

114TH CONGRESS  
2D SESSION

# S. 3340

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to enter into contracts with funeral homes to ensure the expeditious and respectful provision of burial and funeral services for indigent, deceased veterans and remains of deceased veterans that are unclaimed, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2016

Mr. KIRK introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to enter into contracts with funeral homes to ensure the expeditious and respectful provision of burial and funeral services for indigent, deceased veterans and remains of deceased veterans that are unclaimed, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Respectful Interment  
5 for Passing Veterans Act of 2016”.

1 **SEC. 2. ENSURING EXPEDITIOUS AND RESPECTFUL PROVI-**  
2 **SION OF BURIAL AND FUNERAL SERVICES**  
3 **FOR INDIGENT, DECEASED VETERANS AND**  
4 **REMAINS OF DECEASED VETERANS THAT**  
5 **ARE UNCLAIMED.**

6 (a) CONTRACTS FOR BURIAL AND FUNERAL SERV-  
7 ICES.—Section 2302 of title 38, United States Code, is  
8 amended by adding at the end the following new sub-  
9 section:

10 “(c) The Secretary shall enter into a contract under  
11 paragraph (1)(A) with at least one funeral home near each  
12 medical center of the Department for the expeditious pro-  
13 vision of burial and funeral services for deceased veterans  
14 described in subsection (a).”.

15 (b) ESTABLISHMENT OF POLICY.—

16 (1) POLICY REQUIRED.—Not later than 180  
17 days after the date of the enactment of this Act, the  
18 Secretary of Veterans Affairs shall establish a policy  
19 on the provision of respectful and timely burial of  
20 veterans described in section 2302(a) of title 38,  
21 United States Code.

22 (2) BEST PRACTICES.—The Secretary shall en-  
23 sure that the policy established under paragraph (1)  
24 is based on best practices used in the private sector.

25 (3) BALANCE OF INTERESTS.—In establishing  
26 the policy required by paragraph (1), the Secretary

1 shall balance the interests of the deceased in identi-  
2 fying the deceased's next of kin and the interests of  
3 the deceased in having a timely burial.

4 (4) CONSULTATION REQUIRED.—In establishing  
5 the policy required by paragraph (1), the Secretary  
6 shall consult with the following:

7 (A) One or more funeral directors.

8 (B) One or more county coroners or one or  
9 more medical examiners.

10 (C) One or more representatives of a non-  
11 Department of Veterans Affairs hospital.

12 (D) One or more representatives of a De-  
13 partment of Veterans Affairs medical center.

14 (E) One or more veterans service organiza-  
15 tions.

16 (5) TEMPORARY ADOPTION OF LOCAL PRAC-  
17 TICES.—Until the Secretary establishes the policy  
18 required by paragraph (1), the Secretary shall follow  
19 State and local government practices with respect to  
20 the treatment of unclaimed remains of deceased vet-  
21 erans.

22 (c) ANNUAL REPORT.—

23 (1) IN GENERAL.—Not less frequently than  
24 once each year, the Secretary shall submit to the ap-  
25 propriate committees of Congress a report on the re-

1       mains of covered veterans who died in the most re-  
2       cently completed calendar year.

3               (2) CONTENTS.—The report required by para-  
4       graph (1) shall include, for the period covered by the  
5       report, the following:

6               (A) The number of covered veterans whose  
7       remains were in morgues of the Department of  
8       Veterans Affairs.

9               (B) For each such veteran, the following:

10              (i) The date of the death of the vet-  
11       eran.

12              (ii) The date on which the remains  
13       were transferred to a funeral home.

14              (iii) The date of the burial of the vet-  
15       eran.

16              (iv) The sex of the veteran.

17              (v) The date of the birth of the vet-  
18       eran.

19       (d) DEFINITIONS.—In this section:

20              (1) APPROPRIATE COMMITTEES OF CON-  
21       GRESS.—The term “appropriate committees of Con-  
22       gress” means—

23              (A) the Committee on Veterans’ Affairs  
24       and the Subcommittee on Military Construc-  
25       tion, Veterans Affairs, and Related Agencies of

1 the Committee on Appropriations of the Senate;  
2 and

3 (B) the Committee on Veterans' Affairs  
4 and the Subcommittee on Military Construc-  
5 tion, Veterans Affairs and Related Agencies of  
6 the Committee on Appropriations of the House  
7 of Representatives.

8 (2) COVERED VETERAN.—The term “covered  
9 veteran” means a veteran described in section  
10 2302(a) of title 38, United States Code.

11 (3) VETERANS SERVICE ORGANIZATION.—The  
12 term “veterans service organization” means any or-  
13 ganization recognized by the Secretary for the rep-  
14 resentation of veterans under section 5902 of title  
15 38, United States Code.

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