veterans in a state veterans cemetery.