



*National Park Service*

# LOSS OF HUMAN LIFE RESPONSE HANDBOOK



**2013**

**National Park Service**  
**Loss of Human Life Response Handbook**  
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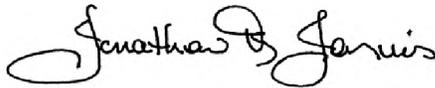
## I. Message from the Director

Dear Colleagues:

The death of a co-worker can have a profound effect. This “Loss of Human Life Response Handbook” is designed to help each of us when called upon to respond to the death of a fellow National Park Service (NPS) employee.

The handbook establishes clear procedures and guidelines to help NPS managers provide timely and respectful support to the family and co-workers of a deceased employee. It is based on the strong traditions that are part of NPS culture and the close camaraderie and commitment to mission that we all share, and that provide comfort in difficult times.

Our primary duty is to ensure that our employees are as safe as they can be. When tragedy occurs, our responsibility is to support those who survive and to assist park and program managers in their time of need.

A handwritten signature in black ink that reads "Jonathan B. Jarvis". The signature is written in a cursive style with a large, prominent initial "J".

**Jonathan B. Jarvis**  
**Director**

## **II. Objectives of the Loss of Human Life Response Handbook**

1. Establish clear and specific policy and procedures for managing National Park Service (NPS) response to all incidents and accidents that result in the loss of life of an NPS employee. These policies and guidelines will:
  - Delineate the agency response to all employee deaths based on circumstance and provide appropriate recognition so that all service employees who die while employed by the NPS are recognized for their contributions
  - Identify responsibilities for NPS managers during and after incidents that result in the death of an NPS employee
  - Include an initial checklist for NPS managers to use as a guideline in addressing specific incidents and accidents that result in the death of an NPS employee
2. Clarify employee benefits after an employee death in the line of duty and identify accurate sources of information through an NPS benefits coordinator
3. Provide a support structure for NPS staff, their families, and other related communities affected by the death of an NPS employee
4. Identify appropriate elements for physical memorials to deceased employees (e.g., short-term displays, permanent plaques and monuments, etc.)
5. Align NPS policies with federal laws and regulations that govern agency responses to the loss of life, so that actions taken in response to such tragedies are defined and preapproved wherever they can be in order to make implementation more consistent and clear

## **III. NPS Response to Loss of Human Life**

It is important to have established NPS protocols in place for dealing with an employee death, so that immediate guidance is available for managing such an emotional event.

Although the response to the death of employees, former employees, volunteers, or employees of partner organizations may vary, all human life holds value. The death of an individual has a significant impact on family, friends, and co-workers.

The circumstances of a National Park Service Loss of Human Life will dictate the NPS response. Those circumstances include a number of categories and scenarios. Below are the four categories delineated by the NPS:

### **A. Line of Duty Employee Death**

The term Line of Duty Death (LODD) means an NPS employee has died as a direct or proximate result of personal injury sustained in the performance of official duties. Examples include:

- Death from a felonious act committed by another, while the employee is on duty
- Death during the act of saving a life or responding to an emergency when the death is caused by the response actions required of the employee
- Death when the employee is engaged in direct fire suppression activities while on duty
- Death when the employee is in an accident while on duty or in official travel status and the death is due to injuries sustained in the accident
- An employee missing while on duty and presumed dead

## **B. Employee On-Duty Deaths**

The term On-Duty Death (ODD) means an employee has died during duty hours, but the death is not the result of the performance of official duties. An example is:

- Death from a medical cause not related to official duties

## **C. Employee Off-Duty Deaths**

Off-Duty Deaths is a broad category that includes employees who die when off duty. Examples include:

- Death off duty from medical causes unrelated to employment
- Death due to an accident or injuries sustained while off duty
- Suicide, on duty or off duty
- Death caused by the employee's gross negligence or intentional misconduct

## **D. Partner, Volunteer, Concessioner, Former Employee, other Bureau Personnel (Partners etc.) On or Off-Duty Deaths**

NPS response and honors provided is limited for loss of human life in this category. Some discretion is afforded the Deputy Director in these circumstances. Refer to Table 1 for appropriate response levels.

Table 1 lists the NPS-approved response levels based on the circumstances of the loss of human life. This table focuses on operational responses and honors available to recognize the life and contributions of the employee. These responses are based on the circumstances of the death, not on the job series, title, or profession of the employee. Some of the honors provided by the NPS are meant to recognize employees in our places of work. Others are public displays to honor the life and contributions of our employees. And finally, there are honors that can be selected by the family of the deceased employee, such as use of the NPS Honor Guard at a funeral or memorial service.

Each response has a delegated authority that is designated to approve the deployment of personnel and resources and should be followed.

**Table 1. NPS Response and Honors for the Loss of Human Life – Summary Chart**

Circumstances of Death	Incident Mgmt Team	CISM Team	Flag Lowering <sup>1</sup>	Mourning Band	NPS Honor Guard	Travel to Memorial Paid by NPS	Director's Display	Inside NPS Posting	Hallway Honor Board
<b>Employee Line of Duty Death</b>									
Felonious Act	Required	Required	National	National	Required <sup>2</sup>	TBD by Deputy Director	On the next business day	On the next business day	Added annually
During a Life Saving Act	Required	Required	National	National	Required <sup>2</sup>	TBD by Deputy Director	On the next business day	On the next business day	Added annually
Direct Fire Suppression	Required	Required	National	National	Required <sup>2</sup>	TBD by Deputy Director	On the next business day	On the next business day	Added annually
Accident	Optional	Required	Regional	Regional	Required <sup>2</sup>	TBD by Deputy Director	On the next business day	On the next business day	Added annually
Missing and Presumed Dead	Optional	Required	Regional	Regional	Required <sup>2</sup>	TBD by Deputy Director	On the next business day	On the next business day	Added annually
<b>Employee On Duty Death</b>									
Death from other causes while on duty (e.g., medical, suicide, etc.)	Optional	Optional	None	TBD by local	None	TBD by Deputy Director	TBD by Deputy Director	Within 48 hours of death	None
<b>Employee Off Duty Death</b>									
Death from other causes while off duty (e.g., medical, suicide, etc.)	Optional	Optional	None	TBD by Local	None	None	None	Within the first week	None

Circumstances of Death	Incident Mgmt Team	CISM Team	Flag Lowering <sup>1</sup>	Mourning Band	NPS Honor Guard	Travel to Memorial Paid by NPS	Director's Display	Inside NPS Posting	Hallway Honor Board
<b>Partner, Volunteer, Concessioner, Former Employee, Other Bureau Personnel (On or Off Duty)</b>									
Former or retired employee	None	None	None	TBD by Local	None	None	None	Optional	None
Volunteer, concessioner, partner, other bureau	None	TBD by RD/AD	None	TBD by Local	None	None	None	Optional	None
Former NPS Director or other dignitary	None	None	TBD by Deputy Director	TBD by Deputy Director	TBD by Deputy Director	TBD by Deputy Director	TBD by Deputy Director	Within 48 hours of death	None

1 "National" means that flags will be ordered flown at half-staff nationwide for up to 48 hours to honor employees; "Regional" means that flags will be ordered flown at half-staff region-wide for up to 48 hours to honor employees. National or regional approval of honor bands may be worn through sunset on the date of internment.

2 Unless family declines honor guard

## **IV. Roles and Responsibilities in Case of a Loss of Human Life**

The death of an employee may be the most difficult work-related event a manager will experience. The actions and decisions he or she makes in the critical first hours and days will have lasting impressions on survivors, employees, and community members. It is imperative that managers take essential actions and initiate key activities at once. See [Appendix B](#) (“Completion Checklist for Managers”) for a description of how to initiate each action listed below.

### **A. Line of Duty Death: Superintendent/Program Manager Responsibilities**

- Activate the [death notification](#) process
- Follow [NPS reporting procedures](#)
- Assign a Family Liaison from the park or program staff or appropriate alternative NPS resources
- Request an Incident Management Team (IMT) and prepare a draft delegation of authority (IMT deployment is mandatory for deaths that are the result of a felonious act, during a lifesaving act, or during direct fire suppression and optional for deaths that are the result of an accident or for employees missing and presumed dead.)
- Request a Critical Incident Stress Management (CISM) team (coordinate through IMT if ordered)
- Consider request for activation of Special Event & Tactical Team (SETT) (coordinate through IMT if ordered)
- Request a funding source in consultation with the Regional Comptroller or AD’s budget personnel to obtain appropriate funding
- Establish a daily internal briefing schedule for NPS/Department of the Interior
- Request establishment of memorial fund to WASO
- Draft announcement of employee death and short biography for InsideNPS and NPS Director’s display for posting by the next business day
- Notify OSHA within eight hours per Director’s Order (DO)/RM 50B
- Notify WASO Law Enforcement Security and Emergency Services for adding employee’s name to NPS memorial board

### **B. Line of Duty Death: Regional Director or WASO Associate Director Responsibilities**

- Notify WASO Deputy Director, Operations
- Notify WASO Office of Communications and provide announcement and short biography for posting by the next business day
- Work with park superintendent or WASO program manager to determine level of Loss of Human Life Response
- Prepare and issue direction for region-wide flag lowering and mourning bands within 24 hours

- Approve Incident Management Team deployment
- Establish funding source
- Assign regional representative to attend funeral/memorial in consultation with the Deputy Director, Operations
- Convene a Serious Accident Investigation or Board of Review

### **C. Line of Duty Death: WASO Responsibilities**

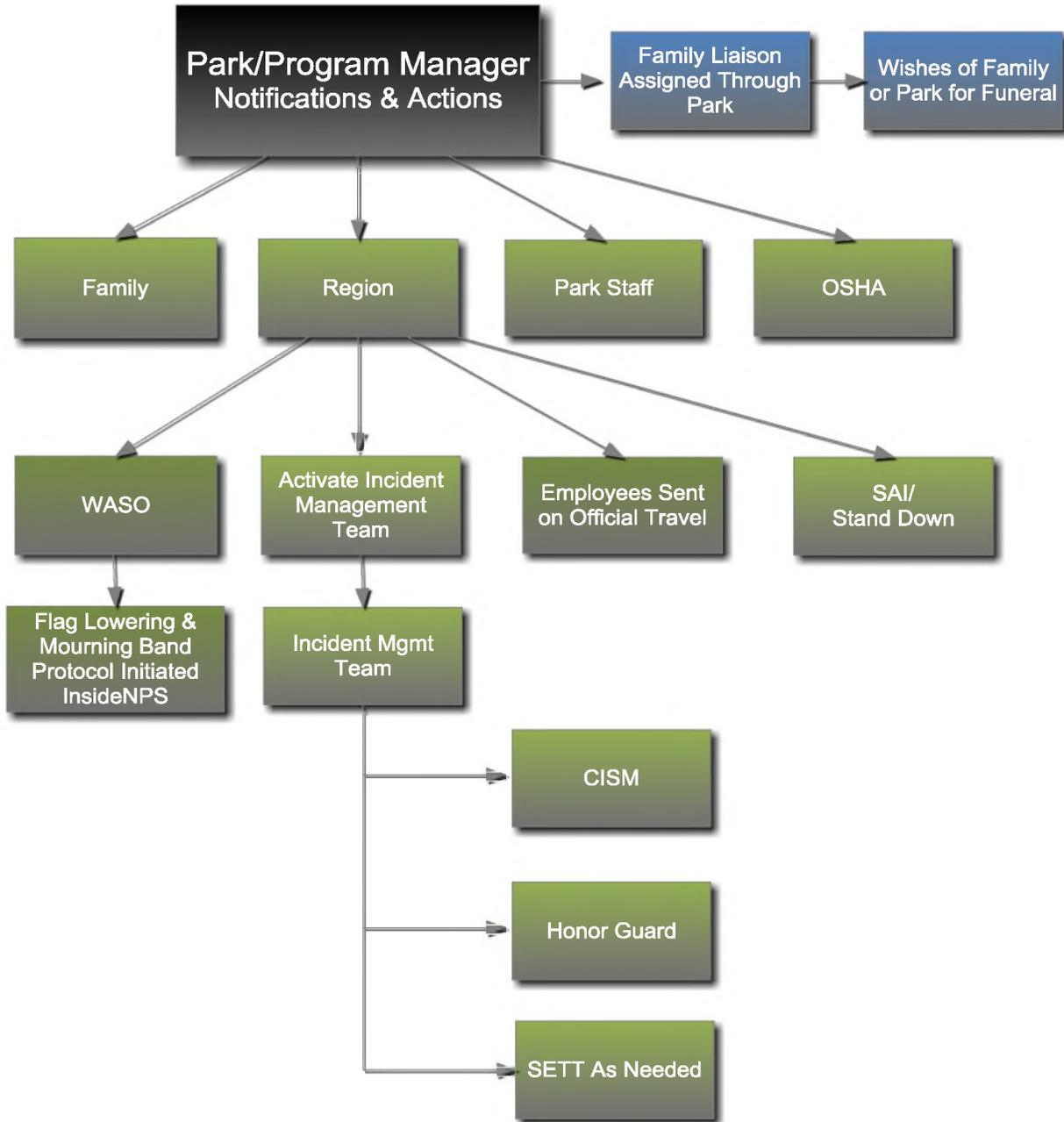
- Notify the Department of the Interior
- Post report of incident on InsideNPS by the next business day (but not before notification of family)
- Prepare and issue direction for nationwide flag lowering and mourning bands within 24 hours
- Determine appropriate NPS official representation at funeral or memorial service
- Coordinate placement of temporary memorial table in NPS Director's wing
- Associate Director, Visitor and Resource Protection, delegates authority to Regional Director or Associate Director to call out a Serious Accident Investigation Team per DO/RM 50B when appropriate
- Establish memorial fund with National Park Foundation (NPF)
- Process requests for administrative leave as needed
- Consider proposals for long-term memorial
- Annually update NPS memorial board
- Nominate candidates for permanent national memorials

During the response to a loss of human life, effective communication is a critical element to making good decisions and working effectively and compassionately with the family of an employee who dies in the line of duty. This communication can also serve to provide information to colleagues and other employees affected by an employee death. Communication up and down the chain of command can also help in following response procedures while a manager or supervisor is under the duress of a critical situation.

The following figures illustrate the lines of communication that are necessary for effective response. The primary difference between the figures is the circumstances of death. Figure 1 addresses the responses for an employee who dies in the line of duty as a result of a felonious act, life-saving act, or direct fire suppression activities. In each of these circumstances there is a national response for honoring employees and in incident response requirements. Figure 2 addresses the responses for an employee who dies in an accident or who is missing and presumed dead. In these circumstances there is a regional response.

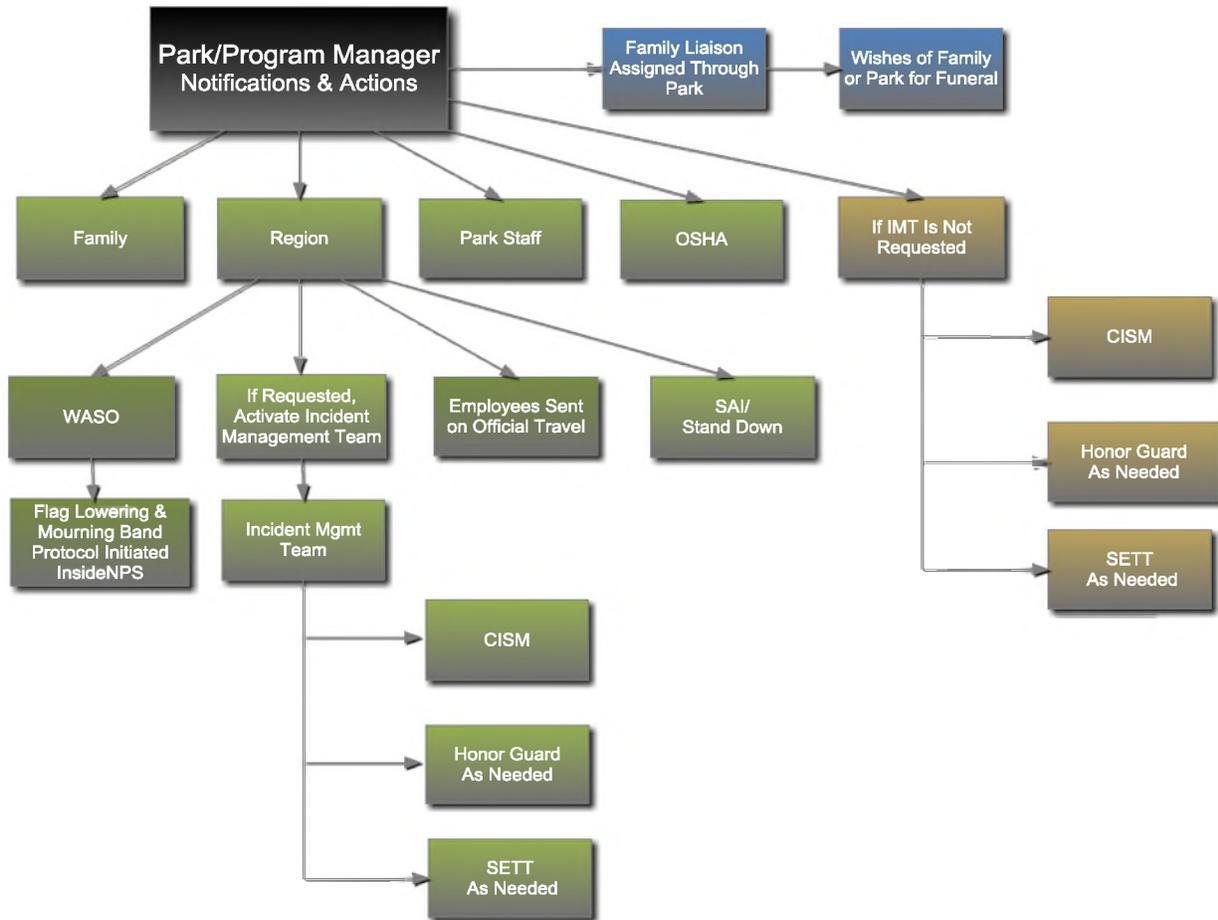
**Figure 1. Loss of Human Life in the Line of Duty as a Result of Felonious Act, Life-Saving Act, or Direct Fire Suppression**

## LINES OF COMMUNICATION



**Figure 2. Loss of Human Life in the Line of Duty as a Result of Accident or Missing and Presumed Dead**

## LINES OF COMMUNICATION



**D. Employee On-Duty Death and Off-Duty or Partners etc: Superintendent/Program Manager Responsibilities**

- Activate the [death notification](#) process when appropriate
- Notify regional office
- Assign a Family Liaison when appropriate
- Request a CISM team when appropriate
- Determine level of Loss of Life Response
- Consider working with authorized local partners to establish memorial fund
- Determine whether mourning bands will be worn and issue order as appropriate
- Draft announcement of death and short biography for posting to InsideNPS within 48 hours to one week (see Table 1)

**E. Employee On-Duty Death and Off-Duty or Partners etc: Regional Director or WASO Associate Director Responsibilities**

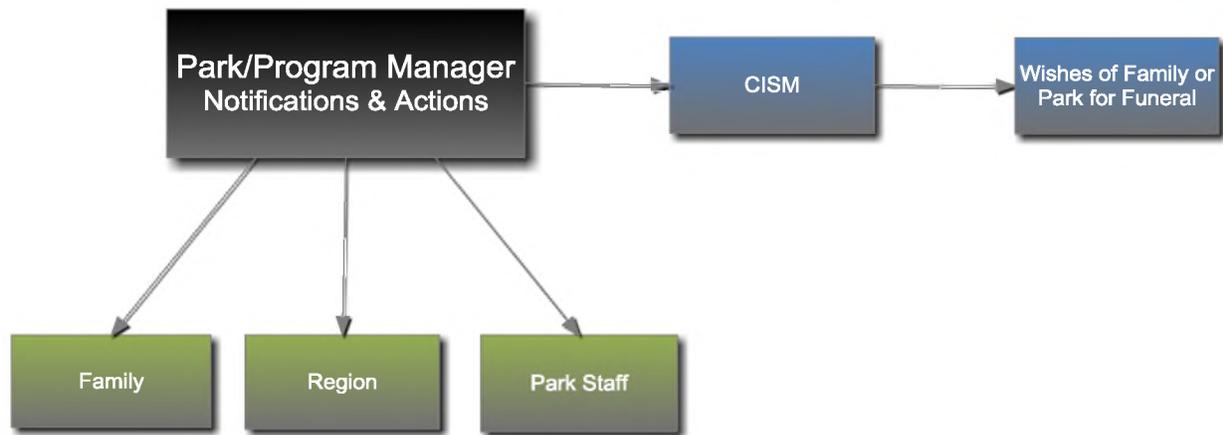
- Notify WASO when appropriate
- Notify InsideNPS when appropriate
- Discuss the need for official memorial attendance by regional representative in consultation with the Deputy Director, Operations
- Notify WASO Office of Communications and provide announcement and short biography
- Convene a Serious Accident Investigation or Board of Review if appropriate

**F. Employee Off-Duty Death or Partners etc: WASO Responsibility**

- Notify the Department of the Interior when appropriate
- Post report of incident on InsideNPS when appropriate
- Determine appropriate NPS official representation at funeral or memorial service
- Associate Director, Visitor and Resource Protection, delegates authority to Regional Director or Associate Director to call out a Serious Accident Investigation Team per DO/RM 50B if appropriate

**Figure 3. Loss of Human Life on Duty**

## LINES OF COMMUNICATION



### **G. Park, Center, Program Family Liaison**

The NPS is often regarded as an extended family. When death strikes a family, care and support do not end when funerals and memorials are over. In cases where human life was maliciously or violently taken, the period of grief and mourning may last for years. The likelihood also is high that in the aftermath of a loss of human life, the deceased employee's immediate family may be in a state of post-traumatic stress for some time. As members of the NPS family, we should remain sensitive to the survivors' needs long after the death of their loved one and our NPS colleague.

In most employee Loss of Life events, Incident Management Teams are not assigned. Therefore, the responsibility of assigning a Family Liaison rests with the affected NPS park/program.

Throughout an incident of the loss of human life, the Family Liaison ensures that the needs of the survivors are paramount. Attention to this does not end with the conclusion of services and memorials or the completion of a Serious Accident Investigation report. The memory and connections to the deceased NPS employee can continue to link the survivors to the NPS family for as long as they feel the need for our support.

In that light, the person in this important position has numerous duties and responsibilities in the short term. The Family Liaison:

- Is available to answer the family's questions

- Helps shield the family from outside sources of unsolicited intrusion and disruption (e.g., news media, lawyers, etc.)
- Connects the family with the NPS park/program human resource office, ensuring that a personal contact has been established between a benefits coordinator and the family
- Communicates to the NPS park/program the immediate and future needs of the survivors
- Acts as a facilitator between the family and the NPS park/program
- Meets with the family to discuss funeral arrangements, including entitlement to agency honors
- Acts as facilitator between the family and the IMT
- Determines, in concert with the IMT:
  - Family arrival information
  - Family viewing of the body
  - Time of release of the body for transport and interment
  - Family visit to the scene of the fatal incident
- Facilitates Employee Assistance Program (EAP) services for family members
- Arranges pastoral care service for family members, as needed
- Advises the family of any professional groups that may be associated with the deceased employee's occupation (Appendix F)
- In collaboration with the Investigative Unit:
  - Advises the family on agency investigations
  - Has subject-matter experts available to answer family questions and concerns when reports of investigations are released
  - Informs the family of incident details and the NPS investigation, involving the deceased employee's division chief in at least one family briefing on the incident details
  - Assists in the return of the deceased employee's NPS-issued equipment
  - Assists in the return of the deceased employee's personal items from their duty station or residence to the family

With the support of the superintendent/manager, the Family Liaison also provides long-term assistance and aftercare for the family of the deceased employee. The Family Liaison:

- Continues to act as a facilitator between the NPS park/program and the family, especially in connection with anniversary events and remembrances
- Marks the anniversary annually with a card, note, flowers, or similar remembrance to the family
- Ensures that family is invited to holiday gatherings and any other events that may allow the survivors to be and feel part of the NPS family
- Acts as facilitator between the family and the NPS in the consideration of any long-term memorials to the deceased employee
- Tracks changes in location/address of the surviving family to continue observation of the anniversary, as appropriate for the superintendent/program manager

- Respectfully concludes Family Liaison support if and when the family no longer needs it and relay the family's wishes/decision to the NPS unit

## H. Incident Management Team

Although some employee deaths do not require the use of an IMT, past experience has proven that it is worthwhile in the wake of line of duty deaths in the case of felonious acts, life-saving actions, or firefighting and therefore is mandatory in those cases. In other line of duty deaths, the IMT should be used when requested by the park. The IMT provides experienced logistical support in stressful situations for decision making and family support side by side with the park program. IMT size and makeup may vary from incident to incident, but the typical core functions of these teams include incident command, family liaison, public information, operations, investigations, planning, logistics, and finance.

### 1. Incident Commander (IC)

In consultation with the superintendent/manager, the IC receives delegation of authority that sets the incident objectives and priorities. Responsibilities of the IC can include supporting ongoing operations during the incident, managing the [memorial service](#), and ensuring that benefits and other procedures for survivors are in place and that short- and long-term CISM programs are provided for affected employees (see Appendix G).

### 2. Family Liaison

The Family Liaison is the primary link between the NPS park/program, incident team, and the survivors during the incident. The family liaison function ensures that the needs of the survivors are paramount. Because this job can be demanding and complex, it is recommended that this critical role be shared by two employees:

- A trained family liaison (typically a CISM member)
- An employee from the deceased employee's NPS park/program (Family Liaison; see Section G, above)

The IMT Family Liaison can help the local Family Liaison assume and carry out the role completely and professionally. Then the local Family Liaison can serve in a continuing capacity after the IMT has finished its work.

It is the role of the IMT Family Liaison to assure that family members of the employees *from other incidents*, who have died as a result of a line of duty death incident, are invited to the memorial/funeral with the concurrence of the currently affected family. An invitation may be extended; however, *federal funds may not be used for travel*.

### 3. Public Information Officer (PIO)

A PIO will be designated early in the incident. The PIO facilitates family contact, if any, with the news media. The PIO also:

- Works with the responsible NPS official
- Issues news releases and internal bulletins to inform the NPS park/program and community about event and incident details (News releases should be coordinated with investigators and NPS park/program management.)
- Provides copies of news releases to the survivors before public release whenever possible
- Determines survivors' wishes about contact with news media and advises a designated family representative of the survivors' rights and anticipated questions; coordinates news media requests to minimize disruption of the survivors; protects the rights of survivors who decline news media contact
- Accompanies the family, if requested, during news media interviews and other contacts
- Provides appropriate news media access at memorial services, ensuring survivors' privacy and the ceremony's dignity are maintained

#### **4. Agency Representative**

This management-level employee should be familiar with the Incident Command System (ICS) to connect and liaison with the following:

- Department of the Interior, NPS Washington Office, and regional offices
- Cooperating agencies, to coordinate attendance at memorial services
- Other NPS parks/programs, to coordinate their employees' attendance at memorial services
- Communities in the local area

#### **5. Operations**

The Operations Section is responsible for overall coordination of the memorial service and works closely with the family liaison to ensure that the survivors' wishes are considered and carried out within agency means. Duties may vary. The Operations Section:

- Requests and coordinates the NPS Honor Guard with the Federal Law Enforcement Training Center (FLETC)
- Coordinates the pallbearers as requested by the family
- Develops the NPS portion of the [memorial service](#), with the approval of the family
- Provides security for family members, if needed
- Coordinates motor escorts and the funeral procession
- Develops a seating plan for survivors, dignitaries, news media, employees, and outside agency representatives for all services
- Coordinates the [Honor Watch](#)
- Implements a parking plan
- Assists with coordination of a post-memorial gathering

## **6. Planning**

The Planning Section develops an Incident Action Plan to accomplish the objectives established by the IC. To do this, the Planning Section:

- Maintains resource status information on all personnel assigned to the incident
- Maintains all incident documents, including photographs, videotape, and other digital or analog media, and coordinates viewing of these materials with family if necessary

## **7. Logistics**

The Logistics Section provides support for any incident needs. At the request of the family, the Logistics Section also may assist the IMT to:

- Secure the facilities and event sites
- Print the memorial service programs
- Purchase needed items for the memorial service
- Assist with post-memorial social gathering of co-workers
- Coordinate with the funeral home for the transportation of the deceased employee

## **8. Finance**

The Finance Officer monitors all incident costs. The Finance Officer:

- Provides information on procurement, accounting, time recording, and cost analyses
- Applies for special [Law and Order \(L&O\) funding](#) from WASO, as appropriate (see <http://data2.itc.nps.gov/wapc/forms/10-34.pdf>)
- Contacts assigned Benefits Coordinator in cooperation with the Servicing Human Resources Office (SHRO)
- Authorizes purchases, including rentals, that may include flag(s), light refreshments for the post-memorial gathering (see [41CFR 301-74.11](#)), water, shelter, seating, and audio-visual equipment

NOTE: Costs associated with NPS activities related to a Loss of Human Life incident are borne by the park or region. Additional special funding sources may be applicable, including [Law and Order \(L&O\) accounts](#), major Search and Rescue accounts, and DOI Death Gratuity Payment ([Appendix I](#)). In the event of a co-worker's death, NPS employees working with the survivors may seek to ease their grief by extending every effort to assist. Caution is advised not to make promises that cannot be fulfilled later.

## **9. Benefits Coordinator**

The Benefits Coordinator, although not a division of an IMT, is assigned by the park or appropriate office, in consultation with the SHRO and Human Resources Operations Center (HROC), to assist the survivors with death benefits. This coordinator works with Family Liaisons to identify what benefits and funeral payments survivors may be eligible to receive and to

assist the family with benefits paperwork. The Benefits Coordinator:

- Compiles and files the necessary NPS paperwork to secure benefits for the survivors
- Refers survivors to EAP for additional benefits, programs, and support services
- Notifies survivors of procedures for continuation of health benefits
- Notifies appropriate agencies of the death and ensures entitlements are paid to the [beneficiaries](#), including agencies that also may provide no-cost legal and financial counseling for the family ([Appendix I](#))
- Prepares documentation for the various benefits/funeral payments due to the family, listing the contact names and approximate payment dates whenever possible
- Meets with the survivors when appropriate to discuss the benefits they will receive
- Contacts the survivors six months after the incident to determine if they are receiving benefits
- Coordinates with outside agencies for specific benefits associated with line of duty death ([Appendix I-1-1.3](#))
- Coordinates with NPS Victim's Assistance Program Manager

## **I. Critical Incident Stress Management**

A Critical Incident Stress Management (CISM) team is a cadre of trained NPS employees that helps others deal with normal reactions to abnormal circumstances. The CISM team is dispatched immediately, when appropriate, upon notice of an employee death. Whenever an IMT is assigned, the CISM team works directly for the IMT. The CISM team is also available even when an IMT is not deployed (see Table 1).

### **1. Dispatch of CISM Resources**

- CISM teams are dispatched through the [Emergency Incident Coordination Center \(EICC\)](#) at the request of the NPS park/program or IMT
- A CISM Team Leader is assigned to each incident/response
- One or more CISM peer supporters are assigned with the team leader

### **2. CISM Team Leader Responsibility**

The CISM Team Leader:

- May coordinate travel to the incident
- Coordinates with the IC/NPS park/program manager to organize CISM intervention strategies including debriefing of [Core Group](#) employees, including [Emergency Medical Service \(EMS\)](#) personnel, dispatchers, and others at the scene of the fatality (Attendance will be compensated.)
- Helps to determine the need for the services of a [mental health professional](#)

- Coordinates other CISM support, which may include debriefings, one-on-one contacts, crisis management briefings, stress education, and stress mitigation training
- Ensures strict adherence to CISM confidentiality protocols
- Completes an assessment and recommendations to the NPS park/program manager for follow-up mental health services or other strategies to help staff return to normal function after the incident
- Ensures all costs (including travel) are submitted to the IMT or the NPS park/program
- Completes a close-out session with the IC/NPS park/program manager

### **3. Use of Mental Health Professional**

Mental health professionals are available through Responder911, an NPS-sponsored program. They can work independently or in conjunction with a CISM team. This service provides access to certified/licensed clinical psychologists 24 hours a day, seven days a week. These professionals have unique insight into the thoughts, emotions, and reactions associated with traumatic incidents. Responder911 is available toll free at 888-918-3332.

### **4. Employee Assistance Program (EAP)**

EAP counselors assist employees and their immediate family members with emotional and stress-related issues. They also counsel in other areas such as alcohol abuse and financial, job, and family issues. Direction in seeking EAP services can be provided at the park or unit level.

## **J. Supplemental Operational Support**

Parks and programs may need support in continuing operations. The park, program manager, or IMT (based on the delegation of authority) will order resources to cover appropriate park operations. Operations in which supplemental support could be needed include continuing to provide safe visitor access, plowing of roads, resource monitoring, etc.

## **K. Investigations**

Employee death investigations are conducted by NPS special agents whenever the possibility of a crime exists. The agents' responsibilities include coordination with other federal and state law enforcement agencies.

When an employee death is accidental, the investigation is conducted by a Serious Accident Investigation Team (SAIT) assigned by the Associate/Deputy Regional Director for Operations. Additional investigations may be completed by the NPS or other agencies, including:

- Visitor and Resource Protection/Investigative Services Branch (ISB)
- DOI Office of Aviation Services (OAS)
- Occupational Safety and Health Administration (OSHA)
- National Transportation Safety Board (NTSB)

For these investigations to be conducted effectively, it is critical that the NPS park/program protects evidence and secures the incident scene before the arrival of the investigators.

Other duties specific to the investigation of an employee death may include:

- Interface with the Family Liaison(s) to inform the survivors about the circumstances of the death
- Facilitate visits to the fatality site by appropriate parties such as survivors, news media, and NPS management
- Interface with the PIO on release of internal and external information
- Coordinate victim-witness services meeting with the survivors
- Assure that autopsy toxicology requirements are met for [Public Safety Officers Benefits \(PSOB\)](#)

Following these investigations, a Board of Review will be convened by the Regional Director to establish lessons learned and corrective action plan.

## **L. Line of Duty Death and Safety Stand Downs**

When an accidental line of duty death not involving a crime occurs in the NPS, a Serious Accident Investigation Team (SAIT) is appointed by the Associate Director or Deputy Regional Director, Operations, of the affected WASO office or region. The procedures are delineated in DO/RM 50B, and the delegation of authority comes from the Associate Director, Visitor and Resource Protection. The team is assigned to investigate the accident, report the accident facts and corresponding conclusions, and make recommendations to avoid future incidents.

In such cases, a Safety Stand Down may occur as a result of those recommendations and, in some cases, as an immediate response to the accident. When a life is lost, a stand down often is activated across the NPS, especially when the circumstances of the accident involve typical tasks assigned to many NPS employees. A national Safety Stand Down is issued by the Deputy Director, Operations, and is provided by the Associate Director, Visitor and Resource Protection, Office of Risk Management.

The NPS Deputy Director, Operations, may issue a servicewide stand down for a single significant accident involving operation of a specific piece of equipment or machinery, with directions to ensure proper and correct operation in all NPS parks/programs. A stand down also may be issued as a directive to review all potential risks in each unit. In case of a number of accidents or near misses, a stand down also may be issued to ensure that NPS employees are taking the time to reduce potential risks. In all cases, stand downs also are honorable tributes—to employees who die in the line of duty and to their survivors—that serve to ensure that future risks are minimized.

## V. **Death Notification**

The name of an employee killed in the line of duty shall not be made public to the news media or through social media such as Twitter or Facebook before the immediate family has been notified.

The death notification may be the most difficult task for a manager to perform during their career. It can be made less difficult by reading and using the “In Person, In Time” Recommended Procedures for Death Notification in Appendix C. Another resource that is available to help manage traumatic incidents is Responder911, a service to assist NPS employees with these difficult tasks. Responder911 is available toll free 24 hours a day, seven days a week, at 888-918-3332.

Whenever practical, death notifications shall be made in person, preferably by at least two representatives of the NPS park/program. This notification team should include one member of the deceased employee’s division and a member of the NPS management staff. At least one team member should be in service uniform. CISM personnel can be a part of this team or stand by to respond. If the deceased employee previously had identified someone (through a confidential request) to make such a family notification, the employee’s wishes should be followed whenever possible.

Before contacting the survivors, staff should consider any serious health conditions, language barriers, cultural barriers, and logistical concerns and whether children will be present. If the family’s religious affiliation is known, staff should consider having a clergy member present.

If the deceased employee’s immediate survivors do not live in the area, staff should request that personal death notification be made by representatives from the nearest NPS park/program to their location.

If an NPS notification team is not available, the nearest law enforcement agency or fire department should be notified and asked to conduct the in-person death notification. Frequently, these public safety agencies have chaplains available to assist with such notifications. The deceased employee’s park/program should provide this outside notifying agency with a manager’s name and telephone number for the family to contact after notification and arrange for the nearest NPS park/program to meet personally with the family to extend NPS condolences.

If an NPS employee is injured to the extent that death is a possibility, staff should consider these in-person notification procedures as well and make every effort to help the family members reach the employee before his or her death.

Staff should attempt to notify fellow NPS staff in the deceased employee’s present and previous park/program, if applicable, before issuing a news release. Notification of family members should never be delayed, however, pending notice to co-workers.

## **VI. Honors**

### **A. Attendance Policies for Memorial Service and Funerals**

#### **1. Line of Duty Deaths**

The NPS Director will attend the memorial service or funeral of an employee who dies in the line of duty. The appropriate Associate Director, and/or other Washington Office employees, may be approved by the Deputy Director, Operations. The Regional Director or affected WASO Associate Director will work in consultation with the Deputy Director, Operations, to designate the representation of NPS employees authorized to attend the memorial service or funeral on official duty and within the policies of the Department of the Interior.

In addition to the designated employees described above, managers are authorized to approve local travel of employees to attend the memorial service or funerals for line of duty employee deaths. Travel is limited to locations where employees can travel round trip from their duty station within normal duty hours and within the official safe driving policy.

#### **2. On-Duty and Off-Duty or Other Deaths**

Managers may liberally allow annual leave for attendance at memorial services and funerals for employees who die On-Duty or for others in the Off-Duty or Other categories in Table 1. Use of government-owned vehicle (GOV) transportation or reimbursement of travel expenses is prohibited while on annual leave for memorial services and funerals.

Employees attending a memorial service or funeral are authorized to wear the NPS uniform with concurrence of the family. The Family Liaison will work in consultation with the family to determine their wishes and then communicate that to NPS employees.

This policy acknowledges that circumstances may, on occasion, call for modification. Examples may include the death of a former NPS Director or another dignitary who had a significant relationship with the NPS. In such cases the Deputy Director, Operations, will determine NPS representation at the memorial service or funeral.

### **B. Honor Guard Services**

Deployment of the Honor Guard is authorized in all line of duty deaths. Approval to deploy the Honor Guard rests with the Regional Director or affected WASO Associate Director and will be funded by the NPS. The family will be invited to select which honors they wish to have provided with the assistance and guidance of the NPS Honor Guard team leader and the NPS Family Liaison. Honors that may be considered include:

- Door guards

- Casket guards
- Color guard
- Pall bearers
- Flag folding and presentation
- Firing party
- Bugler/bagpiper
- Funeral processions

The family may wish to use the Honor Guard with other than full honors and use only a few of the functions listed. While guidance will be provided to the family on options that might be appropriate for the type of service they desire, decisions on Honor Guard services will be made by the family.

Staffing for a full honors service will require deployment of 10 Honor Guard members. This number may decrease depending on the functions requested.

Traditions within the law enforcement and fire communities encourage the use of a full honors service using many of the tribute functions listed above. The full honors service is available to recognize all NPS employees who die in the line of duty, without regard to profession or job series.

## C. **Flag Lowering**

### 1. **General**

The U.S. flag must be lowered when required by Presidential Proclamation upon the death of certain persons or during specified occasions and when so directed by the Secretary of the Interior (Departmental Manual 310.5).

Lowering the U.S. flag to honor distinguished service to the country is a solemn act and a symbol recognized around the world.

#### **Half-Staffing Circumstances/Authorization Parameters/Notification**

***National Lowering:*** The U.S. flag may be lowered nationally (excepting the National Mall) to honor the line of duty death of any employee who was engaged in life-saving actions, killed feloniously in the line of duty, or in direct fire suppression actions. Authority for national lowering resides with the Deputy Director, Operations.

***Regional Lowering:*** The U.S. flag may be lowered regionally to honor the line of duty death of any employee who was killed accidentally or for an employee missing and presumed dead. Authority for regional lowering resides with the affected Regional Director. Regional Directors from other regions where a deceased employee worked previously may also approve flag lowering either region-wide or at individual parks.

Upon approval of flag lowering, the Washington Office or affected region will use both email notification and InsideNPS to issue direction.

## 2. **Duration**

Half-staffing of the flag begins upon approval by the proper authority and concludes after 48 hours. Outside of the authorized lowering of 48 hours, short duration half-staffing is allowed at the specific park or office of the employee on the day of interment.

## 3. **GSA-Controlled Buildings**

Regional Directors may authorize the flag to be flown at half-staff, following an employee line of duty death, when the NPS is the sole occupant of a building, to include GSA-controlled buildings. If the NPS is not the sole occupant of a building, then the GSA Regional Administrator or principal GSA manager should be contacted for approval.

## **D. Mourning Band/Ribbon Protocol**

In the case of a line of duty death of any employee who was engaged in life-saving actions, killed feloniously in the line of duty, or in direct fire suppression actions, the Deputy Director, Operations, may approve the wearing of mourning bands on NPS badges and shields nationally. Mourning bands may be worn through sunset on the day of interment.

For a line of duty death from an accident or an employee lost and presumed dead, the Regional Director of the deceased employee's region may approve the wearing of mourning bands on NPS badges and shields for employees within the region or geographic area.

Individual managers may authorize mourning bands when other circumstances dictate, such as to honor the deaths of NPS employees or employees from adjacent federal, state, and local agencies.

Mourning bands for badges and shields should be black elastic banding up to 3/4-inch wide placed horizontally across the middle of the badge or shield. Employees not issued badges may wear a 3/8-inch black satin ribbon, folded in a 1-inch loop pinned above the name tag (reference NPS RM-43).

## **E. Memorial Service or Funeral Considerations**

Memorial services and funerals give meaning and hope to survivors left behind as well as pay tribute to those who should be honored for their sacrifice. When taking into account funerals for NPS employees, managers should consider several recommendations:

- **Respecting the Surviving Family's Wishes:** In any loss of human life, preparation for the memorial service or funeral should rely strongly on the family's wishes. It is not the purpose of this handbook to suggest mandatory practices when planning for the service or funeral. For instance, if protocol suggests sending the full NPS Honor Guard for an employee killed in the line of duty, and the family does not want this honor, it will not be used.

- **Cultural Values:** As a primary goal of the NPS is to continue to increase diversity, the values of employees and their families must be respected and considered during funeral planning. Using the Family Liaison is recommended to ensure that an understanding of the employee's cultural values is considered during planning.
- **Manager's Responsibility:** In the case of a loss of life incident that requires an IMT, most of the memorial service or funeral planning will be managed by the team with input from the local park/office and the family. This responsibility shifts to the local manager when a team is not involved in the incident. When this occurs, the above recommendations should help drive the planning.

## F. Funeral Uniform Protocol

These recommendations apply to memorials and funeral services. It is important to remember, however, that NPS parks/programs need to be flexible based on the needs and desires of the deceased employee's survivors and should consider their cultural customs and funeral rites as well. If the family prefers to have a private funeral, the park/program may still hold a separate memorial service at another time for co-workers and employees to honor the deceased.

### 1. Uniforms

- **Full Service Uniform:** The Superintendent or affected Program Manager will determine the appropriate season option. Winter uniforms are encouraged due to the more formal appearance. Partial uniforms are not acceptable. Employees not authorized to wear the full service uniform may wear business attire or a clean, pressed division uniform.
- **Duty Gear:** If the family of a deceased law enforcement employee wishes a full law enforcement service, duty gear will be worn. Employees should give every consideration to honoring the profession and the fallen comrade by presenting a clean, neat appearance. Gear should be in a good, polished condition.
- **Badges:** A black elastic band is placed horizontally across the middle of the badge. Employees not issued badges may wear a 3/8-inch black satin ribbon, folded in a 1-inch loop and pinned above the name tag. These typically will be worn from the time of notification of death until sundown on the day of interment.
- **Burial in Uniform:** NPS Reference Manual 43 states that deceased "Employees may be buried in uniform when requested by the employee or family. In the case of LODD, the Service encourages the family to consider this method of burial. The employee should be buried in the dressiest uniform that they were entitled to wear during their service. For employees entitled to wear controlled accoutrements, the park will excess the appropriate items to allow burial with full collar brass and badge compliment." The flat hat will be presented to the family. For law enforcement employees, this uniform option may include duty belt with empty holster and cases.

## **2. Uniform Hats**

- When entering the building for a funeral or memorial service, employees remove their uniform hats, place them under the left arm with the brim forward, and go directly to the area reserved for them. When seated, employees place their hats upright in their laps.
- At the end of the service, employees rise in unison and place their hats under the left arm in preparation for filing past the casket or exiting the building. They hold their hats in this position until they have passed the casket and arrived outside.
- Once outside, they put on their hats again.

## **G. Employee Memorials**

When a loss of life occurs, it is normal to consider the employee's contributions, both personally and at the NPS level. To establish temporary or long-term memorials to someone is not only a natural reaction to coping with grief, it is also the most natural of human traditions. A lasting record of a deceased NPS colleague's life commits him or her to our memories and helps in our healing beyond the funeral and memorial service. There are several ways to ensure employees and their families are remembered.

### **1. Memorial Fund**

When a loss of an NPS employee occurs, it has a tremendous effect on the surviving family members. One way the NPS family supports those who have lost their loved one is by the creation of a memorial fund. Memorial funds can be a strong support mechanism to the surviving family members and a way for employees to honor their fallen peer.

In line of duty deaths there is a great deal of stress on all involved and a great deal of work to be accomplished to ensure appropriate honors are bestowed on the employee and his or her family. Typically requests to honor an employee through a memorial fund occur immediately. Managers need to recognize that local partners may not be set up to receive donation funds for the purpose of a memorial fund. To expedite this process, managers should use the Employee and Alumni Association (E&AA) to establish any memorial fund related to a line of duty death. Working with E&AA will ensure the fund meets all legal criteria and expeditious acceptance and creation of the fund will occur.

### **2. Remembering and Honoring**

It is important for family, friends, and co-workers that an employee and his or her contributions to the agency will not be forgotten. In fact it is the park or program leadership's duty and responsibility to establish a yearly connection with the surviving family or spouse.

Several avenues and methods for remembering and honoring employees can be used without the restrictions of permanent memorialization. For example, some regional and local offices have established walls or areas where memorial plaques, pictures, and commemorative statements are displayed.

Some NPS parks/programs hold “anniversary” events, such as Grand Canyon National Park’s “Celebrating Wildlife Day” in honor of Eric York, a wildlife biologist who lost his life to pneumonic plague while studying mountain lions. In the case of uniformed employees, a park or unit may wish to “retire” the badge of a fallen colleague.

These events and memorial places allow employees to remember their NPS comrades and carry forward the excellence of a program or project in their honor. An invitation may be extended to surviving family members to attend such events; federal funds, however, may not be used for travel.

### 3. **Permanent Commemoration**

To be permanently commemorated in a national park is a high honor, affording a degree of recognition that implies national importance. Excessive or inappropriate use of commemorative works—especially commemorative naming of buildings or facilities—diminishes the value of permanent commemoration as a tool for recognizing truly noteworthy people or events. As such, there are four main policies associated with permanent memorialization of an employee:

- [Title 36 of the Code of Federal Regulations Section 2.62](#)
- [2006 National Park Service Management Policies Section 9.6](#)
- [Title 40 of the United States Code Chapter 89](#), which specifically covers all sites in the District of Columbia
- Directors Order #9

These policies offer counsel and insight for managers on the conditions necessary before moving forward with plans for permanent memorialization.

### 4. **Retirement of Shields and Badges**

Superintendents may request that the NPS law enforcement shield or “buffalo” badge of a deceased employee be retired and presented to a surviving family member or, at the family’s request, buried with the employee. If presented to the family, the shield or badge must be encased or permanently affixed to an object such as an NPS Arrowhead plaque, inside a shadow box, within Lucite plastic, or in another appropriate form of memorial presentation (see following examples).

- **Law Enforcement Shield:** Requests must be made in writing to the WASO Chief of Law Enforcement & Emergency Services, including the name of the employee, shield number, and the requested disposition of the shield (burial and/or presentation). Upon approval, WASO will notify the NPS Law Enforcement Training Center (NPS-LETC) to retire the shield number and complete Form DI-103, Report of Survey, to document its disposition. Remaining shields are to be returned to NPS-LETC along with the employee’s law enforcement credentials.



## 5. Director's Display (Temporary Corridor Memorial)

Often a temporary memorial is created and placed in the NPS Director's corridor in the Washington Office to honor a deceased employee. This is managed through the NPS Director's office. The template below includes information to be provided to the WASO Office of Communication for the development and creation of the display.



**Template for the temporary memorial display:** Each slide for the computerized display should be formatted in Microsoft Office (2003, 2007, or 2010). Microsoft Office PowerPoint should be used by following the template below, ensuring that all content fits onto one slide to be emailed for uploading to the display.

<p><u>Title of slide</u></p> <p>Title will be given to each slide.</p> <p><u>Biography</u></p> <p>Please include a brief write up or biography on the person. This is typically what is sent to <a href="mailto:INSIDE.NPS.GOV">INSIDE.NPS.GOV</a></p>	<p><u>Photograph</u></p> <ul style="list-style-type: none"><li>• Please include a photo of the person.</li><li>• Photos are typically sent in a jpeg, gif, or other photo format in a high resolution to be displayed at 1280 X 800.</li></ul>
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## **6. NPS Memorial Board**

Outside the NPS Director's office two large plaques list nearly 200 employees who have died in the line of duty. The title on the boards reads, "In honor of those employees who gave their lives in the line of duty for the preservation and use of our National Parks."

Employees who die in the line of duty can be remembered through this memorial board/plaque. The Associate Director for Visitor and Resource Protection maintains responsibility to update the board annually. Managers should communicate with the Associate Director for Visitor and Resource Protection to ensure inclusion occurs. With approval of the Chief, Law Enforcement, Security and Emergency Services, this office will ensure that each year a single day is chosen to honor those who have given their lives in the line of duty and will physically update the board.

## **7. State and National Memorials**

Consider state and national memorials with various jurisdictions where appropriate.

# **VII. Survivor Benefits**

When an employee of the NPS dies, numerous programs and benefits for his or her survivors will come into play. The application and processing of the many kinds of financial compensation, support, and assistance can be complex, even daunting. The following six sections summarize these survivor benefits and include appendix links for more detailed information and forms.

## **A. Death Gratuity**

The first section deals with a specified "death gratuity" payable upon the work-related death of an NPS employee. On the death of such an employee, the employee's personal representative shall receive a \$10,000 death gratuity payment. Of this payment, \$9,000 is immediately payable by the NPS. An additional \$1,000 may be payable by the Office of Workers' Compensation Program (OWCP) for funeral/burial and other expenses ([Appendix I-1.2](#)).

## **B. Specialized Benefits**

The second section addresses a number of specialized benefits administered by other agencies, including cases in which the deceased was a victim of a crime or was a law enforcement officer, firefighter, or "first responder." Other non-NPS federal benefits programs include educational assistance and employee assistance programs, as well as Veterans Administration and Social Security Administration benefits ([Appendix I-1.3, I-3.1](#)).

## C. Survivor Benefits

The third section covers an array of survivor compensation tied to the deceased employee's job and work benefits. These may include health care, retirement and pension benefits, Thrift Savings Plans (TSP), flexible spending accounts (FSAFEDS), life insurance, long-term care, and others. This last section may be of particular use to the deceased employee's supervisors and human resources staff ([Appendix I-2](#)).

## D. Unpaid Compensation / Last Timesheets

Denver Payroll will process the employee's last pay check and distribute this money and any lump-sum annual leave payable. The Human Resources Operation Center (HROC) will forward the [SF-1153](#) and [SF-1152](#) to Denver Payroll once it has received the forms and a copy of the death certificate. NPS parks/programs should work with Denver Payroll to make sure that all amendments regarding the employee's timesheets and any requests for converting compensatory time to overtime have been processed before HROC releases the death action ([Appendix K](#)).

## E. Compensation for Missing Employees

Several factors apply ([Appendix L](#)):

- During the time an employee is in "missing" status, the employee will continue to be paid.
- No employee subject to non-pay shall be placed in that non-pay status during the period in which he or she is missing. The employee will continue to be coded in the payroll system as "010 – regular hours worked."
- If an employee under an appointment-limited date and classified as missing is still in that status at the end of his or her appointment limit, the employee appointment shall be extended to a period of 12 months from the date that "missing" status began. The missing employee will continue to be coded in the payroll system as "010 – regular hours worked" until either of the requirements for the expiration of benefits as described in [Appendix L](#) is met.
- An employee who is determined to be in a missing status as defined in [5 U.S.C. Sec 5561](#) is "entitled to receive or have credited to his account, for the period he is in that status, the same pay and allowances (as defined in 5 U.S.C. Section 5561) to which he was entitled at the beginning of that period or may become entitled thereafter . . . ." These include:
  - Basic pay, special pay, and incentive pay
  - Basic housing and subsistence allowances
  - Station per-diem allowances for not more than 90 days
  - Accrued annual leave, including leave forfeited under "Use or Lose" policy ([5 U.S.C. Section 5562](#))
  - Within-grade pay increases
  - Promotions
  - Annual pay adjustments

## **F. Relocation Benefits**

Travel regulations are used to pay expenses related to the death of an employee who is on travel at the time of death but whose death is not work-related. If the employee's death is work related, expenses are payable under the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8134 ([Appendix J](#)).

## **VIII. Workforce Considerations**

### **A. Sick Leave and Annual Leave**

Managers should use their discretion to liberally grant members of a deceased employee's "core group" sick leave and annual leave to deal with the emotions and effects of the loss of a colleague. A park may ask for outside staff resources to temporarily fill the work roles of affected employees. It is important for superintendents/program managers and supervisors to be sensitive and understand that association with the scene of an employee death soon after the tragedy can adversely affect employees. Providing relief will allow them more time to cope with the personal and professional loss and related issues associated with a co-worker's death.

Managers are authorized to approve sick leave or annual leave for bereaved employees experiencing difficulty in returning to regular duties.

### **B. Post-Traumatic Stress Disorder**

NPS employees associated with a line of duty death may experience Post-Traumatic Stress Disorder (PTSD). Diagnosis can occur months later. Therefore, it is strongly recommended that supervisors file the necessary paperwork immediately, as precautionary action, for potentially affected employees (see Notice of Occupational Disease and Claim for Compensation at <http://www.dol.gov/owcp/regs/compliance/ca-2.pdf>).

### **C. Escort of Remains**

Up to two NPS employees may be authorized to escort the remains of the deceased employee. Refer to GSA Federal Travel Regulations [§§303-70.600](#) through [303-70.602](#) .

## Appendix A. Definitions

**Beneficiary:** A person or persons designated by the employee as recipients of specific death benefits.

**Benefits:** Financial payments made to the named survivor(s).

**Casket:** Any receptacle containing the remains of the deceased, including cremated remains.

**Chapel:** The church, funeral home, or other indoor location where a memorial or funeral service is held.

**CISM:** Critical Incident Stress Management, a wide range of programs and services designed to lessen and deal with the effects of traumatic stress.

**Core Group:** Emergency Medical Service and other public safety/visitor protection personnel, dispatchers, and other employees at the scene of the fatality.

**Covered:** When the service hat is worn, typically whenever outdoors. Certain formal circumstances may allow a uniformed employee to remain “covered” during inside operations.

**Debriefing:** Group session led by a trained Critical Incident Stress Management peer and/or mental health professional, usually held within 24 to 72 hours after the incident. A debriefing follows a structured format and discussions are confidential within the group.

**Emergency Incident Coordination Center (EICC), SHEN:** The NPS’s designated dispatch center (located at Shenandoah National Park in Virginia), which is responsible for calling out the Critical Incident Stress Management teams. Contact phone number is 800-732-0911 or 540-999-3412.

**EMS:** Emergency Medical Service, a branch of medicine performed in the field by paramedics and emergency medical technicians (EMTs).

**Full Service Uniform:** The NPS uniform (adhering to DO/RM-43 standards) worn by employees in public contact positions and other persons stipulated by regional directors and superintendents.

**Honor Watch:** A formation in which uniformed employees or the Honor Guard are posted (with relief and removal at appropriate intervals) at the head and foot of the casket. The Honor Watch is usually posted by the Operations Section Chief when the body is ready for viewing or, in cases of a closed casket, when survivors host calling hours before a funeral.

**IC:** Incident Commander, the person responsible for the overall management of an incident as assigned by a formal delegation of authority.

**ICS:** Incident Command System, a servicewide management tool used to oversee complex events, including line of duty deaths of NPS employees.

**IMT:** Incident Management Team, a management body designated at regional and national levels to incorporate the Incident Command System in overseeing events.

**Interment/Commitment:** To bury or place a dead body in the earth or in a tomb. For this document, these terms also will be used when the remains are cremated.

**L&O:** Law and Order Account, a funding stream for law-and-order operations directly related to an emergency (Form 10-34 Application for Emergency Law and Order Funding; see [Appendix M](#)).

**LESES:** Law Enforcement, Security and Emergency Services (WASO)

**Line of Duty:** Any action that an employee is obligated or authorized by law, rule, regulations, or written condition of employment to perform, or for which the employee is compensated by the National Park Service.

**LODD:** Line of Duty Death. The phrase “killed in the line of duty” means an NPS employee has died as a direct and proximate result of a personal injury sustained while performing official duties.

**Memorial Service:** An organized event to honor and memorialize a fallen employee, which may or may not include worship or a religious ceremony. A memorial service also may be an organized gathering of employees, independent of a private family service or other funeral service.

**Mental Health Professional:** A person certified or licensed by a state to provide mental health services.

**Pall:** A cover for a casket.

**PIO:** Public Information Officer, the person responsible for preparing and releasing information about the employee death incident to the news media, local communities, incident personnel, the Incident Management Team, and other agencies and organizations.

**Public Safety Officer:** A person serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, fire fighter.

## Appendix B. Completion Checklist for Managers

<input type="checkbox"/>	<b>1. Activate the Death Notification process for family and employees.</b> See Handbook Section V
<input type="checkbox"/>	<b>2. Follow NPS reporting procedures.</b> The death of any employee while in the performance of their duties must be reported immediately to the EICC in Shenandoah NP at 540-999-3422 or 800-732-0911. Follow up notification via email must be made within 3 working days to Deputy Chief, Law Enforcement and Emergency Services, Operations and Policy in WASO (RM-9 Chapter 36). Immediate notification must also be made to the appropriate Regional Director. OSHA must be notified within 24 hours of the incident.
<input type="checkbox"/>	<b>3. Assign the Park Family Liaison.</b> See Handbook Section IV.G
<input type="checkbox"/>	<b>4. Request an Incident Management Event Team (IMT) if appropriate.</b> Type II IMTs are ordered through the EICC at Shenandoah NP. Type III and other types of IMTs are created by regional offices and parks to meet needs less than those requiring a Type II team. The ordering of a Type II team must be approved by the appropriate Regional Director.
<input type="checkbox"/>	<b>5. Request Critical Incident Stress Management (CISM) Staff.</b> Critical Incident Stress Management (CISM) resources are ordered directly through Emergency Incident Coordination Center (EICC). If an Incident Management Team (IMT) has been ordered, the park should coordinate the ordering of CISM with the IMT.
<input type="checkbox"/>	<b>6. Consider request for activation of SET (through IMT if ordered).</b> Special Events Teams (SETs) are ordered through the Regional Chief Rangers. Deployment is approved by a Regional Director. If an IMT is ordered, the order for a SET should be done only by the IMT.
<input type="checkbox"/>	<b>7. Establish funding source.</b> Parks should work with their Regional Comptrollers to establish account number and obtaining appropriate funding sources beyond the park level. Request for approved emergency law and order funding must be initiated at the park level.
<input type="checkbox"/>	<b>8. Establish memorial fund.</b> Consider establishing a memorial fund honor of the employee. Requests to establish memorial funds are made through WASO to the Employee and Alumni Association for all line-of-duty deaths.
<input type="checkbox"/>	<b>9. Establish daily briefing schedule</b>
<input type="checkbox"/>	<b>10. Draft InsideNPS material</b>
<input type="checkbox"/>	<b>11. Notify OSHA</b>

## **Appendix C. Procedure for Death Notification**

### ***“In Person, In Time” Recommended Procedures for Death Notification***

***The principles of death notification:***

***In person  
in time,  
in pairs,  
in plain language,  
and with compassion.***

**This manual was prepared in cooperation with:  
Dr. Thomas L. Bennett, State Medical Examiner,  
the Iowa Organization for Victim Assistance (IOVA),  
MADD/Polk County Chapter, and  
Polk County Victim Services**

**Crime Victim Assistance Division  
Iowa Department of Justice**

**Thomas J. Miller  
Attorney General of Iowa**

## Introduction

The purpose of this booklet is to help those who must notify survivors of the death of a family member due to homicide, an automobile crash, a heart attack, drowning, or other sudden and unexpected events. We believe this is the first manual of its type in the nation, and my office is proud to cooperate in its preparation and distribution.

Death notification is acknowledged to be one of the most difficult tasks faced by law enforcement officers and other professionals, because learning of the death of a loved one often is the most traumatic event in a person's life.

The moment of notification is one that most people remember very vividly for the rest of their life -- sometimes with pain and anger.

Some survivors hear the news first through the media or a reporter calling, and then have flash-backs to that moment for years. Others tell how they were stunned to hear the person who was killed referred to as "the body" only minutes after the death.

This booklet suggests ways to notify survivors effectively and sensitively -- including tips on what not to do or say.

Notification is an exceedingly important duty. Besides being sensitive, notifiers have to be prepared in case a survivor goes into shock and requires emergency medical treatment.

Notifiers also can provide very important information to survivors, including details about how death occurred. They can volunteer to notify others and provide other invaluable support.

***The principles described here are simple: Notification should be done in person, in time, in pairs whenever possible, in plain language, and with compassion.***

The recommended procedures were developed by people with much experience in death notification, and with help from survivors who have been through it. As one of the survivors put it, "Please remember you are assisting innocent victims of circumstance."

If you have any suggestions about how to improve these guidelines, please contact the Attorney General's Office.

Thank you for your interest in this material, and good luck with your very important duty of death notification.

**--Tom Miller, Attorney General of Iowa.**

## **Basic Death Notification Procedures**

These are some of the cardinal principles of death notification. Some of the points overlap and all will be refined by the notifier's experience and judgment.

### **“In Person”**

Always make death notification in person -- not by telephone.

It is very important to provide the survivor with a human presence or “presence of compassion” during an extremely stressful time. Notifiers who are present can help if the survivor has a dangerous shock reaction -- which is not at all uncommon -- and they can help the survivor move through this most difficult moment.

Arrange notification in person even if the survivor lives far away.

Contact a medical examiner or law enforcement department in the survivor's home area to deliver the notification in person.

Never take death information over the police radio.

Get the information over the telephone, or it might leak out to family through the media or private parties listening to police radio. If radio dispatchers start to give information over the radio, stop them and call in.

### **“In Time” -- and with certainty**

Provide notification as soon as possible -- but be absolutely sure, first, that there is positive identification of the victim. Notify next of kin and others who live in the same household, including roommates and unmarried partners.

Too many survivors are devastated by learning of the death of a loved one from the media. Mistaken death notifications also have caused enormous trauma.

Before the notification, move quickly to gather information.

Be sure of the victim's identity. Determine the deceased person's next of kin and gather critical information -- obtain as much detail as possible about the circumstances of the death, about health considerations concerning the survivors to be notified, and whether other people are likely to be present at the notification.

## **“In Pairs”**

Always try to have two people present to make the notification.

Ideally, the persons would be a law enforcement officer, in uniform, and the medical examiner or other civilian such as a chaplain, victim service counselor, family doctor, clergy person, or close friend. A female/male team often is advantageous.

It is important to have two notifiers. Survivors may experience severe emotional or physical reactions. (Some even strike out at notifiers.) There may be several survivors present. Notifiers can also support one another before and after the notification.

Take separate vehicles if possible.

The team never knows what they will encounter at the location. One might need to take a survivor in shock to a hospital while the other remains with others. (Shock is a medical emergency.) One notifier may be able to stay longer to help contact other family or friends for support. Having two vehicles gives notifiers maximum flexibility.

Plan the notification procedure.

Before they arrive, the notifier team should decide who will speak, what will be said, how much can be said.

## **“In Plain Language”**

Notifiers should clearly identify themselves, present their credentials and ask to come in.

Do not make the notification at the doorstep. Ask to move inside, and get the survivor seated in the privacy of the home. Be sure you are speaking to the right person. You may offer to tell children separately if that is desired by adult survivors.

Relate the message directly and in plain language.

Survivors usually are served best by telling them directly what happened. The presence of the team already has alerted them of a problem.

Inform the survivor of the death, speaking slowly and carefully giving any details that are available. Then, calmly answer any questions the survivor may have.

Begin by saying, “I have some very bad news to tell you,” or a similar statement. This gives the survivor an important moment to prepare for the shock.

Then, avoid vague expressions such as “Sally was lost” or “passed away.” Examples of plain language include: “Your daughter was in a car crash and she was killed.” “Your husband was shot today and he died.” “Your father had a heart attack at his work place and he died.”

Call the victim by name -- rather than "the body."

Patiently answer any questions about the cause of death, the location of the deceased’s body, how the deceased’s body will be released and transported to a funeral home, and whether an autopsy will be performed. If you don’t know the answer to a question, don’t be afraid to say so. Offer to get back to the survivor when more information is available, and be sure to follow through.

There are few consoling words that survivors find helpful -- but it is always appropriate to say, “I am sorry this happened.”

### **“With Compassion”**

Remember: Your presence and compassion are the most important resources you bring to death notification.

Accept the survivor’s emotions and your own. It is better to let a tear fall than to appear cold and unfeeling. Never try to “talk survivors out of their grief” or offer false hope. Be careful not to impose your own religious beliefs.

Many survivors have reported later that statements like these were *not* helpful to them: “It was God’s will,” “She led a full life,” and “I understand what you are going through” (unless the notifier indeed had a similar experience.)

Plan to take time to provide information, support, and direction. Never simply notify and leave.

Do not take a victim’s personal items with you at the time of notification.

Survivors often need time, even days, before accepting the victim’s belongings. Eventually, survivors will want all items, however. (A victim’s belongings should *never* be delivered in a trash bag.) Tell survivors how to recover items if they are in the custody of law enforcement officials.

#### *Give survivors helpful guidance and direction*

Survivors bear the burden of inevitable responsibilities. You can help them begin to move through the mourning and grieving process by providing immediate direction in dealing with the death.

Offer to call a friend or family member who will come to support the survivor -- and stay until the support person arrives.

Offer to help contact others who must be notified (until a support person arrives to help with this duty.)

Survivors may have a hard time remembering what is done and said, so write down for them the names of all who are contacted.

Inform the survivor of any chance to view the deceased's body.

Be available to transport the survivor or representative for identification of the victim, if necessary. Explain the condition of the deceased's body and any restrictions on contact that may apply if there are forensic concerns. If appropriate, explain that an autopsy will be done.

Viewing the deceased's body should be the survivor's choice. Providing accurate information in advance will help a survivor make that decision. Some survivors will choose to see the body immediately, and this should be allowed if possible. (***Denying access to see the body is not an act of kindness.***)

Provide other specific information.

Fill out and keep the "***Survivor Intake Form.***" [See copy of form in the appendix.]

This form records basic information about survivors and their wishes. Complete the form, sign it, and keep it with the report or investigation file.

## **Follow up.**

Always leave a name and phone number with survivors.

Plan to make a follow-up contact with the survivor the next day.

If the death occurred in another county or state, leave the name and phone number of a contact person at that location.

Most survivors are confused and some might feel abandoned after the initial notification. Many will want clarifications or may need more direction on arrangements that are necessary.

Following up can be the last step in completing a "person-centered" and sensitive death notification that is truly helpful to survivors.

The notification team should be sure they are clear on any follow-up assignments they need to carry out. (See also the discussion of "debriefing" notifiers)

## **Death Notification in the Work Place**

Survivors often must be notified at their work place. Here are several tips to help apply the basic principles described above to a work place notification.

Ask to speak to the manager or supervisor, and ask if the person to be notified is available. It is not necessary to divulge any details regarding the purpose of your visit.

Ask the manager or supervisor to arrange for a private room in which to make the notification.

Follow the basic notification procedures described above: in person, in time, in pairs, in plain language, with compassion.

Allow the survivor time to react and offer your support.

Transport the survivor to his or her home, or to identify the body, if necessary.

Let the survivor determine what he or she wishes to tell the manager or supervisor regarding the death. Offer to notify the supervisor, if that is what the survivor prefers.

## **Death Notification in a Hospital Setting**

Law enforcement officers and medical examiners may be called on to do death notification at a hospital after an accident or a shooting, for example.

It is a very good idea for hospitals and other officials to determine general procedures and protocols in advance, so all parties are familiar with their duties and roles.

The principles of death notification described above all apply in the hospital setting. Here are a few points to be sure to remember:

Find a quiet room for the notification and be sure survivors are seated. (Do not notify in a crowded hall or waiting room.)

Arrange for a doctor to be present or available shortly to answer medical questions. Doctors should be in *clean uniform*.

Inform simply and directly.

Provide assistance and guidance:

Ask if survivors wish to spend time with the body of the deceased.

Explain the procedure if identification of the deceased is necessary. Explain about autopsy or organ donation, if appropriate.

Volunteer to help notify others. Make a list of any calls made.

If there are media calls, refer them to the investigating officer or (if available) a victim service advocate.

Do not leave survivors alone. Be sure someone is there to accompany them.

Fill out the “*Survivor Intake Form*” for your records, and give survivors the "Community Resource Information" form. Be sure the survivor has your name and number.

Contact the survivor the next day.

## **“Debriefing” for Death Notification Volunteers and Professionals**

*Members of a notification team should meet as soon as possible to debrief the situation:*

Double-check who is responsible for any follow-up tasks to help ease the pain and suffering of survivors.

Review the notification: what went wrong, what went right, how it could be done better in the future.

Share personal feelings and emotions of the notification team.

Death notifications are, without a doubt, stressful and difficult and sometimes very depressing.

Be frank and honest. Share your concerns with one another. Discuss any feelings team members have about the death and notification. For example, the notification experience may have triggered emotions and stress related to a notifier’s own loss of a loved one.

Support one another.

## **General Information on How Survivors Respond to Death Notification**

### **Physical Shock:**

Persons learning of the death of a loved one may experience symptoms of shock such as tremors and a sudden decrease in blood pressure.

Shock is a medical emergency -- help should be summoned.

Some of the factors that affect stress reactions are:

- the intensity of the event (for example, violent death vs. heart attack),
- the survivor's ability to understand what's happening,
- and the survivor's equilibrium.

Whenever possible, notifiers should be aware of any available background information about the survivors, including medical or emotional history.

### **Other general reactions to death notification:**

Even if there is no physical shock response, death notification must be considered a crisis for the survivors. They will have a need to express feelings; a need for calm and reassuring authority; a need for help in determining what happens next; and a need to begin restoring control by making some choices -- naming a support person to call, for example, or selecting a funeral home.

These needs can be met through the humane, patient, and non-judgmental approach of notifiers. Allow survivors to express their grief freely. Take the time to give them adequate information about the death and about official procedures subsequent to the death.

Many survivors, regardless of background, find themselves numb and unable to take the next step. This is where the support person helps the most. Survivors need support persons to help them through the initial crisis. Before you leave a survivor, make sure such ongoing support is available.

The suggested *Survivor Intake Form* will help with this process.

## Appendix D. NPS Reporting Procedures

On April 13, 2005, the NPS Washington Office issued a memorandum containing the following instructions for submitting reports on certain types of incidents. These reporting criteria have been in place, with minor changes, since 1986. The reporting criteria in this version remain in effect and are still to be followed.

### REPORT FORMAT

As far as possible, all reports should contain the following information. Exceptions are noted.

- Subject: Name or description of incident.
- Time and Date: Time and date of occurrence.
- Location: Brief description of incident location.
- Type: Reports are to be marked prominently and in boldface with one of two terms if they contain sensitive information:
- Law enforcement sensitive – Used only when the report contains sensitive information, sharing of which might compromise prosecutions, confidential sources, etc.
  - Internal use only – Used for incidents that contain information that is not law enforcement sensitive, but is nonetheless sensitive and not for public release.
- Reports not so marked are considered public information. Parts of incident reports that are generally okay for public release may include stipulations that specified sections are either Law Enforcement sensitive or for internal use only.
- Summary: Brief description of incident. Attention should be placed on making the report simple, clear and inclusive. Many reports omit critical information or contain confused narratives. A simple, chronological narrative works best.
- Names/Titles: First and last names and titles of persons involved, if appropriate. If victim names must be withheld, please at least specify gender, and, if possible, approximate or specific age.
- Status of Case: What's being done and/or will be done next. Optional in routine cases. It is presumed that investigations will always take place when appropriate. The status is important only in major incidents in which extensive follow-up will occur.
- Agencies: Other Federal, State, local or other agencies involved or to become involved in the incident. Optional if deemed immaterial to the report.
- Media: The level of media interest and involvement.
- Contact: Name and telephone number of the person who can be contacted for additional information, or a 24-hour contact number.
- Submitter: The name and title of the person submitting the report, which should appear on the report itself – not just in the cover email message.

## REPORTING PROCESS

Each of the following Level 1 and Level 2 reporting SOP's explains how to submit reports. The basic rules are nonetheless worth reiterating:

- Level 1 reports and some particularly significant Level 2 reports are called immediately to Shenandoah NP dispatch, then followed up with written reports sent via email within three working days. They are not to be submitted by posting to InsideNPS.
- Level 2 reports are to be submitted via email within three working days. They are not to be submitted by posting to InsideNPS.
- All Level 1 and 2 written reports are to be submitted to WASO Division of Law Enforcement and Emergency Services, and to InsideNPS. Copies of each should also be sent to your regular regional/system office contacts.
- Reporting parties should be judicious regarding inclusion of names of law enforcement rangers and investigators and/or confidential investigative or enforcement techniques in incident reports. The Morning Report is posted on the web; email transmissions are also passed along to many other readers. It is safe to presume that anyone might read it.
- All reports are considered to be public information unless otherwise indicated. Reports that are wholly or partly confidential and meant for internal review within the Division of Law Enforcement and Emergency Services should be marked as indicated.
- It is NPS policy to share as much information as possible with its employees and external audience. Reporting parties will therefore make every effort to write reports in a manner that will permit their general release, insofar as is possible, and will only use the specified restrictions if truly necessary.

## LEVEL 1 REPORTS

Report the following **immediately**. Complete a follow-up report within three days, or when significant incident information changes.

- Complete the [online form](#) above prior to submission for Morning Report.
- Call the NPS Emergency Incident Coordination Center (EICC) 24-hour operations line at 1-540-999-3412 or 1-800-732-0911, or email [nps\\_eicc@nps.gov](mailto:nps_eicc@nps.gov)
- Submit follow-up notifications by e-mail to [nps\\_eicc@nps.gov](mailto:nps_eicc@nps.gov)
- Additional notifications for these or other incidents may be required by regions or other agencies.

**Employee Fatality / Injury / Illness:** Any fatality or life-threatening injury / illness (on duty) of a current NPS employee including volunteers and contractors. There are additional reporting requirements per OSHA for employee fatalities and multiple employee injury or illness. Click [here](#) for more information.

**Employee Hospitalization:** Any on-duty injury / illness requiring hospitalization.

**Multiple Employee Injuries:** Emergency medical treatment of three or more NPS employees in any incident.

**Multiple Non-Employee Fatalities from Unusual Circumstances:** Fatalities from non-routine incidents (automobile accidents, boating accidents, etc. are routine) involving more than three non-employees.

**Property Damage:** Property damage to government or personal property greater than \$50,000

from any incident. (NOTE: Incidents resulting in property damage that may capture significant media attention should be reported regardless of damage value)

**Major Crimes:** Murder, manslaughter, rape, armed robbery, aggravated assault, burglary with loss greater than \$25,000, structural arson, wildland arson greater than 10 acres, major weapons offenses (multiple weapon-related felonies), hostage or barricade situations, kidnapping, confirmed missing persons where foul play is suspected.

**Drug Crimes:** Drug seizures or arrests that could attract media or political attention due to the circumstances, value, or the amount of the seizure.

**Government Officials:** Serious incidents, accidents, or major events involving senior officials of state, Federal or foreign governments, those with diplomatic, political, or government ties, or their immediate families.

**International Incidents:** Incidents affecting international cooperation, relations or disputes.

**National Security:** Planned, attempted or actual terrorist attacks, sabotage or other hostile acts against the United States, including the National Park Service or any other federal bureau; or observations of any act, incident, or suspicious activity that might have national security implications.

**SETT -** Any event that requires the deployment of SETT.

**Incident Management Team:** Any event that requires deployment of an Incident Management Team (IMT) out of their region.

**Disasters:** Natural or man-caused disasters which cause significant injuries, resource or property damage, or have significant impacts on visitor use of an NPS-administered area, including structural fires, floods, wind events, rock slides, storms, dam failures, earthquakes, volcanic activity, etc.

**Firearm Discharge:** The discharge of a firearm by any employee toward another individual, or any discharge of a firearm at any employee, or any on-duty or duty-related unintentional firearm discharge by a commissioned employee. (Note on duty training exemption as defined in RM-9.)

**Aircraft Accident:** Any aircraft accident causing a death or injury requiring hospitalization.

**Use of Force Causing Injury:** Any use of force by a law enforcement officer which results in death or serious injury to another individual, or any hospitalization of greater than 8 hours.

**Assault on Employee:** Any assault or attack on any NPS employee, duty-related or not.

**Hazmat Incident:** Any hazardous chemical spill, leak, fire, exposure or accident. After notifying the EICC, call the National Response Center (800-424-8802) for all hazmat releases or oil spills.

**Wildlife or Vegetation Die-Off:** Unexpected or unnaturally high mortality to large numbers of animals or plants.

**Arrest of Senior NPS Officials:** Superintendent and Deputies, Regional Directors and Deputies or any SES employee.

**Arrest of Commissioned Employee:** The arrest of any commissioned employee or manager/administrator of a law enforcement program.

**Theft or Loss of Law Enforcement Credentials, Badges, or Weapons.**

**Demonstrations:** Demonstrations or hostile acts (planned, purported or actual) in or adjacent to parks that may draw significant national or regional media attention, or hamper park operations.

**National Media Attention:** Events that have the potential to result in national media interest.

## WHAT ARE NORMAL-PRIORITY INCIDENTS?

### NORMAL-PRIORITY INCIDENTS (Level II)

- *Within three working days, notify EICC by calling 540-999-3412 or 888-246-4335, or by emailing [NPS\\_EICC@nps.gov](mailto:NPS_EICC@nps.gov).*
- *You should also send reports to your regular regional/system office contacts.*
- *Additional reporting may be required by regions or other agencies.*

**Non-employee Fatalities:** Visitor or public fatalities, including suicides. Fatalities, including heart attacks and other deaths attributed to natural causes; do not need to be reported.

**Employee Arrest:** Arrest or detention of any non-commissioned NPS employee or senior NPS official on felony charges, regardless of arresting or detaining agency. Misdemeanor arrests should be reported in cases of local media attention or exceptional circumstances.

**Cultural Resource Theft/Depredation:** Any significant incident of lost, stolen, looted, vandalized, damaged or destroyed historical, archeological, ethnographic, museum or NAGPRA-related structures, items and/or resources.

**Natural Resource Theft/Depredation:** Any significant incident in which animals, plants, minerals, paleontological items or other natural resources are poached, stolen, destroyed or otherwise lost or damaged, including any felony cases.

**Drug Incidents:** Drug seizures in which the value of the drugs exceeds \$5,000, or major drug cases which are investigated by other agencies but which were either initiated by the NPS or in which the NPS assisted.

**Demonstrations:** Demonstrations or hostile acts (planned, purported or actual) either in or adjacent to parks.

**Theft and Burglary:** Monetary losses in excess of \$10,000 through theft or burglary.

**Search and Rescue:** Major searches and/or rescues, generally defined as any SAR that requires

a significant number of resources or that is prolonged or difficult.

**Structural Fires:** Structural fires involving any NPS-owned property. Structural fires should also be reported to the Structural Fire Program via the Structural Fire Incident Report System at [Report a Structural Fire](#).

**Special Events:** Any event that attracts substantial media attention, and/or has particular relevance to the National Park System or Service and its cultural, historical and natural assets.

**Non-Employee Injuries/Illness:** Any attempted or suspected attempted suicide or the in-patient hospitalization of three or more non-NPS personnel in any single incident.

**Multiple Injuries/Illness:** In-patient hospitalization of three or more non-NPS personnel in any single incident.

**Wildlife Incidents:** Wildlife attacks or incidents that result in death or cause serious injury and/or lead to overnight hospitalization.

**Public Health Incidents:** Incidents where either an above average number of visitors, employees, or volunteers have similar symptoms or illnesses.

### **Service of High-Risk Warrants**

## **GUIDANCE FOR OTHER REPORTING REQUIREMENTS**

**The following list is not all-inclusive, and you may have other notification responsibilities.**

### **HAZARDOUS MATERIALS**

Hazardous Material Spills should be reported to the National Response Center at 1-800-424-8802 according to the following criteria:

- For oil: Spills of 10 gallons or more onto land or soil, and all releases into surface water that result in a silver and/or rainbow sheen regardless of amount spilled.
- For hazardous materials/substances: All releases of any chemical or hazardous material, regardless of amount or where it was spilled.
- The NPS EICC forwards notifications of HAZMAT incidents to the NPS Environmental Quality Division WASO as part of its notification process.

### **EMPLOYEE DEATH OR INJURY**

OSHA regulations outline what is required to be report to them and in what time frame. The specific regulation can be found on the OSHA website ([29 CFR 1904.39](#)).

The DOI also has notification requirements. NPS DO-50B covers incident notification and reporting procedures, and SAIT investigation procedures

#### **Reporting to OSHA:**

a) Except as noted below, all work-related fatalities or multiple hospitalization incidents (3 or more employees hospitalized) are required to be reported to OSHA within 8 hours of the incident.

All fatal heart attacks suffered by employees at work (work-related or not) must be reported to OSHA within 8 hours.

You do not have to report to OSHA employee fatalities and multiple hospitalization incidents that involve:

- A commercial airplane, train, subway, or bus accident
- A motor vehicle incident occurring on a public highway or street.
- Fatalities occurring more than 30 days after the incident.

b) An oral report must be made to OSHA within 8 hours of the time any NPS employee or agent is aware of the incident. Leaving a voice mail message is not sufficient - it must be reported to a live person. The OSHA hotline is staffed 24 hours a day all year and can be reached at: 1-800-321-6742.

c) It is strongly recommended that the site's most senior manager, or acting, should report the incident to OSHA.

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=STANDARDS&p\\_id=12783](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=12783)

The NPS Line of Duty Death handbook and other resources are available here:

<http://inside.nps.gov/waso/custommenu.cfm?lv=3&prg=175&id=4370>

Employee injuries should also be reported via the Safety Management Information System SMIS at: <https://www.smis.doi.gov/>

### **NON-NPS-EMPLOYEE SERIOUS INJURY**

Notify NPS Public Risk Management of serious injuries to one or two non-NPS employees by clicking here:

<http://inside.nps.gov/waso/custompages.cfm?prg=190&id=8872&lv=3&pgid=3574>

### **AIRCRAFT INCIDENTS**

Call the 24-Hour Safety Hotline at (800) 255-1111 or fill out the online form below to report:

- Maintenance improprieties
- Aircraft Incidents
- Suspected Unapproved Parts
- Federal Aviation Regulation (FAR) violations:  
Report to FAA by calling (800) 255-1111 or filling out the online form at [http://www.faa.gov/contact/safety\\_hotline/](http://www.faa.gov/contact/safety_hotline/)

**The Aviation Safety Communique (SAFECOM) database** fulfills the Aviation Mishap Information System (AMIS) requirements for **aviation mishap reporting for the Department of Interior** agencies and the US Forest Service. Categories of reports include incidents, hazards, maintenance, and airspace. <https://www.safecom.gov/entry.asp>

### **USE OF ELECTRONIC CONTROL DEVICE (TASER)**

Report deployments including display per the national ECD policy to the National Lead Taser Instructor by emailing [Kenneth.Meyer@nps.gov](mailto:Kenneth.Meyer@nps.gov).

### **STRUCTURAL FIRE**

Initial notification of structural fires should be made through the Serious Incident Notification System. Structural Fire Incident Reports should then be filed according to the guidance offered on this link, which also offers an online reporting system.

<http://inside.nps.gov/waso/custompages.cfm?prg=358&id=372&lv=3&pgid=3653>

## **NPS FIREARMS OR AMMUNITION MALFUNCTION**

Contact NPS Firearms Program Manager Jill Kinney

## **FAQ'S ABOUT THE SERIOUS INCIDENT NOTIFICATION SYSTEM**

### **Why Do I Need To Make Notifications?**

The NPS requires notification of the incidents listed above in policy (RM-9, Chapter 36) or by law or other regulation. Timely notification of senior leadership, program managers, and emergency managers ensures that they are able to undertake their responsibilities in a timely manner. For many of these incidents, managers may have operational duties and need to promptly liaison with other agencies or resources.

### **How Does The Online System Work?**

The online system compiles the data from the web page and sends it to pre-arranged email addresses, including the NPS EICC. The EICC staff read the messages immediately upon receipt and initiate any needed action.

### **Who Gets Notified?**

The NPS EICC is notified on every incident, and will pass on the information as needed based upon protocols developed by WASO emergency mangers.

### **Is this the same thing as the Morning Report?**

The serious incident notification system does not send items to be placed in the Morning Report or InsideNPS. Serious incident reports may contain sensitive information or may otherwise be unsuitable for distribution.

## Appendix E. Templates for Flag Lowering and Mourning Band Authorizations

### EXAMPLE 1:

This is an example of a memo written by the Deputy Director of the NPS authorizing flags to be lowered at ALL NPS areas as well as the wearing of mourning bands.

#### (DATE)

MEMORANDUM

To: Regional Directors

Attention: Park Superintendents

From: Deputy Director, Operations /s/ **(NAME OF DEPUTY DIRECTOR)**

Subject: Authorization of American Flags to be Flown at Half-Staff and the Wearing of Mourning Bands and Ribbons at All NPS Areas

In honor of **(NAME OF INDIVIDUAL)**, at **(NAME OF PARK UNIT)**, I have ordered all American flags to be flown at half-staff at all National Park Service areas, excluding the National Mall, from **(SPECIFIC DAY OF WEEK TO INCLUDE DATE)**, until further notice **(UNLESS SPECIFIC DATE OF INTERMENT IS KNOWN)**.

**(FIRST NAME OF EMPLOYEE)**, who served as a **(IDENTIFY SPECIFIC POSITION)** at **(NAME OF PARK UNIT)** for **(LENGTH OF TIME AT PARK)**, died on **(DATE OF DEATH)** while **(DESCRIBE HOW EMPLOYEE LOST HIS/HER LIFE..BE SPECIFIC)**. Mourning bands are also authorized to be worn for the same duration.

### EXAMPLE 2:

This is an example of a memo written by a Regional Director authorizing flags to be lowered at the regional level and authorizing the wearing of mourning bands for a Line of Duty Death within their particular region.

#### (DATE)

MEMORANDUM

To: (SPECIFIC REGION) Superintendents

From: Regional Director, (SPECIFIC REGION)

Subject: Authorization of American Flags to be Flown at Half-Staff and the Wearing of Mourning Bands and Ribbons at park units in the (SPECIFIC REGION)

By order of the Regional Director and effective immediately, until sunset **(SPECIFIC DAY OF WEEK AND DATE)**, flags in the (\_\_\_\_\_) Region of the National Park Service are to be lowered to half-staff in honor of **(NAME OF EMPLOYEE)**. **(FIRST NAME OF EMPLOYEE)** served as a **(DESCRIBE EMPLOYEE'S POSITION)** and **(DESCRIBE WHAT HAPPENED TO EMPLOYEE)** on **(DAY OF WEEK AND DATE)**. Mourning bands/ribbons are authorized to be worn for the same duration.

## Appendix F

### Benefits Coordinator Checklist

<b>Immediate: (within the first 8 hours)</b>	
	Immediately upon notification of an employee death, determine the employee's name, title, duty location, and the date of death. Provide Family Liaison with your name and telephone number.
	Call OSHA to report a fatality <u>from a work related incident</u> as soon as possible or within eight hours after the fatality (800) 321-6742 (OSHA 29 CFR 1904.39)
	Initiate Death Gratuity payment if death was in the line of duty.
<b>Secondary: (within 8 to 36 hours)</b>	
	Coordinate with the Family Liaison Officer to personally meet with the family a few days after the funeral to discuss the benefits they might receive
	Counsel survivors that HROC will need to obtain between 2-3 original death certificates for processing benefit claims. See other applicable benefits available for additional certificates.
	Determine, with appropriate HROC and SHRO assistance, as to whether the family is entitled to a continuation of health benefits.
	Be familiar with the Federal and State benefits entitlement (see examples for reference only) to ensure that the survivors receive benefits and entitlements due them.
	In coordination with the Family Liaison Officer, and if needed to help HROC, obtain legal documents, such as birth certificate, marriage licenses, etc., needed to process benefit's claims
	As the representative for the SHRO, contact the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, regarding the payment of benefits under the Public Safety Officers' Benefits Act.
	If requested by the family, arrange with appropriate financial institution(s) and/or park association or like organization, for the establishment of appropriate trust fund(s) into which monetary donations in memory of the fallen employee can be deposited. Disseminate the information and the location of the financial institution Servicewide.
	Assist with preparation of all forms for the survivors and pay close attention to turnaround times, specifying when benefit payments can be expected. Benefits' forms are usually mailed to the family by HROC. The benefits coordinator can work with HROC and the family to ensure the family receives these forms.
<b>Low: (within 72 hours)</b>	
	Notify affiliated organizations to ensure that any and all entitlements, benefits, and assistance are provided to the beneficiary(s).
	Prepare a printout of the benefits and funeral payments due the family, listing named beneficiaries, contacts at various benefits offices, and the times when they can expect to receive payments.
	Meet, when possible in regard to location, with the family to ensure they are receiving the benefits in a timely manner.
	Make follow-up phone calls to appropriate agencies and departments to ensure that paperwork is received and to ascertain status of payments. Keep survivors apprised of any information related to benefit payments.
	If there are surviving children from a previous marriage, give their guardians a printout of what benefits of which the children <i>may</i> be entitled.

## Appendix G

<b>Benefits Coordinator's Checklist for Processing Benefits</b>				
<b>Employee Name:</b>		<b>Date of Death:</b>		<b>HROC Contact Name and Number:</b>
<b>Survivor Name(s) and contact number:</b>		<b>Notes:</b>		
<b>Step #1 LODD</b>	<b>Applies to Employee?</b>	<b>For Forms See Page Number...</b>	<b>Completed?</b>	<b>Notes:</b>
<b>OWCP</b>	<b>Yes No</b>	<b>See Appendix I - OWCP</b>		
<b>Date Contacted OWCP:</b>		<b>Contact Name:</b>	<b>Contact #:</b>	
<b>Death Gratuity Payment</b>	<b>Yes No</b>	<b>See Appendix I – Death Gratuity Payments</b>		
<b>Step #2 Contact HROC Benefits</b>		<b>Telephone:</b>		<b>Notes:</b>
<b>Step #3 Contact Denver Payroll</b>		<b>Telephone:</b>		<b>Notes:</b>
<b>Step #4 Initiate Personnel Action</b>		<b>SF-52 SF-50</b>	<b>Completed?</b>	<b>Notes:</b>
<b>The following benefits will be initiated and processed by HROC Benefits. The benefits coordinator can use the below list to help the survivors through the process of completing these forms as needed.</b>				
<b>Step #5 Benefits</b>	<b>Applies to Employee?</b>	<b>For Forms See Page Number</b>	<b>Completed?</b>	<b>Notes:</b>
<b>Retirement (FICA, CSRS, FERS)</b>				
<b>FICA Only</b>	<b>Yes No</b>			
<b>Annuity CSRS</b>	<b>Yes No</b>			
<b>Annuity FERS</b>	<b>Yes No</b>			
<b>FERS Lump Sum</b>	<b>Yes No</b>			
<b>FERS Basic Death Benefit (BEDB)</b>	<b>Yes No</b>			

<b>Step #5 Benefits</b>	<b>Applies to Employee?</b>	<b>For Forms See Page Number</b>	<b>Completed?</b>	<b>Notes:</b>
<b>Surviving Children</b>	Yes No			
<b>Surviving Former Spouse</b>	Yes No			
<b>Reemployed Annuitant</b>	Yes No			
<b>TSP</b>	Yes No			
<b>Health Insurance</b>				
<b>FEHB</b>	Yes No			
<b>TCC</b>	Yes No			
<b>FSAFEDS</b>	Yes No			
<b>HDHP</b>	Yes No			
<b>FLTCIP</b>	Yes No			
<b>FEDVIP</b>	Yes No			
<b>Life Insurance</b>				
<b>FEGLI</b>	Yes No			
<b>The following are not processed by HROC</b>				
<b>Other Benefits Available</b>				
<b>SSA</b>	Yes No			<b>NPS does not process SS benefits, however, you can refer to general information in this handbook and refer survivors to the SSA website.</b>
<b>VA</b>	Yes No			<b>NPS does not process VA benefits, however, you can refer to general information in this handbook and refer survivors to the VA website.</b>
<b>Travel and Transport of Remains</b>	Yes No			<b>Travel and Transportation of Remains and Household goods is determined by type of death, location of death, CONUS vs OCONUS etc. See Appendix J and OWCP regs for more information.</b>
<b>See also: All Employee Family Members Benefits – Appendix I And Benefits and Support Services for Families – Appendix I for other available benefits.</b>				
<b>Notes:</b>				



# **Benefits at a Glance**

Rules and Regulations

FORMS and LINKS

Policies and  
Procedures

# **Appendix I - Table of Contents**

## **I-1 Benefits for Line of Duty Deaths only**

- 1.1 OWCP**
- 1.2 Death Gratuity Payment**
- 1.3 Other Line of Duty Death Benefits**

## **I-2 Benefits for all types of Employee Deaths**

### **2.1. Processed by HROC/OPM**

- 2.1a CSRS and FERS Survivor Benefits (Retirement contributions)
- 2.1b Federal Employees Health Benefits (FEHB)
- 2.1c Extension of FEHB Coverage
- 2.1d FEHB Conversion Rights
- 2.1e Temporary Continuation of Coverage (TCC)
- 2.1f High Deductible Health Plan (HDHP) with Health Savings Account (HSA) and Health Reimbursement Arrangements (HRA)
- 2.1g Federal Flexible Spending Account Program (FSAFEDS)
- 2.1h Federal Long Term Care Insurance Program (FLTCIP)
- 2.1i Federal Employees Dental and Vision Program (FEDVIP)
- 2.1j Federal Employees Group Life Insurance Program (FEGLI)
- 2.1k Thrift Savings Plan (TSP)

## **I-3 Other Survivor Benefits**

### **3.1 All Employee Family Members**

- 3.1a Employee Assistance Program (EAP)
- 3.1b Federal Employee Education and Assistance Fund (FEEA)

### **3.2 Veteran's Administration Benefits (VA)**

### **3.3 Social Security Administration (SSA)**

# **Benefits for Line of Duty Deaths Only**

## **1.1 OWCP**

## **1.2 Death Gratuity Payment**

## **1.3 Other Line of Duty Death Benefits**

# Office of Worker's Compensation (OWCP) Department of Labor

## Overview

5 CFR 8100 Part 10

The Federal Employees' Compensation Act (FECA) (5 U.S.C. 8101), which is administered by the Office of Workers' Compensation Programs of the U.S. Department of Labor, provides compensation benefits to civilian employees of the United States for disability due to personal injury or disease sustained while in the performance of duty, as well as for payment of benefits to dependents if a work-related injury or disease causes an employee's death. <http://www.dol.gov/owcp/dfec/>

When an employee dies because of an injury incurred in the performance of duty, the supervisor should immediately notify [the district office](#).

## Claims for Death Benefits – Forms to Complete

The survivors, or supervisor, of a deceased employee should use forms [CA-5](#) and [CA-5b](#) to submit claims for death benefits. Forward to OWCP with a copy of the death certificate, marriage certificate, divorce or annulment decree, and/or birth certificates, which ever apply.

- CA-5, Claim for Compensation by Widow, Widower, and/or Children.  
<http://www.dol.gov/owcp/regs/compliance/ca-5.pdf>
- CA-5b, Claim for Compensation by Parents, Brothers, Sisters, Grandparents.  
<http://www.dol.gov/owcp/regs/compliance/ca-5b.pdf>

The supervisor completes form [CA-6](#) to report the work-related death and sends to OWCP no more than 10 working days after notification of the death.

- CA-6, Official Superior's Report of Employee Death.  
<http://www.dol.gov/owcp/regs/compliance/ca-6.pdf>

## Division of Federal Employees' Compensation (DFEC)

### CA-11 When Injured at Work Information Guide for Federal Employees

<http://www.dol.gov/owcp/dfec/regs/compliance/ca-11.htm>

## Compensation for Death

If no child is eligible for benefits, the widow or widower's compensation is 50 percent of the employee's pay at the time of death, if death was due to the employment-related injury or disease. If a child or children are eligible for benefits, the widow or widower is entitled to 45 percent of the pay and each child is entitled to 15 percent. If children are the sole survivors, 40 percent is paid for the first

child and 15 percent for each additional child, to be shared equally. Other persons such as dependent parents, brothers, sisters, grandparents, and grandchildren may also be entitled to benefits. The total compensation may not exceed 75 percent of the employee's pay or the pay of the highest step for GS-15 of the General Schedule, except when such excess is created by authorized cost-of-living increases.

Compensation to an employee's surviving spouse terminates upon his or her death or remarriage. A widow or widower's benefits continue, however, if the remarriage takes place after the age of 55. Awards to children, brothers, sisters and grandchildren terminate at the age of 18, unless the dependent is incapable of self-support, or continues to be a full-time student at an accredited institution, until he or she reaches the age of 23, or has completed four years of education beyond the high school level.

Eligible beneficiaries must elect between survivor's (retirement) benefits and OWCP, but can change election later.

[F-18. Are burial expenses payable if an employee dies because of a work injury?](#)

Burial expenses up to \$800 are payable. If the Department of Veterans Affairs (VA) also pays a burial allowance, that allowance must be deducted. If the employee dies away from home, the cost of transporting the body to the place of burial will be paid in full. In addition, a \$200 allowance will be paid for terminating the deceased's status as a Federal employee.

In addition to any burial expenses or transportation costs, a \$200 allowance is paid for the administrative costs of terminating an employee's status with the Federal Government.

**CA-810, Injury Compensation for Federal Employees Publication.**

<http://www.dol.gov/owcp/dfec/regis/compliance/DFECfolio/CA-810.pdf>

- See Chapter 2-5 for Death for information on the forms
- See Chapter 2-6 for Death Gratuity information on an **Employee who dies of injuries incurred in connection with the employee's service with an Armed Force in a contingency operation:**
  - o Death Gratuity Forms 5 U.S.C. 8102a: **BENEFIT** This new provision creates a death gratuity for federal employees (and employees of non-appropriated fund instrumentalities) by authorizing the United States to pay up to \$100,000 to the survivors of "**an employee who dies of injuries incurred in connection with the employee's service with an Armed Force in a contingency operation.**" On January 28, 2008, the Federal Employees' Compensation Act (FECA) was amended by adding a new section 8102a (5 U.S.C. § 8102a - Death Gratuity).
- See Chapter 3-1A-D for Provisions of the Law-
  - o Generally speaking, for injuries and deaths on or after September 7, 1974, the law provides that **a claim for compensation must be filed within three years** of the injury or death (5 U.S.C. 8122). See these references for details and exceptions.
- See Chapter 7-2 Death Benefits for:
  - o Entitlement
  - o Compensation Payments
  - o Funeral and Burial Expenses

- Employing Agency Death Gratuity
- FECA Death Gratuity

- See Chapter 7-3 for what constitutes - Dual Benefits
- See Chapter 7-4 for Computing Compensation

### **Survivors of “an employee who dies of injuries incurred in connection with the employee’s service with an Armed Force in a contingency operation.”**

Amendment to the Federal Employees' Compensation Act, 5 U.S.C. § 8102a – Death Gratuity

**BENEFIT** This new provision creates a death gratuity for federal employees (and employees of non-appropriated fund instrumentalities) by authorizing the United States to pay up to \$100,000 to the survivors of "an employee who dies of injuries incurred in connection with the employee's service with an Armed Force in a contingency operation." On January 28, 2008, the Federal Employees' Compensation Act (FECA) was amended by adding a new section 8102a (5 U.S.C. § 8102a - Death Gratuity). This provision creates a death gratuity for federal employees (and employees of nonappropriated fund instrumentalities) by authorizing the United States to pay up to \$100,000 to the survivors of "an employee who dies of injuries incurred in connection with the employee's service with an Armed Force in a contingency operation." The \$100,000 amount must by law be reduced and offset by any other federally provided death gratuity.

<http://www.dol.gov/owcp/dfec/DeathGratuity.htm>

- CA-40, Designation of a Recipient of the Federal Employees’ Compensation Act Death Gratuity Payment under 5 U.S.C. 8102a.  
<http://www.dol.gov/owcp/dfec/regs/compliance/CA-40.pdf>
- CA-41, Claim for Survivor Benefits Under the Federal Employees’ Compensation Act Section 8102a Death Gratuity.  
<http://www.dol.gov/owcp/dfec/regs/compliance/CA-41.pdf>
- CA-42, Official Notice of Employees’ Death for Purposes of FECA Section 8102a Death Gratuity. <http://www.dol.gov/owcp/dfec/regs/compliance/CA-42.pdf>

### **Links for More Information**

[Questions and Answers about the Federal Employees’ Compensation Act \(FECA\).](#)

[Beneficiaries of awards unpaid at death; order of precedence – 5 U.S.C. 8109.](#)

[Notice of injury or death – 5 U.S.C. 8119.](#)

- Must be given within 30 days after the injury or death.

[Lump-sum payment – 5 U.S.C. 8135.](#)

[SMIS Portal](#)

## **HROC**

HROC does not process OWCP. Survivors will need to work with the Regional OWCP coordinator and the Department of Labor.

## **Regulations and Authorities**

[5 U.S.C. 8100 Part 10](#)

## Death Gratuity Payments for Line of Duty Death Policy and Procedures

### Overview

[Public Law 104-208 Section 651](#), effective September 30, 1996 gave department and agency heads the authority to pay up to \$10,000 as a death gratuity to the **personal representative** of a Federal employee who dies from an **injury** sustained **in the line of duty** on or after August 2, 1990. This includes a department or agency employee who dies after separation from service, if the death is the result of any **injury** sustained in the line of duty. It does not include employees whose death is determined to have resulted from willful misconduct.

The payment of the death gratuity, as provided in statute, will be made from appropriated funds.

Before the amount of the gratuity can be determined, the following payments must be taken into account.

- \$200 payable under [5 U.S.C. 8133\(f\)](#), for reimbursement of the costs of termination of the decedent's status as an employee of the United States (this payment is made through OWCP);
- up to \$800 payable under [5 U.S.C. 8134\(a\)](#), for funeral and burial expenses in cases of employees who died as a result of an injury sustained in the performance of duty (this payment is made through OWCP); and
- any amount paid under [section 312 of Public Law 103-332](#), the Department of the Interior and Related Agencies Appropriations Act, 1995. This authority provides for payment of up to \$10,000 in reimbursement for burial costs and related out-of-pocket expenses for employees killed in the line of duty in agencies that receive appropriations under a Department of the Interior and Related Agencies Appropriations Act for fiscal year 1995 and thereafter.

The amount paid under these three authorities, plus the gratuity paid under the new authority, may not total more than \$10,000. The gratuity is NOT reduced by any other amounts, including other benefits payable under the Federal Employees' Compensation Act.

For the purpose of full administration of this death gratuity, authority is delegated to the level of the Regional Director. The Regional Director may approve the death gratuity payment when presented with clear and convincing evidence that an employee sustained an injury in the line of duty, which resulted in the employee's death. If the Regional Director does not believe the evidence clearly and convincingly establishes entitlement to a death gratuity payment, the Regional Director may await Department of Labor (OWCP), determination.

## Eligibility

The Death Gratuity will be paid to the Personal Representative of any Federal employee who dies from an injury that was sustained on or after August 2, 1990, in the line of duty. Including a department or agency employee who dies after separation from service, if the death is the result of any injury sustained in the line of duty.

A Personal Representative is:

- The formally designated executor or administrator of the employee's estate under State law. The department or agency head determines who the personal representative is in any particular case.

## Process

In order to help the personal representative with the cost of burial and/or other expenses incurred from the employee's death, the death gratuity should be processed as soon as possible. The following guidance provides the steps for, and authority to, process the death gratuity payment for the personal representative.

- 1) Authority is delegated to the Regional Director to determine if the death was in the line of duty. The Regional Director may use the guidelines below which give examples of what is considered "in the line of duty" but is not restricted to those examples.
- 2) Authority is delegated to the Regional Director to determine who the personal representative is. The Regional Director may use the guidelines below which give examples of who is considered the "personal representative," but is not restricted to those examples.
- 3) If the Regional Director declares the death to be in the line of duty, the Regional Director will authorize the HRO to initiate a \$9000 death gratuity payment to the personal representative as designated by the Regional Director.
- 4) Once authorization is received, the HRO will contact the Personal Representative to obtain their social security number (as needed to process the death gratuity payment and report to the IRS) and prepare a memorandum advising the Chief Financial Officer to request a check from AOC. **Sample memo is attached.**
- 5) The HRO will ask the CFO to submit the check request to AOC for payment using the attached **Obligation Transmittal Sheet.**
- 6) The HRO will issue a letter to the personal representative, concurrent with the payment request, stating that the check will be sent directly to them. The letter should explain how the amount was determined and that if OWCP does not pay the \$200 payable under [5 U.S.C. 8133\(f\)](#), and the full \$800 payable under [5 U.S.C. 8134\(a\)](#), the remaining amount, up to the \$10,000 total allowable, can be paid out to the personal representative. And explain the tax implications. **See sample letter.**
- 7) If the total additional death gratuity payments from OWCP, as stated above, do not total \$1000,

the remainder will be paid to the representative once the [Application for Consideration for Additional Death Gratuity Payment](#) form is received. Follow steps 4-5 above, and issue a final letter to the personal representative explaining that the total death gratuity payment of \$10,000 has been reached. [See sample letter.](#)

Former employees who die as a result of an injury sustained in the line of duty are also eligible for the death gratuity. Follow the above guidelines for initiating the death gratuity payment and include the following:

- Request an official statement from the physician of record or medical examiner stating that the injury sustained in the line of duty caused the death of the former employee.
- Request documentation from OWCP that the former employee sustained this injury in the line of duty. Contact the appropriate Regional OWCP Office for employee claim information and claim number.

Note:

At present the death gratuity is paid from the park's account. Any budget adjustment requests are to be decided between the Superintendent and the Deputy Regional Directors.

### **Tax Implications**

The IRS has now issued a ruling that a death gratuity payment, while not subject to Federal income tax withholding, is fully subject to Federal income tax if the death occurred on or after August 20, 1996. See [BAL 97-104](#), [IRS Form 1099-R](#) and [IRS Instructions for 1099-R](#).

### **Links for More Information**

[PL 104-208 Section 651](#)

[BAL 96-109 – New Death Gratuity Payment Authority](#)

[BAL 97-104 – Tax Status of New Death Gratuity Payment Authority](#)

[CSRS and FERS Handbook – Chapter 70, Section 70C2.1-1 – Death Gratuity Authorized by Public Law 104-108.](#)

[5 USC Chapter 81](#)

[IRS Form 1099-R \(Revised - 2012\)](#)

[IRS Instructions for form 1099- R \(Revised – 2012\)](#)

## **Definitions**

### **Personal Representative:**

The formally designated executor or administrator of the employee's estate under State law. The department or agency head determines who the personal representative is in any particular case.

### **The designation of a personal representative may be determined as being:**

1. A legally appointed executor/executrix of the estate as designated by the decedent or by operation of State law; or
2. If there is no legally appointed representative, consideration will be given to the order of precedence governing the payment of a Federal employee's unpaid compensation, as set forth in 5 U.S.C. 5582(b);
  - In order to facilitate the settlement of the accounts of deceased employees, money due an employee at the time of his death shall be paid to the person or persons surviving at the date of death, in the following order of precedence, and the payment bars recovery by another person of amounts so paid:
    1. First, to the beneficiary or beneficiaries designated by the employee in writing received in the employing agency before his death.
    2. Second, if there is no designated beneficiary, to the widow or widower of the employee.
    3. Third, if none of the above, to the child or children of the employee and descendants of deceased children by representation.
    4. Fourth, if none of the above, to the parents of the employee or the survivor of them.
    5. Fifth, if none of the above, to the duly appointed legal representative of the estate of the employee.
    6. Sixth, if none of the above, to the person or persons entitled under the laws of the domicile of the employee at the time of his death; or
3. If other complex issues exist regarding the determination, the issue may be referred to OPM Associate General Counsel (Compensation) for opinion.

### **How to determine if the death is a “Line of Duty” death:**

The Regional Director is delegated the authority to make a determination of “Line of Duty” death. A determination made by the Department of Labor, Office of Workers’ Compensation Programs (OWCP) **may be used** to establish whether an employee sustained an injury or illness while in the line of duty. However, it is left up to the discretion of the Regional Director.

As referred to by OWCP as “Performance of Duty,” the following Q and As are found on the Department of Labor’s website and may be used to help identify periods of time that an employee would be considered to be in the performance of duty.

#### Question: For purposes of federal workers' compensation, how is "performance of duty" established?

Usually, the injury or illness must occur on the employer's premises during working hours while the employee is performing assigned duties or engaging in an activity which is reasonably associated with the employment. Workers who perform assigned duties away from the employer's premises are also covered.

#### **Is an employee considered to be in performance of duty for compensation purposes 24 hours a day while in travel status?**

An employee in travel status is covered 24 hours a day for all activities that are reasonably incident to the employment being performed in such status.

#### **Is an employee covered by compensation if injured while going to and from work?**

Employees are not generally covered by the FECA for injuries sustained before they reach or after they have left Government premises. Exceptions to this rule include situations where the agency furnishes transportation to and from work, where the employee is required to travel during a curfew or an emergency, or where the employee is required to use his/her automobile during the work day

#### **Are recreational injuries covered under the FECA?**

An employee is covered while engaged in recreation which he or she is required to perform as a part of training or assigned duties or which occurs in pay status. Employees engaged in informal recreation, such as jogging, while on the employing agency's premises may also be covered, as may employees injured while engaged in activities approved in a documented individual plan developed under a formal agency-managed physical fitness program. Under other circumstances, the agency must explain what benefit it derived from the employee's participation, the extent to which the agency sponsored or directed the activity, and whether the employee's participation was mandatory or optional.

#### **Is an employee entitled to compensation benefits if injured while on coffee break?**

Generally speaking, if an employee is on Government premises for the purpose of performing service and is injured, there is coverage under FECA. Otherwise, complete information regarding the absence from the premises will have to be obtained before a determination can be made.

#### **Is an employee covered by FECA if injured while at lunch?**

If the employee is on Government premises for the purpose of performing service and is injured while at lunch, coverage will be extended. Injuries which occur during lunch hour off the premises are not ordinarily covered unless the employee is in travel status or is performing

regular duties off premises.

**Below are the OWCP definitions of Traumatic Injury and Occupational Disease or Illness which may be used by the Regional Director, to make a determination of “Injured in the line of duty”.**

Traumatic Injury:

As defined by OWCP is “A traumatic injury is defined as a wound or other condition of the body caused by external force, including stress or strain. The injury must be identifiable as to time and place of occurrence and member or function of the body affected. It must be caused by a specific event or incident or series of events or incidents within a single day or work shift. Traumatic injuries include damage to or destruction of prosthetic devices or appliances, including eyeglasses and hearing aids if they were damaged incidental to a personal injury requiring medical services. (Personal property claims can be made only under the Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. 240.)

Occupational Disease or Illness:

As defined by OWCP is “An occupational disease is defined as a condition produced in the work environment over a period longer than one workday or shift. It may result from systemic infection, repeated stress or strain, exposure to toxins, poisons, fumes or other continuing conditions of the work environment.

## Memorandum to Chief Financial Officer

Memorandum

To: Chief Financial Officer, **XXX** Region

From: Regional Director, **XXX** Region

Subject: Public Law 104-208 - - Death Gratuity Payment Authority

Section 651 of Public Law 104-208 the Omnibus consolidated Appropriations Act, effective September 30, 1996, provided authority to pay up to \$10,000 as a death gratuity to the personal representative of an employee who dies from an injury sustained in the line of duty. According to the National Park Service Death Gratuity Policy, when the Regional Director determines the employee death to be “in the line of duty,” and designates who the personal representative is, a death gratuity payment of \$9000 will be paid out to that designated personal representative.

Accordingly, I have determined that **enter name of deceased employee, title and park**, died on **enter date of death** from an injury sustained in the line of duty and that **enter name of personal representative**, is the personal representative designated to receive the death gratuity payment of \$9000.

**enter name of personal representative, enter relationship of personal representative to the deceased** and estate executor of **enter deceased employee’s name**, has been notified of this payment and that if the Department of Labor does not pay a total of \$1,000 in conjunction with the death - - \$200 under 5 U.S.C. 8134 (a) and \$800 under 5 U.S.C. 8133(f) -- we will process an additional payment to bring the total death gratuity, including any payments from the Department of Labor that were received from the above, and this initial \$9000 death gratuity payment, to \$10,000, which is the total amount authorized under P.L. 104-208. This additional payment will be processed once the personal representative submits the application for additional payment.

We are attaching the obligation transmittal sheet and supporting documents and are requesting your assistance in processing the payment. If you need additional information, please **contact enter name title and phone number of HRO**.

\_\_\_\_\_  
**signature required here**  
Regional Director, **XXX** Region

Attachments

## Sample Letter to Personal Representative

Dear **enter name of personal representative**

Pursuant to Public Law 104-208, Section 651, and the National Park Service Death Gratuity policy, you have been designated by the Regional Director of the **XXX** Region as the personal representative of **name of deceased employee** who died on **enter date of death**, as a result of an injury sustained in the line of duty. The personal representative of the deceased employee is generally the formally designated executor or the administrator of the employee's estate under State law, or other entity as deemed creditable by the agency. In all instances, the law indicates that the final determination of the personal representative lies with the agency. It is the policy of the National Park Service to provide you with a death gratuity payment of \$9000 to assist during this difficult time.

The Department of Labor may also pay:

- \$200 for reimbursement of the costs of termination of the decedent's status as an employee of the United States; and
- Up to \$800 for funeral and burial expenses in cases of employees who die as a result of an injury sustained in the performance of duty.

You will need to work your benefits coordinator **enter name and phone number**, to process these two payments.

The death gratuity payment, pursuant to Public Law 104-208, cannot exceed \$10,000. If the Department of Labor did not pay, in full, the two payments listed above, you can complete the enclosed application for additional death gratuity payment and return it to the address indicated on the application.

The additional death gratuity payment will be calculated by subtracting the National Park Service death gratuity payment of \$9000 and any Department of Labor payments from the two benefits list above from the \$10,000 maximum benefit payable. Any remainder may be payable upon receipt of the completed application for additional death gratuity payment.

We request that you complete the form and return it to **enter name** Human Resources Officer, National Park Service, **XXX** Region – **enter address**. If you have any questions, please contact the enter **HRO name** at **enter HRO phone number**.

Sincerely,

**HRO name**  
Human Resources Officer

**APPLICATION FOR  
ADDITIONAL DEATH GRATUITY PAYMENT**

Deceased Employee's Name: \_\_\_\_\_ SSN: \_\_\_\_\_  
Park/Office Where Employed: \_\_\_\_\_ Date of Death \_\_\_\_\_  
Office of Worker's Compensation Claim No: \_\_\_\_\_

NOTE: If there is no approved Office of Workers' Compensation Programs claim as a result of the employee's death, please provide an explanation regarding the circumstances of death and provide documentation which supports that the death was related to the performance of official duty:

Personal Representative's Name \_\_\_\_\_  
Address \_\_\_\_\_

\_\_\_\_\_

Social Security Number \_\_\_\_\_  
Telephone number/Area Code \_\_\_\_\_

Please indicate the date received for all payments already received in conjunction with this claim:

- \$200 payable under 5 U.S.C. 8134(a)(termination of decedent's status as a Federal employee)  
Date Received \_\_\_\_\_
- \$800 or \$ \_\_\_\_\_ payable under 5 U.S.C. 8133(f) (funeral and burial expenses (OWCP))  
Date Received \_\_\_\_\_
- **Other Payments from the United States Government (determine what this amount is)**  
Date(s) Received \_\_\_\_\_

Describe:

Include a copy of the letter designating you as the personal representative.

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Date Signed

# AOC Obligation Transmittal Sheet

## Obligation Transmittal Sheet

**National Park Service**

**XXXXX Region**

DOCUMENT NUMBER			
TY	ORG	FY	SEQ #
MT			

VENDOR/PERSONAL REPRESENTATIVE:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

**Social Security Number:** \_\_\_\_\_

LINE	ORG	PROJ	PROG	BOC	AMOUNT
				130G	

DESCRIPTION OF OBLIGATION:

Death Gratuity Payment

Payable to (personal representative): \_\_\_\_\_

In relationship to the death of \_\_\_\_\_

\_\_\_\_\_  
Approved for Payment

\_\_\_\_\_  
Date

## Sample Letter to Personal Representative Regarding Additional Death Gratuity Payment

Dear **enter name of personal representative**:

We have processed the paperwork for your Application for an additional Death Gratuity Payment. As discussed in my letter to you dated \_\_\_\_\_, I indicated that under Public Law 104-208, Section 651, the agency could pay up to a \$10,000 gratuity payment to the personal representative of an employee who died due to an on-the-job injury.

You submitted the required form and supporting documentation and we have requested an additional payment in the amount of \$**XXX**. This payment was calculated by subtracting the \$9000 death gratuity payment already issued by the National Park Service, and the Department of Labor payments as indicated on your application, from the \$10,000 maximum payable death gratuity under Public Law 104-208.

The check will be sent separately. If you do not receive the check within the next 4 weeks or if you have any questions, please contact this office at **XXX**.

Sincerely,

**HRO Name**

Human Resources Officer

**XXX** Regional Office

## Other Survivor Benefits Available

### Victims of Crime

#### Victims of Crime Act Benefits

The U.S. Department of Justice supports state programs to provide compensation and assistance to victims of federal and state crimes, including firefighters whose death involved arson, homicide or other crimes. Payments may be made for medical costs, funeral and burial costs, and/or mental health counseling. <http://www.ojp.usdoj.gov/ovc/about/index.html>

Call toll free at 1-800-851-3420 to order printed resources from DOJ.

U.S. Department of Justice  
810 Seventh Street NW., Eighth Floor  
Washington, DC 20531  
Phone: 202-307-5983  
Fax: 202-514-6383

### Line of Duty Death

#### Law Enforcement Officers, Firefighters and First Responders

#### Public Safety Officers' Benefits Program (PSOB)

The Public Safety Officers' Benefits Act of 1976, as amended, authorizes the Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, to pay a benefit to specified survivors of public safety officers found to have died as the direct and proximate result of a personal, traumatic injury involving external force sustained in the line of duty, and to claimant public safety officers found to have been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty.

This program provides death and education benefits to survivors of fallen **law enforcement officers, firefighters, and other first responders**, as well as disability benefits to officers catastrophically injured in the line of duty.

The amount of the PSOB benefit is **\$323,035.75** for eligible deaths occurring on or after October 1, 2011. This amount fluctuates with every fiscal year. It is federally tax free, but you must check with your state to see if any state taxes may apply. This benefit does not affect the eligibility for any other death benefits received.

**Death benefit** – One-time benefit to eligible survivors whose deaths were the direct and proximate result on an injury sustained in the line of duty

**Disability** – One-time benefit to eligible public safety officers who were permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty

**Education** – Provides support for higher education to eligible spouses and children of public safety officers who died in the line of duty or were catastrophically disabled in the line of duty.

## **Heart Attacks and Strokes -**

On December 15, 2003, President Bush signed the Hometown Heroes Survivors Benefits Act expanded the circumstances under which public safety officer deaths resulting from heart attacks and strokes may be covered by the program.

- **A CHECKLIST FOR LAW ENFORCEMENT**  
<https://www.bja.gov/Programs/PSOB/HHLEchecklist.pdf>
- **A CHECKLIST FOR FIRE DEPARTMENTS**  
<https://www.bja.gov/Programs/PSOB/HHFFchecklist.pdf>

Public Safety Officers' Benefits Program: Attorney General's Guide to the Hometown Heroes Survivor's Benefits Act (Publication) [https://www.bja.gov/programs/psob/hh\\_guide.pdf](https://www.bja.gov/programs/psob/hh_guide.pdf)

If an autopsy or toxicology report was processed, this must be provided, otherwise a letter on letter head from head of the agency or medical examiner stating that no autopsy or toxicology analysis was performed will suffice.

No original birth certificates or death certificates need to be submitted for processing a PSOB claim, copies are acceptable.

### Contact Information:

Public Safety Officers' Benefits Office  
Bureau of Justice Assistance  
Office of Justice Programs  
810 Seventh Street NW  
Fourth Floor  
Washington, DC 20531  
Phone: 202-307-0635  
Toll-free: 1-888-744-6513  
E-mail: [AskPSOB@usdoj.gov](mailto:AskPSOB@usdoj.gov)  
PSOB web site: [www.psob.gov](http://www.psob.gov)

For important guidance, look for the PSOB checklist at:  
[https://www.bja.gov/Programs/Death\\_Claim\\_Checklist.pdf](https://www.bja.gov/Programs/Death_Claim_Checklist.pdf)

You can apply either online at: <https://www.psob.gov/default.aspx>  
or, by completing the **REPORT OF PUBLIC SAFETY OFFICER'S DEATH form - OMB Form NO. 1121-0025** Although this form is expired, it is still good to use.

The Human Resources Operation Center in Denver will send out this information to survivors, however, you can give them this information as well.

## **Line of Duty Death Law Enforcement (Only)**

### **Public Safety Officers' Educational Assistance (PSOEA) Program**

Formerly "Federal Law Enforcement Dependents Assistance of 1996 Act (Public Law 104-238 and [42 USC 3796]). PSOEA's sole purpose is intended to defer educational expenses through an established monthly allowance. Those that are eligible are spouses and children of [public safety officers](#) who have been killed or permanently disabled in the line of duty (public safety officers include law enforcement officers, firefighters, and members of rescue squads and ambulance crews).

For the most current information, go to: [https://www.bja.gov/ProgramDetails.aspx?Program\\_ID=78](https://www.bja.gov/ProgramDetails.aspx?Program_ID=78)

View the [PSOEA payment amounts](#) for full-time students.

Call the PSOB Call Center toll-free at 1-888-744-6513, Monday through Friday from 7:00 a.m.–5:00 p.m. eastern time, to provide key information regarding filing a PSOB Education Claim.

### **TASER Foundation**

Grants provided to family members of Law Enforcement officers who die in the line of duty.

1-800-978-2737 ext. 2090

<http://taserfoundation.org/grants>

### **Concerns of Police Survivors, Inc. (COPS)**

Organized in 1984, COPS is a national organization to support law enforcement survivors emotionally, financially and legally, assist law enforcement agencies to prepare for issues associated with the sudden loss of a law enforcement officer in the line of duty, and to act as a public relations organization. The organization is comprised of spouses parents, children, siblings, significant others and co-workers effected by line of duty deaths.

Concerns of Police Survivors, Inc.

P.O. Box 3199

846 Old South 5

Camdenton, MO 65020

Phone: 573-346-4911

Fax: 573-346-1414

Email: [cops@nationalcops.org](mailto:cops@nationalcops.org)

[www.nationalcops.org](http://www.nationalcops.org)

### **Robert D. May Scholarship Fund**

A scholarship of up to \$10,000 is available to qualified dependents of Federal law enforcement officers killed or permanently disabled in the line of duty. The scholarship may be used to pursue any academic higher education (as defined by the Department of Labor). The program is administered by the FBI, with specific qualification and application requirements.

Federal Bureau of Investigation

Employee Benefits Unit, PA 570

1001 Pennsylvania Ave NW

Washington, DC 20535-0001

(202) 220-9027

## Firefighters (Only)

### National Fallen Firefighters Foundation

The United States Congress created the National Fallen Firefighters Foundation to lead a nationwide effort to remember America's fallen firefighters

National Fallen Firefighters Foundation  
P.O. Drawer 498  
Emmitsburg, MD 21727

Phone: 301-447-1365  
Fax: 301-447-1645  
[www.firehero.org](http://www.firehero.org)

### Resources for Newly Bereaved Families of Fallen Firefighters

<http://www.firehero.org/resources/families/new/>

### Educational Assistance: Sarbanes Scholarship Program

In 1992, the U. S. Congress created the National Fallen Firefighters Foundation. Our mission is to honor all fallen firefighters and to assist their survivors in rebuilding their lives. One way we do this is by offering spouses and children the opportunity to pursue their personal, educational and career goals through the Foundation's scholarship programs.

<http://www.firehero.org/resources/families/scholarships/sarbanes.html>

### International Association of Fire fighters (IAFF)

- The IAFF, through the W.H. "Howie" McClennan Scholarship, makes annual scholarship awards available to children of firefighters who died in the line of duty. The applicant's parent must have been a member in good standing of the IAFF at the time of death. Call 202-737-8484 for more information.

<http://www.iaff.org/et/scholarships/mcclennan.html>

### Association of Aerial Firefighters/Associated Airtanker Pilots (AAP)

To aid families of fallen Aerial Firefighters, including fixed and rotary wing aircraft that a) drop fire retardant, foam or water, b) fly in a lead plane or tactical air-control capacity and/or c) provide logistics support or personnel deployment missions at fire incidents. AAF has established a memorial fund where proceeds are presented directly to the families.

#### Contact:

AAP

2406 West White Chapel Avenue,  
Porterville, CA 93257

**Website:** [www.airtanker.org](http://www.airtanker.org)

### Wildland Firefighter Foundation

The Wildland Firefighter Foundation is Federal, State and local firefighters, private sector firefighters, interface firefighters and volunteers. The Wildland Firefighter Foundation honors and recognizes wildland firefighters and strives to take care of fallen and injured.

WF Foundation  
2049 Airport Way  
Boise, ID 83705

Phone: 208-336-2996  
Fax: 208-336-2995  
[www.wffoundation.org](http://www.wffoundation.org)

# **Benefits for all types of Employee Deaths**

## **2.1. Processed by HROC/OPM**

- 2.1a CSRS and FERS Survivor Benefits (Retirement contributions)
- 2.1b Federal Employees Health Benefits (FEHB)
  - 2.1c Extension of FEHB Coverage
  - 2.1d FEHB Conversion Rights
  - 2.1e Temporary Continuation of Coverage (TCC)
- 2.1f High Deductible Health Plan (HDHP) with Health Savings Account (HSA) and Health Reimbursement Arrangements (HRA)
- 2.1g Federal Flexible Spending Account Program (FSAFEDS)
- 2.1h Federal Long Term Care Insurance Program (FLTCIP)
- 2.1i Federal Employees Dental and Vision Program (FEDVIP)
- 2.1j Federal Employees Group Life Insurance Program (FEGLI)
  - 2.1k Thrift Savings Plan (TSP)

## Survivor Annuity Benefits (Retirement)

(Submitted to HROC and Processed by OPM)

### Overview

A Survivor Annuitant is a family member of a deceased Federal employee or annuitant who is entitled to an annuity under a retirement system established for employees. The widow or widower, former spouse (if any), and child(ren) may qualify for a survivor annuity if the death occurs while employed and the deceased was subject to the Civil Service Retirement system (CSRS) and completed at least 18 months of creditable civilian service, or was subject to the Federal Employees Retirement system and completed at least 10 years of creditable service. See 5 CFR 831 Subpart F; 838, 842, and 843. If there are no eligible survivor annuitants, there may be a lump sum benefit payable.

Refer to the [CSRS and FERS Handbook for Personnel and Payroll Offices](#) for the following information:

#### Benefits Payable

CSRS	FERS
Monthly Survivor Annuity Current Spouse Child(ren) Former Spouse	Basic Employee Death Benefit Current Spouse Child(ren) Former Spouse
Lump-Sum Credit	Monthly Survivor Annuity
Voluntary Contributions Lump-Sum	Lump-Sum Credit
Reemployed Annuitants	Reemployed Annuitant

#### Other Information

Applying for CSRS and FERS Survivor Annuity Benefits
When Benefits Begin
Worker's Compensation (OWCP)
Contacts for Processing CSRS and FERS Annuity and Lump-Sum Benefits
Additional Information for Processing the CSRS/FERS Annuity/Lump-Sum Benefits
General References and Links

# Civil Service Retirement System (CSRS)

## Monthly Survivor Annuity - CSRS

### Eligibility

#### Current Spouse if:

- the employee who died completed at least 18 months of creditable civilian service,
- the employee who died was covered by the Civil Service Retirement System (CSRS) when he/she died, and
- the current spouse was married to the employee for at least nine months (if the death was accidental or there was a child born of your marriage to the employee, the nine month requirement does not apply).

If a court order awards part of the total survivor annuity to a former spouse, the current spouse will receive the remainder. If the former spouse loses entitlement because of death or remarriage before age 55, the current spouse may begin to receive the full annuity.

#### Child(ren) if:

- the employee completed at least 18 months of creditable civilian service, **and**
- the child is an-
  - unmarried - dependent child under age 18, **and/or**
  - unmarried - dependent child from age 18 to age 22, if attending an accredited educational institution full-time, **and/or**
  - unmarried - disabled dependent child if the disability occurred before age 18.

#### To a Former Spouse if:

- specified under a qualifying court order, and
- the employee who died completed at least 18 months of creditable civilian service,
- the former spouse was married to the employee for at least nine months, and
- the former spouse did not remarry before reaching age 55 (unless he/she was married to the deceased for at least 30 years).

### References and Links

[Chapter 70 Spouse Benefits – Death of an Employee](#)

[Chapter 73 – Children\(s\) Benefits](#)

[Chapter 74 – Former Spouse Benefits](#)

5 CFR [831](#), [841](#), [843](#)

[5 USC 8331](#), [8332](#), [8341](#), [8342](#)

## Forms to Complete

### Current Spouse, Former Spouse and Child(ren):

Form [SF 2800](#) must be completed and sent to HROC

- Include a certified copy of death certificate

### Student(s) and Disabled Child(ren):

OPM will request form [RI 25-41](#) if the child(ren) is listed as a student, and/or [RI 25-43](#) if listed as disabled. You can include these forms along with the SF-2800 to expedite processing, but **do not** wait to submit the SF-2800 if you do not have these forms.

### Military Service:

May be creditable towards calculating the annuity benefit. If the employee was eligible to, but did not pay back his military deposit, or only paid back a portion of the deposit:

- The survivor must elect to make the deposit in writing by completing:
  - [OPM Form 1519, Survivor's Military Service Election](#); and
  - [SF 2803, Application to make Deposit or Redeposit](#) (showing military service only)
    - See Chapter 23 for additional information on military deposit accounts
    - See Chapter 81 for instructions on how to complete [SF 2806 Individual Retirement Record](#) .

## Lump-Sum Credit - CSRS

If an employee dies and no survivor annuity is payable based on his/her death, the retirement contributions remaining to the deceased person's credit in the Civil Service Retirement and Disability Fund, plus applicable interest, are payable.

### Payees for Lump Sum Benefits - Chapter 75

If a lump sum benefit is payable, it is paid to the first person eligible under the following order of precedence:

- to the designated beneficiary;
- if there is no such beneficiary, to the widow or widower;
- if none of the above, to the child or children, with the share of any deceased child distributed among the descendants of that child;
- if none of the above, to the parents in equal shares or the entire amount to a surviving parent;
- if none of the above, to the executor or administrator of the estate; or
- if none of the above, to the next of kin as determined under the laws of the State where the retiree lived.

### Note:

- If there is no survivor entitlement to a monthly survivor annuity, the total lump-sum is payable.
- If there is a survivor entitled to a monthly survivor annuity, then a portion of the lump-sum is payable.
- Voluntary Contributions are not part of the lump-sum credit.

## References and Links

[CSRS Subchapter 75A](#)  
[5 U.S.C. 8342](#)  
[5 CFR 831.2001, and 2003-2006](#)  
Chapters [32](#), [70](#) and [72](#)

## Forms to Complete

[Form SF-2800 - Application for Death Benefits](#)  
[SF 2800A - Agency Certification of Death in Service](#)  
[SF 2806 - Individual Retirement Record](#)  
[SF 2801-1 Certified Summary of Federal Service - CSRS](#)

## Voluntary Contributions Lump Sum Benefit Payable - CSRS

[Chapter 31 Subchapter 31A](#) covers voluntary contributions to the Civil Service Retirement and Disability fund. Employees covered under CSRS and CSRS Offset might have elected to participate in voluntary contributions. FERS employees are not eligible for voluntary contributions.

If the employee dies while still in Federal service or after separation from service but before becoming a retiree, and contributed to the voluntary contributions account, the voluntary contributions account, including interest, is paid in a lump-sum payment to the person or persons who survive the employee and who are entitled under the normal order of precedence given in [Chapter 34](#).

[Designation of Beneficiary SF-2808](#)

### Order of Precedence:

Lump-sum payments upon the death of an employee, former employee, or retiree are paid to the person or persons surviving the deceased in accordance with the following order of precedence:

1. To the properly designated beneficiary or beneficiaries.
2. If there is no properly designated beneficiary, to the widow or widower.
3. If none of the above, to the child or children, with the share of any deceased child distributed among the descendants of that child.
4. If none of the above, to the parents in equal shares or the entire amount to the surviving parent.
5. If none of the above, to the executor or administrator of the estate, or to any other person who has authority under applicable State law to represent the deceased's estate.
6. If none of the above, to the other next of kin who are entitled under the laws of the domicile of the deceased at the date of death.

This payment after death also includes money credited as voluntary contributions for service performed in excess of that required for the 80-percent maximum annuity. (See Chapter 50, section 50A3.1-2.)

## References and Links

[CSRS Chapter 31](#)  
[5 U.S.C. 8343](#)  
[5 CFR 831.401-407](#)

[SF-2804A, Information Regarding Voluntary Contributions - CSRS](#)  
[SF-2804, Application to Make Voluntary Contributions](#)

## Forms to Complete

[Form SF-2800 - Application for Death Benefits](#)  
[SF 2800A - Agency Certification of Death in Service](#)  
[SF 2806 - Individual Retirement Record](#)  
[SF 2801-1, Certified Summary of Federal Service - CSRS](#)

## Reemployed Annuitant Death Benefits for CSRS – Chapter 100

- If the annuity continued through reemployment - Forms SF-2806, Individual Retirement Record and SF 2800, Application for Death Benefits.
- If the annuity was terminated on or during reemployment – process in the same manner as any other death.

# Federal Employees Retirement System (FERS)

## Basic Employee Death Benefit (BEDB) - FERS

### Eligibility

#### Current Spouse if:

- The employee who died completed at least 18 months of creditable civilian service
- the employee who died was covered by the Federal Employees Retirement System (FERS) when he/she died, and
- the current spouse was married to the employee for at least nine months (if the death was accidental or there was a child born of your marriage to the employee, the nine month requirement does not apply).

#### Child(ren) if:

**This benefit is not payable to children.**

#### To a Former Spouse if:

- a qualifying court order is on file at the Office of Personnel Management (OPM),
- the former spouse was married to the deceased for a total period of at least nine months, and
- the former spouse did not remarry before reaching age 55 (unless he/she was married to the deceased for at least 30 years).

### Amount of Basic Employee Death Benefit

- 50% of the employee's final salary (average salary, if higher), plus
- \$15,000 increased by Civil Service Retirement System (CSRS) cost-of-living adjustments beginning 12/1/87. For deaths on or after 12/1/07, this amount is **\$28,093.53**. It will be updated by future CSRS cost-of-living adjustments.

### General Information

- The surviving spouse or former spouse must elect to receive this benefit in either:
  - One payment; or
  - 36 monthly installments

## References and Links

[Chapter 70 – Spouse Benefits – Death of an Employee](#)  
[5 U.S.C. 8442\(b\)-\(e\)](#)  
[5 CFR 843, Subparts B and C](#)

## Forms to Complete

[Form SF 3104B Section 2 – Documentation and Elections in Support of Application for Death Benefits when Deceased was an Employee at the Time of Death \(FERS\)](#) - Must be completed and submitted to HROC.

Note: Any surviving spouse or former spouse who appears to be eligible to receive a lump sum should be given the [IRA Rollover Option Information](#), including the [Death Benefit Payment Rollover Election Form \(located on SF-3104B section 5\)](#) as taxable lump sums, if not rolled over, are subject to a mandatory 20 percent withholding for Federal income tax.

## Monthly Survivor Annuity - FERS

### Eligibility

#### Current Spouse if:

- the employee who died completed at least 10 years of creditable service (18 months of which must be creditable civilian service),
- the employee who died was covered by the Federal Employees Retirement System (FERS) when he/she died, and
- the current spouse was married to the employee for at least nine months (if the death was accidental or there was a child born of the marriage to the employee, the nine month requirement does not apply).

If a court order awards part of the total survivor annuity to a former spouse, the current spouse will receive the remainder. If the former spouse loses entitlement because of death or remarriage before age 55, the current spouse may begin to receive the full annuity.

**Annuity Benefit** – In addition to the BEDB, an eligible spouse may receive a monthly survivor annuity.

#### Child(ren) if:

- the employee completed at least 18 months of creditable civilian service, and
- the child is an
  - unmarried dependent child under age 18, and/or
  - unmarried dependent child from age 18 to age 22, if attending an accredited educational institution full-time, and/or
  - unmarried, disabled dependent child if the disability (certified as such by the Social Security Administration) occurred before age 18.

The combined benefit of all the children is reduced by the total amount of the child's insurance benefits that are payable (or would, upon proper application, be payable) under Title II of the Social Security Act for the same month to all children of the deceased based on the total earnings of the deceased. Any monthly FERS survivor benefit payable to any child is reduced (offset) by the total amount of any Social Security survivor benefit payable to the child(ren) – in most cases, the FERS benefit is reduced to \$0.

### **To a Former Spouse if:**

- specified under a qualifying court order,
- the employee who died completed at least 18 months of creditable civilian service,
- the former spouse was married to the employee for at least nine months, and
- the former spouse did not remarry before reaching age 55 (unless he/she was married to the deceased for at least 30 years).

### **References and Links**

[Chapter 70 – Spouse Benefits – Death of an Employee](#)  
[Chapter 73 – Children\(s\) Benefits](#)  
[Chapter 74 – Former Spouse Benefits](#)  
[5 U.S.C. 8331, 8341, 8401, 8417-8419, 8441, 8442, 8443, 8445](#)  
[5 CFR Part 831, 841, 842, 843](#)

[SF-3114, Applying for Death Benefits Under FERS](#)

### **Forms to Complete**

#### **Current Spouse, Former Spouse and Child(ren):**

- [SF-3104, Application for Death Benefits](#)
- [SF-3104B Sections 1 and 4, Survivor's Military Service Election](#)
- [SF-3108, Application to Make Service Credit Payment for Civilian Service](#)
- [SF-3100, Individual Retirement Record](#)

#### **Student(s) and Disabled Child(ren):**

OPM will request form [RI 25-41](#) if the child(ren) is listed as a student, and/or form **RI 25-43** if listed as disabled. You can include these forms along with the [SF-3104](#) and [SF-3104B](#) to expedite processing, but do not wait to submit the SF-3104 and SF-3104B if you do not have these forms.

#### **Military Service:**

May be creditable towards calculating the annuity benefit. The procedure under CSRS section 70A4.4-1 and 70A5.3-1 are applicable under FERS, with the exception of the forms. If the employee was eligible to, but did not pay back his military deposit, or only paid back a portion of the deposit:

- The survivor must elect to make the deposit in writing by completing:
  - [SF-3104B Sections 1 and 4, Survivor's Military Service Election](#)

#### **Notes:**

- Generally, the CSRS provisions explained in Part 70A6 apply to FERS employees except that the

compensation benefits are reduced if the employee was covered under FERS and their survivors are eligible for Social Security benefits. Also, the BEDB is not payable if the OWCP benefits are elected.

- As under CSRS, the survivors must choose between death compensation benefits from OWCP and FERS survivor benefits. If they elect OWCP benefits, they may also elect to receive a lump sum of the employee's retirement contributions plus interest, but not survivor annuity or BEDB.
- In general, a former spouse must follow the same procedures as a current spouse when applying for survivor benefits.

## Lump-Sum Credit Benefit - FERS

If an employee dies and no survivor annuity is payable based on his/her death, the retirement contributions remaining to the deceased person's credit in the Civil Service Retirement and Disability Fund, plus applicable interest, are payable.

### Payees for Lump Sum Benefits-

If a lump sum benefit is payable, it is paid to the first person eligible under the following order of precedence:

- to the designated beneficiary;
- if there is no such beneficiary, to the widow or widower;
- if none of the above, to the child or children, with the share of any deceased child distributed among the descendants of that child;
- if none of the above, to the parents in equal shares or the entire amount to a surviving parent;
- if none of the above, to the executor or administrator of the estate; or
- if none of the above, to the next of kin as determined under the laws of the State where the retiree lived.

Subchapter 75B – [Form SF-3104 Application for Death Benefit](#) [ 5 U.S.C. 8424 and 5 CFR 843 Subpart A and B]

- If there is no survivor who is entitled to monthly survivor annuity, a lump-sum payment may be made.
- If there is a survivor who is entitled to a monthly survivor annuity, they must choose between the annuity and the lump-sum payment.

Lump-Sum Payment see chapter 32, 70, and 72 for further information.

## Reemployed Annuitant Death Benefits for FERS – Chapter 100

- If the annuity continued through reemployment – Forms SF-3100, Individual Retirement Record and SF-3104, Application for Death Benefits.

- If the annuity was terminated on or during reemployment – process in the same manner as any other death.

## CSRS and FERS

### Applying for CSRS or FERS Survivor Annuity Benefits

Contact the personnel office of the Federal agency where the employee worked. You should complete the Application for Death Benefits, [Standard Form \(SF\) 2800](#) (CSRS) or [SF 3104](#) (FERS) and attach any other forms and/or evidence as the application or circumstances require. Attach a Certified copy of the employee's death certificate and a copy of the certificate of the marriage to the widow or widower. Send the application to HROC.

If you are the surviving spouse or former spouse of a deceased FERS employee - you will work with HROC to also complete [Form \(SF\) 3104B](#), Standard Documentation and Elections in Support of Application for Death Benefits when Deceased was an Employee at the Time of Death.

A widow or widower who is claiming benefits for himself/herself and on behalf of children should file one application.

If the employee's death was job-related, [workers' compensation benefits](#) may be payable.

### When Benefits Begin

- **Widow or Widower**

Your survivor annuity begins on the day after the employee's or retiree's death. If you are eligible for benefits and we are unable to pay you because a former spouse is entitled, your annuity would begin the day after the former spouse loses entitlement to benefits.

- **Former Spouse**

If you are a former spouse who was awarded a survivor annuity based on a court order, your survivor annuity begins to accrue on whichever day is later:

- The day after the employee's or retiree's death, or
- The first day of the second month after we receive a certified copy of the court order along with any additional necessary supporting documentation.

If you are eligible for benefits and we are unable to pay you because another former spouse is entitled, your annuity would begin the day after the former spouse loses entitlement to benefits.

- **Child**

Your survivor annuity begins to accrue on the day after the employee's or retiree's death.

## Workers' Compensation (OWCP)

If the employee's death was job-related, [workers' compensation benefits](#) may be payable.

- **OWCP** - Benefits payable if the employee's death was job-related
  - Worker's compensation benefits are paid under the Federal Employees' Compensation Act (FECA) which provides for the payment of compensation benefits to dependents, if the disease or injury causes the employee's death.
  - The surviving spouse and/or children of an individual who died as a result of a job-related disease or injury may be eligible for both death compensation benefits from OWCP and CSRS or FERS survivor benefits. However, the law prohibits concurrent payment of workers' compensation death benefits and a survivor annuity. Like the employee, the survivor must elect which of the two benefits he or she wishes to receive. [See Chapter 102 Section 102A2.1-3 Survivor Benefits.](#)
    - NOTE: If the surviving spouse elects workers' compensation death benefits, he or she is not eligible for the FERS basic employee death benefit. ([See Chapter 70.](#))

### Worker's Compensation Verses Survivor Annuity

The FECA prohibits payment of compensation and survivor annuity at the same time. This prohibition does not, however, prevent an individual from filing for both benefits. If both benefits are approved, the rules prohibiting dual benefits apply. If the surviving spouse and/or children of an individual who died as a result of a job-related disease or injury are eligible for both death compensation benefits from OWCP and CSRS or FERS survivor benefits (see [section 70B6](#) for differences in application of FERS benefits), the survivor must elect which of the two benefits he or she wishes to receive.

Most survivors will choose compensation benefits instead of a survivor annuity because compensation normally pays a higher amount. If the survivor elects compensation benefits he or she may also elect to receive a lump sum payment of the employee's contributions to the retirement fund. The lump sum is paid under a statutory order of precedence: first, to the designated beneficiary; if none designated, to the surviving spouse; if none, to the child or children and descendants of deceased children, by representation; if none, to any surviving parents; if none, to the duly appointed executor or administrator of the estate; if none, to the next of kin.

If the employee was single and had no dependent children, there would be no survivor annuity benefit or lump sum payable under OWCP unless there are dependent parents, grandparents, brothers, sisters, and grandchildren. FECA specifies the percentage of salary used to determine each benefit according to the degree of dependence. If there was no former spouse eligible for CSRS benefits, a lump sum of the employee's retirement contributions would be paid to his or her survivors under the order of precedence.

[See Chapter 70 Section 70A6.1-1 Benefits Payable](#)

## References and Links

[Chapter 102](#)  
[Chapter 70](#)  
5 U.S.C. [8116](#), [8332](#), [8337](#), [8344](#), [8411](#), [8464a](#) and [8468](#)  
5 CFR Parts [831](#) and [842](#)

## Contacts for Processing CSRS and FERS Annuity and Lump-Sum Benefits

National Park Service  
US Department of the Interior  
HROC  
**Xxxxx**  
Lakewood, CO **xxxxx**

Phone/Fax/Email  
<http://hrhelp.nps.gov>  
877-642-4743  
Benefits Fax: 303-985-6945  
Processing Fax: 303-985-6956

Office of Personnel Management (OPM)

Once the survivor annuity package is received,  
the agency and/or survivor may contact OPM:

OPM for Retirement/Annuity Questions  
1-888-767-6738  
PO Box 45  
Boyers, PA 16017

## Additional Information for Processing the CSRS/FERS Annuity/Lump-Sum Benefits

- HROC will complete the Electronic Quick Pay Report for Surviving Spouses to submit to OPM <https://apps.opm.gov/deathinservice/index.cfm>
- If divorced after 1985, you will need to include a copy of dissolution of marriage.
- Each child (over 22) must complete the 2800 or 3104 to receive any retirement benefit
- Make sure to include all names used on the forms as OPMs documents for retirement benefits are filed by name not social security number.

## General References and Links

- [09-101 - FERS Basic Employee Death Benefit](#)
- [09-102 Information to Agencies to Improve Survivor Claim Processing upon the Death of a Federal Employee](#)
- [09-102 Attachment 1 - General Instructions](#)
- [09-102 Attachment 2 - Summary of Benefits Checklist](#)
- [09-102 Attachment 5 - CSRS Death-In-Service Quick Pay](#)

- [09-102 Attachment 6 - Employee Death Case Summary](#)
- [OPM Pre-Retire Death & Survivor Benefits](#)
- [OPM Post-Retire Death & Survivor Benefits](#)
- [Deceased Employee Benefits](#)
- [Deceased Annuitant Benefits](#)
- [Deceased Survivor Benefits](#)
- [Child Beneficiaries](#)
- [Student Benefits](#)
- [Special Notice Regarding Death of Annuitants](#)

# Federal Employees Health Benefits (FEHB)

## Overview

Eligible survivors may continue enrollment in the FEHB program if the decedent was enrolled in Self and Family at the time of death and at least one family member is entitled to an annuity as a survivor of the deceased employee. Not all survivors who are covered under an employee's FEHB qualify to continue the FEHB enrollment if the employee dies. The above two criteria must first be met. If the enrollment continues, eligible survivors are entitled to the same benefits and Government contribution as active and retired employees enrolled in the same plan. The survivor annuitant's share of the premiums is normally deducted from his/her annuity payments.

## Eligibility

HROC will tentatively determine the survivors' eligibility for continued health benefits enrollment. OPM will make the final determination of their eligibility after it reviews all of the retirement and health benefits records.

### Requirements for Continuing Enrollment

For the surviving family members to continue health benefits enrollment, all of the following requirements must be met:

- The deceased must have been enrolled for Self and Family at the time of death; and
- At least one family member must be entitled to a survivor annuity.

All survivors who meet the definition of "[family member](#)" can continue their health benefits coverage under the deceased's enrollment as long as any one of them is entitled to a [survivor annuity](#).

Under FERS, the surviving spouse who is entitled to a [basic employee death benefit](#), or the surviving children whose benefits are offset by Social Security, may continue health benefits enrollment by paying premiums directly to OPM.

If the survivor annuity is not large enough to cover the enrollee share of the premiums, the survivors may either change to a lower-cost plan or option or choose to pay the premiums directly to OPM.

### [G-5. Are eligible surviving family members entitled to coverage under a deceased employee's health benefits plan while receiving OWCP death benefits?](#)

Yes, enrollment may continue for the surviving family members if the deceased employee was enrolled for Self and Family at time of death and at least one covered family member receives compensation as a surviving beneficiary under the FECA.

## Process

### Eligible Survivor Action

No action must be taken to continue enrollment, as is, if all the [requirements](#) are met.

### Canceling Enrollment

If the survivors do not want to continue enrollment, they must send a letter to OPM or a Health Benefits Election form (SF 2809) canceling the enrollment. The survivors must take this action; HROC will not terminate enrollment when the employee dies unless it appears that no survivors are eligible.

### When a Survivor is Eligible Both as an Employee and a Survivor Annuitant

If a Survivor is an employee [eligible for health benefits](#) who is covered as a family member under their spouse's Self and Family enrollment, and:

the spouse dies, and

they are [eligible to continue the enrollment as a survivor annuitant](#),

they may cancel their enrollment as an annuitant and enroll as an employee because they had a [change in family status](#) (death of spouse). Or, they may continue the enrollment as a survivor annuitant.

However, if they want to participate in [premium conversion](#), they must be enrolled as an employee.

### HROC's Procedures

#### If Survivors Appear Eligible to Continue the Enrollment

HROC will note the plan's enrollment code in the Remarks section of the Individual Retirement Record (IRR) and send the following to OPM along with the IRR, the retirement death claim (if any) and any other retirement papers to include:

- all Notice of Change in Health Benefits Enrollment forms (SF 2810),
- all Health Benefits Election forms (SF 2809) or other appropriate requests, with any attached medical certificates or other documentation, filed in the deceased's Official Personnel Folder (including any elections not to enroll or to cancel, or that are marked VOID), and a memorandum giving any information regarding the health benefits that are not evident from the other documents.

#### If No Survivors are Eligible to Continue the Enrollment

HROC will note in the Remarks section of the IRR: "No survivor eligible to continue health benefits." It will terminate enrollment on the Notice of Change in Health Benefits Enrollment (SF 2810), note in the Remarks section: "Enrollee died (date)," and leave all health benefits documents in the Official Personnel Folder. HROC will send the enrollee copy of the SF 2810 to the nearest living relative or to the representative of the estate. However, if it appears that a survivor who has been covered as a family member may be eligible for [conversion](#), HROC will send the SF 2810 to him/her.

#### If No Surviving Spouse Annuity is Payable because of a Former Spouse Benefit

When a surviving spouse does not receive any survivor benefits because of a former spouse who has a court-ordered entitlement to a survivor annuity, the surviving spouse can continue FEHB coverage if the deceased had a Self and Family enrollment. HROC should follow the procedures in "[If Your Survivors Appear Eligible to Continue the Enrollment](#)."

#### If the Deceased Was Not Enrolled

If the deceased was not enrolled for health benefits at the time of death, HROC will note in the

Remarks section of the IRR: "Not enrolled for health benefits," and leave all health benefits documents in the Official Personnel Folder and take no further action on the health benefits.

### Forms

Form for Current Federal Employees who wish to change enrollment due to [Qualifying Life Event](#):

- [SF-2809 Health Benefits Election Form](#)

HROC will process the SF-2810 to terminate FEHB if there are no eligible survivors, or to change from self and family plan to self only:

- [SF-2810 notice of Change in Health Benefits Enrollment](#)

Forms for Survivor's receiving a survivor annuity:

- [OPM-2809 Health Benefits Registration Form](#)
- [RI 79-9 Health Benefits Cancellation/Suspension Confirmation](#)

### Links for More Information

[OPM Website for FEHB](#)

[OPM Website for FEHB Handbook – Survivor Annuitants](#)

**RI-70-1** - [2012 Guide to Federal Benefits for Federal Civilian Employees](#) – Overview of benefits for current employees

**RI 70-9** [2012 Guide to Federal Benefits for Federal Retirees and Their Survivors](#) – Overview of benefits for survivor annuitants.

**RI 79-2** [Information for Retirees and Survivor Annuitants - FEHB](#)

### Contacts

HROC for:  
Initial Processing and Current Federal Employees  
877-642-4743  
<http://hrhelp.nps.gov>  
Fax: 303-985-6945

OPM for Survivor Annuitants  
1-888-767-6738  
7:30-5:30pm (Eastern Time)  
TTY 1-800-878-5707  
[retire@opm.gov](mailto:retire@opm.gov)  
Fax: 1-724-794-6633

U.S. Office of Personnel Management  
Office of Retirement Programs  
PO Box 45  
Boyers, PA 16017

### HROC

HROC will process SF-2810 and SF-2809 if there is a current Federal employee who needs to change their FEHB plan.

OPM will process OPM-2809 and RI 79-9 for survivor annuitants who need to change or cancel their plan.

### **Regulations and Authorities**

#### [5 CFR Part 890 – Federal Employees Health Benefits Program](#)

[Affordable Care Act \(Public Law 111-148\)](#) Extended coverage to children up to their 26<sup>th</sup> birthday, removed requirement for children to be unmarried, for stepchildren to live with the enrollee, and for children (except foster children) to be dependent on the enrollee.

## Extension of FEHB Coverage

### Overview

Eligible family members' coverage continues at no cost for 31 days after enrollment terminates for any reason except when voluntarily cancelled or the plan is discontinued. If an eligible family member is an inpatient in a hospital on the 31st day of extension of coverage, FEHB benefits for the hospitalized person will continue for the length of the hospitalization, up to a maximum of 60 more days, unless the coverage is [converted to an individual contract](#).

### Eligibility

#### Eligible Family Members (Eligibility as established prior to the employee's death)

Family members eligible for coverage under an employee's Self and Family enrollment are:

- the spouse (including a valid common law marriage)
- children under age 26, including legally adopted children, recognized natural (born out of wedlock) children and stepchildren.
  - [Foster children](#) are included if they meet the requirements listed here:
    - the child must be under age 26 (if the child is age 26 or over, he/she must be incapable of self-support);
    - the child must currently live with the employee;
    - the [parent-child relationship](#) must be with the employee, not the child's biological parent;
    - the employee must currently be the primary source of financial support for the child; and
    - the employee must expect to raise the child to adulthood.

A child age 26 or over who is [incapable of self-support](#) because of a mental or physical disability that existed before age 26 is also an eligible family member. In determining whether the child is a covered family member, HROC will look at the child's relationship to the decedent as the enrollee.

A grandchild is not an eligible family member, unless the child qualifies as your foster child.

Special rules apply to family members if you are enrolled as a [survivor annuitant](#) or under the [Spouse Equity](#) or [temporary continuation of coverage \(TCC\)](#) provisions.

### Process

The 31 day extension is automatic unless the coverage was voluntarily cancelled or the plan is discontinued. Before the 31 day extension terminates the survivors should look into their eligibility to convert to their own FEHB plan. See [FEHB Conversion Rights](#). Or to file for [Temporary Continuation of Coverage \(TCC\)](#).

### Forms

There are no forms to complete for the 31 day extension of coverage.

## Links for More Information

[FEHB Handbook – 31-Day Extension of Coverage and Conversion Rights](#)

## Contacts

HROC for:  
Questions regarding FEHB termination or to obtain a copy of the SF 2810.  
877-642-4743  
<http://hrhelp.nps.gov>  
Fax: 303-985-6945

## HROC

### **If No Survivors are Eligible to Continue the Enrollment**

HROC will terminate enrollment on the Notice of Change in Health Benefits Enrollment (SF 2810), note in the Remarks section: "Enrollee died (date)," and send the enrollee copy of the SF 2810 to the nearest living relative or to the representative of the estate. However, if it appears that a survivor who has been covered as a family member may be eligible for **conversion**, HROC will send the SF 2810 to him/her.

## Regulations and Authorities

[5 CFR Subpart D – Temporary Extension of Coverage and Conversion 890.401\(a\) – \(c\)](#)

# FEHB Conversion Rights

## Overview

### Conversion Rights

When your enrollment **terminates**, you are entitled to convert to an individual policy offered by the carrier of your plan. You are not required to provide evidence of insurability.

Exception: you are not entitled to convert to an individual policy if you voluntarily **canceled** your enrollment or your plan was discontinued.

### Benefits under a Conversion Contract

Many conversion contracts provide fewer benefits at a higher cost than what is offered under the FEHB Program. Also, there is no Government contribution to the cost of the individual conversion contract. If you anticipate that a family member will lose coverage in the near future, the benefits and cost of a plan's conversion contract may be an important consideration in your choice of a health plan. If you or a family member is considering converting to an individual policy, you should contact the carrier of your plan for information about the benefits and cost of its conversion contract.

### Effective Date of Conversion Contract

Your or your family member's conversion contract becomes effective at the end of the **31-day extension of coverage**, even when you or your family member is an inpatient in a hospital on the 31<sup>st</sup> day of extended coverage.

## Eligibility

All eligible family members who were covered under the decedent's FEHB plan **and** are no longer eligible to continue FEHB coverage either through being a current Federal employee, or a survivor who is receiving a survivor annuity, may convert their coverage to an individual policy.

## Process

To apply for conversion, you or your family member must make a written request to the carrier of your plan. The plan will promptly send you an application form and details concerning benefits and rates of the nongroup contract to which you may convert. You or your family member must apply for conversion within 31 days after his/her coverage as a family member **terminated**.

When your enrollment terminates, HROC must give you a notice of your right to convert to an individual policy on the Notice of Change in Health Benefits Enrollment form (SF 2810). HROC should provide you with this notice immediately upon your enrollment termination, but no later than 60 days from the termination date.

### Late Conversion

If HROC doesn't give you the required conversion notice within 60 days, or you aren't able to request conversion on time for reasons beyond your control, you can request a late conversion by writing

directly to the carrier of your plan.

You must send your request within six months after the date your enrollment terminated. Your request must:

- include some documentation that your enrollment has terminated (for example, an SF 50 showing separation from service);
- include proof that you were not notified of the enrollment termination and the right to convert (for example, a letter from HROC confirming that it did not provide timely notice of the conversion option), and were not otherwise aware of it, or
- include proof that you weren't able to convert because of reasons beyond your control.

If six months or more have passed since the date you became eligible to convert, the carrier of your plan is not required to accept a request for conversion.

If the carrier accepts your request for a late conversion, you must enroll and pay your first premium within 31 days of the carrier's notice. If you don't convert within this time period, you are considered to have waived your conversion rights, unless the carrier determines that you did not convert for reasons beyond your control. If the carrier determines that your failure to convert was within your control, you may request that OPM review its decision. To request an OPM review, write to U.S. Office of Personnel Management, Healthcare and Insurance, P.O. Box 436, Washington, D.C. 20044.

### Forms

[SF-2810 Notice of Change in Health Benefits Enrollment](#)

### Links for More Information

[FEHB Handbook – 31-Day Extension of Coverage and Conversion](#)

[FEHB Handbook – 31-Day Extension of Coverage and Conversion \(continued\)](#)

### Contacts

HROC for:  
Questions regarding FEHB termination and/or conversion

Or

To obtain a copy of the SF 2810.

877-642-4743

<http://hrhelp.nps.gov>

Fax: 303-985-6945

### HROC

#### **If No Survivors are Eligible to Continue the FEHB Enrollment**

HROC will terminate enrollment on the Notice of Change in Health Benefits Enrollment (SF 2810), note in the Remarks section: "Enrollee died (date)," and send the enrollee copy of the SF 2810 to the

nearest living relative or to the representative of the estate. However, if it appears that a survivor who has been covered as a family member may be eligible for **conversion**, HROC will send the SF 2810 to him/her.

### **Regulations and Authorities**

[5 CFR Subpart D – Temporary Extension of Coverage and Conversion 890.401 \(a\) – \(c\)](#)

# Temporary Continuation of Coverage (TCC)

## Overview

### What is TCC (temporary continuation of coverage)?

TCC is a feature of the Federal Employees Health Benefits (FEHB) Program that allows certain people to temporarily continue their FEHB coverage after regular coverage ends.

There may be eligible dependent children who were on the decedent's self and family FEHB plan who might soon be turning 26 and therefore no longer eligible to remain enrolled in FEHB. Let the survivors know that TCC might be an option for a child dependent once they reach the age of 26. Also, if a child is receiving a survivor annuity and that annuity stops, they may be eligible for TCC – see “Eligibility” below.

Children who lose coverage because they are no longer dependent, may carry the enrollment for 36 months from the time they cease being an eligible family member for FEHB purposes.

A TCC enrollee may cancel the enrollment at any time. However, once the cancellation takes effect, the enrollee cannot reenroll – **the cancellation is final**.

### How much does TCC cost?

TCC enrollees must pay the full premium for the plan they select (that is, both the employee and Government shares of the premium) plus a 2 percent administrative charge.

## Eligibility

For *children*, the qualifying events that might make them eligible for TCC are:

- reaching age 26,
- loss of status as stepchild, foster child, or recognized natural child,
- in the case of children whose coverage has continued beyond age 26 because of their inability to support themselves due to a disability occurring before they reached age 26, recovering from the disability or becoming self-supporting,
- death of the employee or annuitant if the child does not qualify for a survivor annuity, and
- survivor annuity stops for any reason, including because he or she is no longer a full-time student.

A spouse who loses coverage because of the death of an employee or annuitant is not eligible for TCC (most surviving spouses can continue regular coverage as [survivor annuitants](#), and so don't need TCC).

When your child's TCC enrollment terminates, he/she may be entitled to convert to an individual policy.

## Process

**HROC will process all TCC claims for children who are dependents of active federal employees.**

**OPM will process all TCC claims for children who are dependents of survivor annuitants or were receiving a survivor annuity themselves.**

### **How to obtain TCC for children who lose FEHB coverage**

If your child wants TCC, you must notify HROC or OPM within 60 days after the qualifying event and supply the child's mailing address. (Since the enrollment will be in the child's name, the child must complete the election form and the child will be billed for the coverage.)

Within 14 days after it receives the information about the child, **HROC or OPM** must notify the child of his or her TCC rights. The child must make his or her election within 60 days after the *later* of:

- the date of the qualifying event, or
- the date the child receives the notice about TCC rights from HROC or OPM, if you notified the employing office within 60 days after the qualifying event.

If you don't notify HROC or OPM within the 60-day time limit, the opportunity to elect TCC ends 60 days after the qualifying event.

- To enroll for TCC, the child completes Standard Form 2809, *Employee Health Benefits Election Form*,  [848 KB] if they are a dependent of a current Federal employee and submits it to HROC within the time limit explained here.

Or,

- For children who lose their FEHB coverage as a child of a survivor annuitant or if they were receiving a survivor annuity themselves, they would complete form [OPM-2809 – Health Benefits Registration Form](#) and submit it to OPM within the time limit explained here.

The TCC enrollee is not limited to the plan or option in which they were covered when the regular Federal Employees Health Benefits (FEHB) coverage ended. The child may enroll in any plan for which they are qualified. (Some plans require that enrollees live in a certain geographic area or belong to the sponsoring employee organization.)

They may elect either a Self Only or self and family enrollment; however, the individuals who qualify as family members under a TCC family enrollment vary depending on whether the enrollee is a former employee, a child, or a former spouse. (See "[Who is covered under a TCC family enrollment?](#)")

### **Premium payments**

HROC or OPM, depending on who processed the claim, will bill the child directly, for each pay period (generally each month) they are covered.

### **Opportunities to change enrollment**

After the initial enrollment, a TCC enrollee may change enrollment during the annual FEHB Open Season or, generally, when an event occurs that would allow an employee to change enrollment. See [RI 79-27](#).

**Termination of enrollment or coverage**

TCC coverage ends either because the period of temporary continuation expires or the child cancels the enrollment. (Coverage also stops when premiums are not paid – which is considered a voluntary cancellation).

**Thirty-one-day temporary extension of coverage and conversion to an individual contract**

When the child loses Federal Employees Health Benefits (FEHB) coverage other than by cancellation (including cancellation by nonpayment of premiums) they have a 31-day temporary extension of coverage, at no cost, in the same enrollment category so they may convert to an individual contract with their current health benefits plan. This is true even when they also have the right to elect temporary continuation of FEHB coverage.

TCC takes effect on the day that the 31-day temporary extension of coverage ends. Coverage is retroactive to that date if the enrollment processing is completed later. If the bill for the retroactive coverage is not paid, the TCC enrollment is canceled retroactively to the beginning date and the child is not eligible to reenroll.

When the child elects TCC instead of the conversion policy they have another 31-day extension of coverage, at no cost, in the same enrollment category held at the time TCC expires. They have another opportunity to convert to an individual contract when the temporary continuation ends (other than for cancellation).

**Forms**

[SF-2809 – Health Benefits Election](#) For children who lose their FEHB coverage as a child of a current employee. CSRS and FERS children of survivor annuitants use OPM-2809.

[OPM-2809 – Health Benefits Registration Form](#) For children who lose their FEHB coverage as a child of a survivor annuitant or if they were receiving a survivor annuity themselves.

**Links for More Information**

[OPM Website on TCC](#)

[FEHB handbook for TCC eligibility](#)

[FEHB Handbook – Survivor Annuitants](#)

[RI 70-5 2012 Guide to Federal Benefits: For TCC...](#)

[RI 79-27 Temporary Continuation of Coverage Under the FEHB](#)

## Contacts

Human Resources Operations Center (HROC)  
877-642-4743  
<http://hrhelp.nps.gov>  
Benefits Fax: 303-985-6945

OPM  
1-888-767-6738  
7:30am to 7:45pm (Eastern time)  
1-800-878-5707 TTY  
[retire@opm.gov](mailto:retire@opm.gov)  
U.S. Office of Personnel Management  
Retirement Operations Center  
P.O. Box 45  
Boyers, PA 16017-0045

## HROC

If the child is covered under a current federal employee's FEHB plan, HROC will process the form.

If the child is covered under a survivor annuitant's FEHB plan, OPM will process??

## Regulations and Authorities

Title II of Public Law 100-654, effective January 1, 1990, established the temporary continuation of coverage provision for the FEHB Program.

[5 CFR Subpart K – Temporary Continuation of Coverage 890.1101-1113](#)

# Federal Flexible Spending Account Program (FSAFEDS)

## Overview

FSAFEDS offers pre-tax savings on common, out-of-pocket expenses. A decedent may have a Federal Flexible Spending Account that they have been paying into that a surviving spouse/dependent(s) and/or estate may need to think about.

## Eligibility

Only **active employees** of the Executive Branch or another agency that participates in FSAFEDS who are eligible to enroll in Federal Employees Health Benefits (FEHB) Program are eligible to enroll in FSAFEDS. See [Eligibility and Status](#) for eligibility.

## Process

Reimbursements for expenses can be paid out up until the date of death; all monies remaining in the account after that point will be forfeited.

### **What happens to eligible expenses if the FSA account holder dies?**

If the FSAFEDS enrollee dies before the end of the Benefit Period, the account holder's surviving spouse/dependent(s) and/or estate may submit claims or receive payment for eligible expenses incurred through the account holder's date of death. Expenses incurred after the date of death are not eligible for reimbursement. In addition to submitting the claim form and supporting documentation (e.g., receipts, LMN, etc.), please provide the name and address of the executor/executrix of the FSAFEDS enrollee's estate. Please refer to the [FSAFEDS Condolence Letter](#) for an example.

## Forms

[FSAFEDS Forms](#)

## Links for More Information

[FSAFEDS Website](#)

[OPM Website – What happens when I die?](#)

[OPM Website on FSAFEDS](#)

[IRS Publication 969 – Health Savings Accounts and Other Tax-Favored Health Plans](#)

## Contacts

Customer Service  
Toll-Free: 1-877-372-3337  
TTY Line: 1-800-952-0450  
[fsa@opm.gov](mailto:fsa@opm.gov)  
Email: [fsafeds@shps.com](mailto:fsafeds@shps.com)

Claims Processing  
Toll-Free FAX:  
1-866-643-2245  
Email: [fsafeds@shps.com](mailto:fsafeds@shps.com)

## HROC

HROC does not process FSAFEDS. The survivor will need to contact FSAFEDS directly.

## Regulations and Authorities

The Federal FSA Program is a tax-savings plan governed by the rules of Section 125 of the Internal Revenue Code.

# High Deductible Health Plans (HDHP) with Health Savings Accounts (HSA) or Health Reimbursement Arrangements (HRA)

## Overview

### What is a High Deductible Health Plan?

A High Deductible Health Plan (HDHP) is a health plan product, when combined with a Health Savings Account (HSA) or a Health Reimbursement Arrangement (HRA), provides insurance coverage and a tax-advantaged way to help save for future medical expenses.

**Health Saving Account (HSA)** – An HSA is a tax-sheltered trust account owned for the purpose of paying qualified medical expenses when enrolled in an HDHP.

What happens when employee dies? The HSA would pass to the surviving spouse or named beneficiary tax free and the account can continue to be used as before. If the deceased is unmarried and does not have a named beneficiary, the money is disbursed to the estate and is subject to any applicable taxes. See : [HDHP with HSA FAQs](#) for more information. Plan contributions and employee/survivor

**Health Reimbursement Arrangement (HRA)** – Is an employer-funded tax-sheltered account to reimburse allowable medical expenses. HDHP members who did not qualify for an HSA, will be provided an HRA.

What happens when employee dies? If the surviving spouse does not enroll in an HDHP, the funds will be forfeited.

## Links for More Information

[OPM Website – High Deductible Health Plans \(HDHP\) with Health Savings Accounts \(HSA\)](#)

[OPM Website – HDHP with HSA and HRA FAQs](#)

[IRS Publication 969 – Health Savings Accounts and Other Tax-Favored Health Plans](#)

[Medical and Dental Expenses – IRS Publication 502 \(2011 Returns\)](#)

[BAL 07-202 Federal Employees Health Benefits \(FEHB\) Program: Pre-Tax Health Savings Account Allotments for Federal Employees](#)

## Regulations and Authorities

5 USC Chapter 89

5 CRF Part 890

# Federal Long Term Care Insurance Program (FLTCIP)

## Overview

Federal Long term care is personal care and other related services provided on an extended basis to people who need help with specific everyday activities or who need supervision due to a severe cognitive impairment. The surviving spouse may be eligible to apply for this insurance benefit, or may need to contact the carrier to cancel the decedent's policy. There is no time limit for applying for this insurance; however, premiums are based on age and will therefore go up with each year.

## Eligibility

### Can my family continue my coverage if I die?

No. Federal Long Term Care Insurance Program coverage is specific to the enrolled individual. If an enrollee dies, no one can continue that enrollee's coverage. **However**, any enrolled relatives of a deceased enrollee can continue their coverage as long as they continue to pay premiums. Most Federal Survivor Annuitants are eligible to apply for coverage.

## Process

If their premiums were paid through payroll/annuity deduction of the deceased, they will need to contact Long Term Care Partners to make other arrangements for premium payment.

## Forms

[FLTCIP Forms](#)

## Links for More Information

[OPM Website on FLTCIP](#)

[FLTCIP Eligibility](#)

[FLTCIP Home Page](#)

[FLTCIP Information](#)

## Contacts

Contact Long Term Care Partners at 1-800-582-3337.

Apply online at [www.LTCFEDS.com](http://www.LTCFEDS.com)

Or call 1-800-LTC-FEDS (1-800-582-3337) (TTY 1-800-843-3557)

## HROC

HROC does not process FLTCIP. The survivor will need to contact FLTCIP directly.

## Regulations and Authorities

[5 CFR Part 875 – Federal Long Term Care Insurance Program](#)

# Federal Employees Dental and Vision Program (FEDVIP)

## Overview

FEDVIP is a Federal dental and vision insurance program that certain survivors may be eligible for. It is separate from the Federal Employees Health Benefits program.

## Eligibility

**Who is eligible to enroll in FEDVIP?**

Federal employees eligible for FEHB coverage (whether or not enrolled) and annuitants/survivor annuitants (regardless of FEHB eligibility) are eligible to enroll.

**Who is considered an eligible family member?**

Family member eligibility under FEDVIP is **NOT** the same as for FEHB. Eligible family members under FEDVIP are your:

- spouse,
- unmarried dependent child(ren) under age 22 (including an adopted child, stepchild, foster child, and recognized natural child), and
- child age 22 or over who is incapable of self-support because of a mental or physical disability that existed before the child reached age 22.

**Changes in dependent eligibility under healthcare reform (Affordable Care Act) do not affect eligibility for children under FEDVIP.**

**Who is NOT eligible to enroll in FEDVIP?**

The following people are not eligible to enroll in FEDVIP, regardless of FEHB eligibility or receipt of an annuity or portion of an annuity.

- deferred annuitants,
- former spouses of employees or annuitants,
- FEHB temporary continuation of coverage (TCC) enrollees,
- temporary employees who are:
  - serving under an appointment limited to one year or less and have not completed at least one year of current continuous employment, excluding any break in service of 5 days or less; or
  - expected to work less than 6 months in each year.
- intermittent employees (who do not have a prearranged regular tour of duty)
- seasonal or occasional employment for one calendar year that amounted to less than 6 months of work does not meet the one year of current continuous employment requirement.
- anyone receiving an insurable interest who is not an eligible family member.

## Process

The eligible survivor must use BENEFEDS to enroll or change enrollment in a FEDVIP plan. BENEFEDS is a secure enrollment website ([www.BENEFEDS.com](http://www.BENEFEDS.com)) sponsored by OPM. If they do not have access to a computer, they call 1-877-888-FEDS (1-877-888-3337), TTY number 1-877-889-5680 to enroll or change their enrollment.

## Forms

**No forms apply – see Process for enrollment**

## Links for More Information

[Eligibility](#)

[Dental and Vision FAQs](#)

[BENEFEDS Eligibility Survivor Annuitants](#)

[OPM Website Vision Introduction](#)

[OPM Website Dental Introduction](#)

[OPM Website Dental FAQs for Survivors](#)

[OPM Website Vision FAQs for Survivors](#)

### **Contacts**

[www.BENEFEDS.com](http://www.BENEFEDS.com)

1 1-877-888-FEDS (1-877-888-3337)

TTY number 1-877-889-5680

### **HROC**

HROC does not process FEDVIP programs, survivors will need to contact FEDVIP themselves.

### **Regulations and Authorities**

[5 CFR 894 – Federal Employees Dental and Vision Insurance Program](#)

# Federal Employees Group Life Insurance Program (FEGLI)

## Overview

Claims for benefits are adjudicated and paid by the Office of Federal Employees' Group Life Insurance (OFEGLI). Beneficiaries of employees covered under the Federal Employees' Group Life Insurance (FEGLI) program **may be** entitled to insurance death benefits. The following are the benefits that **might be** payable to beneficiaries upon the death of an employee:

- Basic insurance – Is an amount equal to an employee's annual salary, rounded up to the next thousand-dollar amount, plus \$2,000. (A higher amount is payable if an employee was under age 45 at the time of death.)
- Option A – If elected (standard optional insurance) coverage is \$10,000.
- Option B – If elected (additional optional insurance) comes in 1-5 multiples of an employee's salary.

In addition, Basic insurance and Option A have accidental death and dismemberment (AD&D) benefits. However, there is no AD&D coverage with Option B. Accidental death benefits for Basic insurance benefits are equal to the Basic insurance amount; accidental death benefits for Option A are \$10,000. These benefits **may be** payable in addition to regular death benefits.

Currently, life insurance benefits are not considered taxable income to recipients for income tax purposes, refer to the FEGLI website and consult a tax advisor for final determination on tax obligations.

Life insurance benefits are paid in addition to any workers' compensation, Social Security, or Federal retirement pension benefits.

## Eligibility

**FEGLI insurance benefits are payable depending on many factors. See [FEGLI Program Booklet for Federal/Postal Employees: Who Gets the Money After I Die?](#)** For a detailed explanation on who may receive these benefits.

## Process

OFEGLI can only pay death benefits after it has received:

1. Claim for Death Benefits ([Form FE-6](#));
2. A **certified copy** of the death certificate or other satisfactory proof of death; and
3. Certification by the employing office [HROC], [Agency Certification of Insurance Status \(SF 2821\)](#). The certification must include all supporting documentation, as described below.
  - All designations of beneficiary (if any), all FEGLI election forms, any assignments and any court order(s) on file that direct payment of FEGLI benefits.

## Forms

Forms to Complete if Applicable:

- [BAL # 09-102 Attachment 3 – Preliminary Information to OFEGLI](#) [HROC will complete]
- Claim for Death Benefits (FE-6)
- Statement of Claim, Option C – Family Life Insurance (FE-6DEP)
- Notice of Conversion Privilege (SF 2819)
- Agency Certification of Insurance Status (SF 2821) {HROC will process and submit}

Forms on file that will need to be referenced:

- Designation of Beneficiary (SF 2823)
- Life Insurance Election (SF 2817)
- Agency Certification of Status of Reemployed Annuitants (OPM 1482)

**Forms should be returned to HROC. HROC will forward to OFEGLI**

**NOTICE:** The address given on these forms for submission of the completed form is no longer correct. The form should be sent to:

OFEGLI  
P.O. Box 8149  
Long Island City, NY 11101-8149

### Links for More Information

FEGLI Calculator <http://www.opm.gov/calculator/worksheet.asp>

[FEGLI Handbook Chapter on "Claims"](#)

[FEGLI FAQs Claim for FEGLI Benefits](#)

[FEGLI Booklet for Federal Employees \(FE 76-21\)](#)

- [FEGLI Program Booklet for Federal/Postal Employees: Who Gets the Money After I Die?](#)
- [FEGLI Program Booklet for Federal/Postal Employees: How Should Someone File a Claim?](#)
- [FEGLI Program Booklet for Federal/Postal Employees: How Are Benefits Paid?](#)

[Life Insurance Payment Fact Sheet](#)

[Assignment of Life Insurance \(RI 76-10\)](#)

### Contacts

Any questions about the status of a claim must be directed to the OFEGLI office at:

P.O. Box 6512  
Utica, NY 13504-6512

or by calling: 800-633-4542.

The telephone lines are open from 8:30 AM to 4:00 PM EST.  
Overseas beneficiaries should call 212-578-2975.

### HROC

HROC will send the applicable forms to the survivors, and request that the forms are returned to HROC. HROC will then forward the forms to OFEGLI.

**Regulations and Authorities**

[5 CFR Part 870 – Federal Employees Group Life Insurance Program](#)

# Thrift Savings Plan (TSP)

## Overview

TSP is a retirement savings and investment plan for Federal employees. Any money the decedent contributed to the TSP cannot remain in the decedent's TSP account, and will need to be distributed to the beneficiary(ies), either through direct payment or if there is an eligible surviving spouse, into a TSP account in the spouses name.

There are tax implications related to distribution of a deceased employee's contributions to the TSP account. It is important for beneficiaries to be aware of these implications. For detailed information about the rules associated with death benefit payments, read the TSP tax notice "[Important Information About Thrift Savings Plan Death Benefit Payments](#)." And consult a tax advisor.

## Eligibility

**There are two ways in which a deceased employees TSP contributions could be distributed: Either through a Designation of Beneficiary (which must be on file with TSP prior to the employee's death) or according to the Statutory Order of Precedence.**

### **Distribution According to the TSP Designation of Beneficiary**

- TSP **will not honor** a will, prenuptial agreement, separation agreement, property settlement, court order, or a trust document when distributing an account.
- The **only** document the TSP will use to distribute death benefits is [Form TSP-3](#) , Designation of Beneficiary (formerly TSP-U-3 for uniformed services members). By law, the TSP must pay the properly designated beneficiary, or beneficiaries, under all circumstances.

-- OR --

### **Distribution According to the Statutory Order of Precedence**

If no Designation of Beneficiary form is on file with the TSP, the decedent's money will be distributed according to the following order of precedence required by law:

- 1) To the [spouse](#);
- 2) If none, to the child or children equally, and to the descendants of deceased children;
- 3) If none, to the parents equally or a surviving parent;
- 4) If none, to the appointed executor or administrator of the estate;
- 5) If none, to the next of kin who is entitled to the estate under the laws of the state in which the decedent resided at the time of death.

## Process

The beneficiary(ies) must complete the TSP-17 and submit it, along with a copy of the death certificate, to TSP.

Once the TSP processes this information and determines the beneficiaries for the account, they will contact the beneficiaries with additional information and instructions.

If the spouse beneficiary's share, of a deceased civilian TSP participant's account, is \$200 or more, a beneficiary participant account will be established in their name. At the time they will receive a

“welcome letter” providing information about how the account is initially invested and what they can expect from the TSP.

If the spouse beneficiary’s share of the balance is less than \$200, it will be paid directly to the spouse and they will not be able to remain in the TSP.

### Forms

- [TSP-17, Thrift Savings Plan Information Relating to Deceased Participants](#)
- [TSP-3, Designation of Beneficiary - Must be on file with TSP prior to the employee’s death.](#)

### Links for More Information

[Determining Beneficiaries](#)

[Notifying the TSP](#)

[Payment of Death Benefits](#)

[Death Benefits Information for Participants and Beneficiaries](#)

[Legislative Changes to the Thrift Savings Plan](#)

[Tax Information: Death Benefit Payment – TSP-583](#)

[Tax Guide to U.S. Civil Service Retirement Benefits – IRS Publication 721 \(2011 Returns\)](#)

[Pension and Annuity Income – IRS Publication 575 \(2011 Returns\)](#)

[Individual Retirement Arrangements \(IRAs\) – IRS Publication 590 \(2011 Returns\)](#)

### Contacts

ThriftLine – 1-TSP-YOU-FRST  
1-877-968-3778  
Monday – Friday  
7am to 9pm Eastern Time  
Automated Response System  
Available 24 hours a day  
7 days a week

TSP Death benefits:  
1-800-371-2365  
TSP Website: [www.tsp.gov](http://www.tsp.gov)  
FAX 1-866-817-5023  
Thrift Savings Plan  
P.O. Box 385021  
Birmingham, AL 35238

### HROC

HROC will send the beneficiary a copy of the TSP-17 to complete.  
The beneficiary should send in the TSP-17 directly to TSP, but if sent in to HROC, HROC will forward to TSP.

### Regulations and Authorities

[5 CFR Parts 1600-1690 Thrift Savings Plan](#)

## **Other Survivor Benefits**

### **3.1 All Employee Family Members**

3.1a Employee Assistance Program (EAP)

3.1b Federal Employee Education and Assistance Fund  
(FEEA)

### **3.2 Veteran's Administration Benefits (VA)**

### **3.3 Social Security Administration (SSA)**

## All Employee Family Members

### Employee Assistance Program (EAP)

#### **Employee Assistance Program – Federal Occupational Health**

Personal problems can affect the lives of employees both at home and at work. FOH manages one of the largest Employee Assistance Program (EAP) in the country, covering more than 700,000 federal workers each year. Our licensed, certified counselors have masters or doctorate degrees and extensive post-graduate experience.

The EAP provided by FOH is a comprehensive program that helps employees resolve personal problems that may adversely impact their work performance, conduct, health and well-being. FOH's EAP addresses problems in the quickest, least restrictive, and most convenient manner while minimizing cost and protecting client confidentiality. Among the services we offer are:

<http://www.foh.dhhs.gov/>

<http://www.foh.dhhs.gov/services/eap/eap.asp>

Employee Assistance Program

1-800-222-0364

1-888-262-7874 TTY Users

[www.FOH4YOU.com](http://www.FOH4YOU.com)

### Federal Employee Education and Assistance Fund (FEEA)

The Federal Employee Education and Assistance Fund (FEEA) provides education scholarships, student loans, and emergency assistance no-interest loans to large numbers of eligible Federal and postal employees and their dependents. FEEA receives no government funds. FEEA raises funds through corporate contributions and the Combined Federal Campaign (CFC). Under CFC, funds are returned to each Federal community based on a formula that reflects the amount donated by Federal employees in that area. Financial assistance under this program is based on hardship and need. FEEA scholarships can range from \$300 to \$1,200 per school year. Information to apply for FEEA assistance:

FEEA Scholarships  
Suite 200, 8441 W. Bowles Avenue  
Littleton, CO 80123-3245  
(800) 323-4140 or (303) 933-7580  
[www.feea.org](http://www.feea.org)

# Social Security Administration (SSA)

## Overview

Social Security is not just for retirement. There are other benefits available to surviving spouses, divorced spouses, school-aged and disabled children, as well as dependent parents. Anyone who has worked and paid Social Security taxes has earned benefits for his or her family. The amount of work (quarters) needed to make survivors eligible depends upon the worker's age at death.

Below you will find a summary of Social Security benefits. For more detailed information, visit the Social Security Administration Web site at [www.ssa.gov](http://www.ssa.gov).

## Eligibility

### Who may be eligible for survivor benefits?

- **A surviving widow or widower** may be able to receive full benefits at full retirement age. The full retirement age for survivors is age 66 for people born in 1945-1956 and will gradually increase to age 67 for people born in 1962 or later. Reduced widow or widower benefits can be received as early as age 60. If your surviving spouse is disabled, benefits can begin as early as age 50. For more information on widows, widowers and other survivors, visit [www.socialsecurity.gov/survivorplan](http://www.socialsecurity.gov/survivorplan). The widow or widower can receive benefits at any age if they take care of the deceased's child who is receiving Social Security benefits and younger than age 16 or disabled.
- **Unmarried children** who are younger than age 18 (or up to age 19 if they are attending elementary or secondary school full time) also can receive benefits. As well as children at any age if they were disabled before age 22 and remain disabled. Under certain circumstances, benefits also can be paid to **stepchildren, grandchildren, step grandchildren or adopted children**. Generally Social Security pays more benefits to children than any other federal program.
- **Dependent parents** can receive benefits if they are age 62 or older. (For parents to qualify as dependents, the decedent would have had to provide at least one-half of their support.)
- **A surviving divorced spouse** who are age 60 or older (50-59 if disabled) can get benefits if your marriage lasted at least 10 years. However, he or she does not have to meet the age or length-of-marriage rule if caring for the decedent's child who is younger than age 16 or who is disabled and also entitled based on the decedent's work. The child must be the former spouse's natural or legally adopted child. Benefits paid under the age or disability requirement won't affect the benefit rates for other survivors; however, benefits paid for a child under age 16 or disabled in the divorced spouse's care, will affect the amount of the benefits of others on the worker's record.

## Benefits Available

### What does Social Security offer eligible survivors?

- **The lump-sum death benefit of \$255** is payable upon the death of a person who has worked long enough to be insured under Social Security.
  - The one-time lump-sum death payment of \$255 is payable to:
    - A surviving spouse if he or she was living with the deceased; or, if living apart, was receiving certain Social Security benefits on the deceased person's record; or
    - If there is no surviving spouse, a child who is eligible for benefits on the deceased person's record in the month of death.
    - If no spouse or child meeting these requirements exists, the lump-sum death payment will not be paid. The lump-sum death payment cannot be paid to funeral homes or estates for funeral expenses.
    - To file for the benefit, call 1-800-772-1213 (TTY-1800-325-0778) and request an appointment at your local office. You must file the application for the lump-sum death payment within the two-year period ending with the second anniversary of the insured person's death.
- **Monthly survivor's benefits**
  - Eligible survivors receive a percentage of the basic Social Security benefit that is payable – usually in a range from 75 to 100 percent each. However, there is a limit to the amount of money that can be paid each month to a family. The limit varies, but is generally equal to about 150 to 180 percent of the benefit rate.

### How much are benefits?

How much your family can get from Social Security depends on the decedent's average lifetime earnings. That means the more the decedent earned, the more the benefits will be.

## Process

### You will need the following documents (either original or copies certified by the agency that issued them) to apply?

- Proof of death – either from a funeral home or death certificate;
- Your Social Security number, as well as the deceased worker's;
- Your birth certificate;
- Your marriage certificate, if you are a widow or widower;
- Your divorce papers; if you are applying as a divorced widow or widower;
- Dependent children's Social Security numbers, if available, and birth certificates;
- Deceased worker's W-2 forms or federal self-employment tax return for the most recent year; and
- The name of your bank and your account number so your benefits can be deposited directly into your account
- If the deceased worker served in the military, then include the military discharge (DD-214)

### What if the decedent was already receiving Social Security benefits?

- Contact Social Security immediately to report the death
- If benefits are being paid through direct deposit, notify the financial institution.
- If benefits are paid by check, do not cash the check and return any checks received after the death to Social Security.

### How much will I receive?

- The benefit amount is based on the earnings of the person who died. The more the worker paid into Social Security, the greater the benefits will be. Social Security uses the deceased worker's basic benefit amount and calculates what percentage survivors are entitled to. The percentage depends on the survivors' ages and relationship to the worker. If the person who died was receiving reduced benefits, your survivor's benefit is based on that amount. Here are **the most typical** situations:
  - A widow or widower, at full retirement age or older, generally receives 100 percent of the worker's basic benefit amount;
  - A widow or widower, age 60 or older, but under full retirement age, receives about 71-99 percent of the worker's basic benefit amount; or
  - A widow or widower, any age, with a child younger than age 16, receives 75 percent of the worker's benefit amount.
  - Children receive 75 percent of the worker's benefit amount.

## Things that can affect the amount of Social Security benefit payable

### Pensions from work not covered by Social Security

- If you get a pension from work where you paid Social Security taxes, that pension will not affect your Social Security benefits. However, if you get a pension from work that was not covered by Social Security—for example, the federal civil service, some state or local government employment or work in a foreign country—your Social Security benefit may be reduced.
- For more information, ask for **Government Pension Offset (Publication No. 05-10007)**, for government workers who may be eligible for Social Security benefits on the earnings record of a spouse; and **Windfall Elimination Provision (Publication No. 05-10045)**, for people who worked in another country or government workers who also are eligible for their own Social Security benefits.

### What if I work?

- If you work while getting Social Security survivors benefits and are younger than full retirement age, your benefits may be reduced if your earnings exceed certain limits. (The full retirement age was 65 for people born before 1938 but will gradually increase to 67 for people born in 1960 or later.) To find out what the earnings limits are this year and how earnings above those limits reduce your Social Security benefits, ask for **How Work Affects Your Benefits (Publication No. 05-10069)**.

## Effect of Entitlement to SS Benefits on FERS Child Survivor Annuity Benefit

Receipt of Social Security benefits affects a child's entitlement to a FERS survivor benefit. The total FERS benefits payable to all children are reduced by the total Social Security benefits payable to all children. The remaining amount is divided by the total number of children payable under FERS. Each eligible child receives this amount. If the Social Security benefits equal or exceed the FERS benefits, no FERS benefits are paid. In many cases, the payments from Social Security will eliminate the FERS benefit altogether.

## Supplemental Security Income

**The spouse of a deceased employee who is blind, disabled, or age 65 or older, and/or their dependent child if blind or disabled could benefit from the Supplemental Security Income (SSI).** The Social Security Administration (SSA) administers this program, which pays monthly benefits to people with **limited income and resources** who are disabled, blind, or age 65 or older. This benefit is not dependent on survivor eligibility (prior work or a family member's prior work) for SS benefits, but on limited income and resources. Someone eligible for SSI may also get medical assistance (Medicaid) to pay for hospital stays, doctor bills, prescription drugs, and other health costs. Most states also provide a supplemental payment to certain SSI beneficiaries and food assistance.

For more information go to Supplemental Security Income at:  
<http://www.socialsecurity.gov/ssi/text-understanding-ssi.htm>

Check with SSA for available benefits.

## OWCP Benefits and SSA Benefits

<http://www.dol.gov/owcp/dfec/regs/compliance/DFECFolio/q-and-a.pdf>

### **G-21. May FECA benefits be paid for the same periods of time as benefits paid by the Social Security Administration (SSA)?**

An employee may receive OWCP benefits and SSA benefits based on private employment for the same periods of time, but SSA may reduce its payments. The employee should contact SSA to find out whether this will occur in his or her case.

The Social Security Amendments of 1983 provide full SSA benefits rather than CSRS benefits to Federal employees hired on and after January 1, 1984 (that is, to those covered under FERS).

Therefore, employees who are covered by FERS would be required to elect between FECA benefits and that portion of their SSA benefits attributable to their Federal service.

Apply for benefits as soon as possible because, in some cases, the SS benefits will be paid from the time you apply and not the date of death.

## Links for More Information

Government Pension Offset Publication 05-10007

<http://www.socialsecurity.gov/pubs/10007.pdf>

How Social Security Can Help You When a Family Member Dies Publication 05-10008

<http://www.socialsecurity.gov/pubs/10008.pdf>

Understanding The Benefits Publication 05-10024

<http://www.socialsecurity.gov/pubs/10024.pdf>

Disability Benefits Publication 05-10029

<http://www.socialsecurity.gov/pubs/10029.pdf>

Retirement Benefits Publication 05-10035

<http://www.socialsecurity.gov/pubs/10035.pdf>

Windfall Elimination Provision Publication 05-10045

<http://www.socialsecurity.gov/pubs/10045.pdf>

How Work Affects Your Benefits Publication 05-10069

<http://www.socialsecurity.gov/pubs/10069.pdf>

What You Need To Know When You Get Retirement Or Survivors Benefits Publication 05-10077

<http://www.socialsecurity.gov/pubs/10077.pdf>

Survivors Benefits Publication 05-10084

<http://www.socialsecurity.gov/pubs/10084.pdf>

Benefits for Children Publication 05-10085

<http://www.socialsecurity.gov/pubs/10085.pdf>

Supplemental Security Income (SSI) Publication 05-11000

<http://www.socialsecurity.gov/pubs/11000.pdf>

What You Need To Know When You Get Supplemental Security Income (SSI) Publication 05-11011

<http://www.ssa.gov/pubs/11011.pdf>

Apply for Survivor Benefits:

<http://www.socialsecurity.gov/pgm/survivors.htm>

Supplemental Security Income (SSI)

<http://www.socialsecurity.gov/ssi/text-understanding-ssi.htm>

Calculator for benefit estimate based on your actual SS earnings record at

[www.socialsecurity.gov/estimator](http://www.socialsecurity.gov/estimator).

For more detailed benefits calculations go to [www.socialsecurity.gov/planners](http://www.socialsecurity.gov/planners).

Fallen Firefighter Benefits – Federal Benefits – Social Security

<http://benefits.firehero.org/socsec.html>

Social Security Administration (SSA)

<http://www.opm.gov/retire/related/ssa/index.asp>

Apply for SSI, Survivors or Family Benefits

<http://www.ssa.gov/pgm/getservices-apply.htm>

**Publication 554**, Tax Guide for Seniors this form is updated every tax year and can be found at IRS.gov

**Publication 915**, Social Security and Equivalent Railroad Retirement Benefits. This form is updated every tax year and can be found at IRS.gov

**Forms:**

IRS Form W-4V to request that Federal Taxes be withheld from your SS Benefits contact IRS at 1-800-829-3676.

### Contacts

Call Social Security, from 7 am to 7pm M-F.

Toll-Free, 1-800-772-1213

TTY 1-800-325-0778

Automated Phone service 24 hours a day

Call or visit [your local Social Security office](#). The phone number will be in the government section of your local phone book [www.socialsecurity.gov/locator/](http://www.socialsecurity.gov/locator/)

Website: [www.socialsecurity.gov](http://www.socialsecurity.gov)

Or [www.ssa.gov](http://www.ssa.gov)

# Veteran's Administration Benefits (VA)

<http://www.va.gov/>

## Overview

There are many different benefits that certain survivors and dependents might be eligible for through the Veteran's Administration, such as: burial expenses, headstones or markers, burial flags, plot internment allowance and in some cases death gratuities, educational assistance, life insurance and many others. Many states also offer benefits to eligible survivors and dependents of veterans that are independent of Federal benefits and vary by state. If the deceased employee was a Veteran, make sure to refer the survivors to the [VA website](#) for all of the benefits that they might be entitled to. For the most current information on benefits available, go to:

Department of Veterans  
Survivors and Dependents Benefits -- Death After Active Service  
[www.vba.va.gov/bln/dependents/index.htm](http://www.vba.va.gov/bln/dependents/index.htm)

## Burial in a National Cemetery

<http://www.cem.va.gov/cem/bbene/>

Burial at no charge may be authorized in any national cemetery and a headstone or marker with appropriate inscription may be provided by the government. If the deceased is a military veteran, contact the Department of Veterans Affairs (VA) for burial assistance. When the burial is in a national, State, or post cemetery, a burial flag will be provided. When burial is in a private cemetery, obtain burial flags from VA regional offices, national cemetery, or U.S. Post Office by completing VA Form 21-2008 (Application for United States Flag for Burial Services) and submit it with a copy of the veteran's discharge papers at any of these locations. Contact the local or regional VA office for specific burial assistance information.

Persons Eligible for Burial in a National Cemetery  
<http://www.cem.va.gov/bbene/eligible.asp>

## Burial Flags

[http://www.cem.va.gov/cem/bbene/burial\\_flags.asp](http://www.cem.va.gov/cem/bbene/burial_flags.asp)

### Why Does VA Provide a Burial Flag?

A United States flag is provided, at no cost, to drape the casket or accompany the urn of a deceased Veteran who served honorably in the U. S. Armed Forces. It is furnished to honor the memory of a Veteran's military service to his or her country. VA will furnish a burial flag for memorialization for each other than dishonorable discharged

- Veteran who served during wartime
- Veteran who died on active duty after May 27, 1941
- Veteran who served after January 31, 1955
- peacetime Veteran who was discharged or released before June 27, 1950
- certain persons who served in the organized military forces of the Commonwealth of the Philippines while in service of the U.S. Armed Forces and who died on or after April 25, 1951
- certain former members of the Selected Reserves

### **Who Is Eligible to Receive the Burial Flag?**

Generally, the flag is given to the next-of-kin, as a keepsake, after its use during the funeral service. When there is no next-of-kin, VA will furnish the flag to a friend making request for it. For those VA national cemeteries with an Avenue of Flags, families of Veterans buried in these national cemeteries may donate the burial flags of their loved ones to be flown on patriotic holidays.

### **How Can You Apply?**

You may apply for the flag by completing [VA Form 27-2008, Application for United States Flag for Burial Purposes](#). You may get a flag at any VA regional office or U.S. Post Office. Generally, the funeral director will help you obtain the flag.

### **Can a Burial Flag Be Replaced?**

The law allows us to issue one flag for a Veteran's funeral. We cannot replace it if it is lost, destroyed, or stolen. However, some Veterans' organizations or other community groups may be able to help you get another flag.

### **How Should the Burial Flag Be Displayed?**

The proper way to display the flag depends upon whether the casket is open or closed. VA Form 27-2008 provides the correct method for displaying and folding the flag. The burial flag is not suitable for outside display because of its size and fabric. It is made of cotton and can easily be damaged by weather.

## **Presidential Memorial Certificates**

A Presidential Memorial Certificate (PMC) is an engraved paper certificate, signed by the current President, to honor the memory of honorably discharged deceased Veterans.

### **Eligibility**

Eligible recipients include the next of kin and loved ones of honorably discharged deceased Veterans. More than one certificate may be provided.

### **Application**

Eligible recipients, or someone acting on their behalf, may apply for a PMC in person at any VA regional office or by U.S. mail or toll-free fax. Requests cannot be sent via email. Please be sure to enclose a copy of the Veteran's discharge and death certificate to verify eligibility, as we cannot process any request without proof of honorable military service. Please submit copies only, as we will not return original documents.

If you would like to apply for a Presidential Memorial Certificate, please call 1-202-565-4964 or toll free at 1-800-827-1000.

[VA Form 40-0247 Application for Presidential Memorial Certificate](#)   
[Instructions for Ordering a PMC Using Our Toll Free Fax Line](#)

<http://www.cem.va.gov/cem/pmc.asp>

## Headstones and Markers

[http://www.cem.va.gov/cem/hm\\_hm.asp](http://www.cem.va.gov/cem/hm_hm.asp)

### Eligibility for a Headstone or Marker

The [Department of Veterans Affairs](#) (VA) furnishes upon request, at no charge to the applicant, a Government headstone or marker for the unmarked grave of any deceased eligible veteran in any cemetery around the world, regardless of their date of death. The VA may also furnish a headstone or marker for graves that are marked with a private headstone or marker, for veterans that died on or after November 1, 1990. See Public Law 110-157, and Public Law 110-157, also gives VA authority to "furnish, upon request, a [medallion](#) or other device of a design determined by the Secretary to signify the deceased's status as a veteran, to be attached to a headstone or marker furnished at private expense." This benefit is available in lieu of a Government furnished headstone or marker, for veterans in privately marked graves who died on or after Nov. 1, 1990.

To order a medallion claimants should use the form, [VA 40-1330M, Claim for Government Medallion for Placement in a Private Cemetery](#). 

### [Most Recent Legislative Changes Concerning Eligibility for Headstones, Markers and Medallions](#)

**Important:** Eligible veterans are entitled to either a Government-furnished headstone or marker, or the new medallion, but not both.

## Burial and Plot-Interment Allowances

<http://www.vba.va.gov/VBA/benefits/factsheets/burials/Burial.pdf>

### What Are VA Burial Allowances?

VA burial allowances are partial reimbursements of an eligible Veteran's burial and funeral costs. When the cause of death is not service related, the reimbursements are generally described as two payments:

(1) a burial and funeral expense allowance, and (2) a plot or interment allowance.

### Who Is Eligible?

You may be eligible for a VA burial allowance if:

- you paid for a Veteran's burial or funeral, AND
- you have not been reimbursed by another government agency or some other source, such as the deceased veteran's employer, AND
- the Veteran was discharged under conditions other than dishonorable.

In addition, at least one of the following conditions must be met:

- the Veteran died because of a service-related disability, OR
- the Veteran was receiving VA pension or compensation at the time of death, OR
- the Veteran was entitled to receive VA pension or compensation, but decided not to reduce his/her military retirement or disability pay, OR
- the Veteran died while hospitalized by VA, or while receiving care under VA contract at a non-VA facility, OR

- the Veteran died while traveling under proper authorization and at VA expense to or from a specified place for the purpose of examination, treatment, or care, OR
- the Veteran had an original or reopened claim pending at the time of death and has been found entitled to compensation or pension from a date prior to the date of death, OR
- the veteran died on or after October 9, 1996, while a patient at a VA-approved state nursing home.

### How Much Does VA Pay?

#### Service-Related Death.

VA will pay up to \$2,000 toward burial expenses for deaths on or after September 11, 2001. If the Veteran is buried in a VA national cemetery, some or all of the cost of transporting the deceased may be reimbursed.

#### Non-service-Related Death.

For deaths on or after October 1, 2011, **VA will pay up to \$700 toward burial and funeral expenses (if hospitalized by VA at time of death), or \$300 toward burial and funeral expenses (if not hospitalized by VA at time of death), and a \$700.00 plot-interment allowance (if not buried in a national cemetery).** If the death happened while the Veteran was in a VA hospital or under VA contracted nursing home care, some or all of the costs for transporting the Veteran's remains may be reimbursed. An annual increase in burial and plot allowances, for deaths occurring after October 1, 2011, begins in fiscal year 2013 based on the Consumer Price Index for the preceding 12-month period.

#### Any VA burial expenses paid must be subtracted from any allowable [OWCP burial payments](#):

F-18 - Burial expenses up to \$800 are payable. If the Department of Veterans Affairs (VA) also pays a burial allowance, that allowance must be deducted. If the employee dies away from home, the cost of transporting the body to the place of burial will be paid in full. In addition, a \$200 allowance will be paid for terminating the deceased's status as a Federal employee.

### How Can You Apply?

You can apply by filling out **VA Form 21-530**, Application for Burial Benefits. You should attach a copy of the veteran's military discharge document (DD 214 or equivalent), death certificate, funeral and burial bills. They should show that you have paid them in full. You may download the form at <http://www.va.gov/vaforms/>

### Quick Tips

<http://www.vba.va.gov/bln/dependents/quicktips.htm>

#### Documents Needed

- a. the veteran's [discharge certificate or DD 214](#)
- b. the veteran's VA claim number or Social Security number
- c. the veteran's death certificate
- d. Government life insurance policy
- e. a copy of all marriage certificates and divorce decrees (if any)
- f. a copy of each child's birth certificate (or adoption order)
- g. veteran's birth certificate to determine parents' benefits

### Where to Get Help

- [VA Website](#)
- [Secure electronic messaging](#)
- [Federal Benefits for Veterans and Dependents](#) (An informative pamphlet)
- VA service representatives can answer questions about benefits eligibility and application procedures. Contact the nearest VA benefits office at 1-800-827-1000 from any location in the United States and Puerto Rico. VA facilities also are listed in the federal government section of telephone directories under "Veterans Affairs".

## VA Fact Sheets

[Accountability at VA National Cemeteries](#)

[Arranging Burial in a VA National Cemetery](#)

[Burial Flags](#)

[Consumer Affairs: What You Can Do](#)

[Facts About the National Cemetery Administration](#)

[Filming in a National Cemetery](#)

[Government Furnished Headstones, Markers & Medallions](#)

[History and Development of the National Cemetery Administration](#)

[Medallion Benefit](#)

[Military Funeral Honors](#)

[The National Cemetery Administration](#)

[National Cemeteries Dates Established and First Burials](#)

[National Cemetery Development](#)

[Other National Cemeteries, American Military Cemeteries Overseas & Burial at Sea](#)

[Presidential Memorial Certificates](#)

[Veterans Cemetery Grants Program](#)

## VA Benefits That May Be Available to Eligible Survivors

### VA Surviving Spouse Benefits

<http://www.vba.va.gov/bln/dependents/spouse.htm>

BENEFIT DESCRIPTION	APPLICATION FORMS
<b>Dependency Indemnity Compensation (DIC)</b> <small>(Includes Spouse of National Guard or Reserve Member)</small>	VA Form 21-534
<b>Death Pension</b>	VA Form 21-534
<b>Survivors' and Dependents' Educational Assistance (DEA)</b>	VA Form 22-5490
<b>Home Loan Guaranty</b>	VA Form 26-1817
<b>MEDICAL - CHAMPVA</b>	VA Form 10-10d
	VA Form 10-7959c
	Request Copy of DD Form 214
<b>Bereavement Counseling</b>	
<b>Specialized Vocational Training</b>	VA Form 22-5490
<b>To Claim VA Life Insurance</b>  <b>SGLI/VGLI Claims</b>	Separate Claim Forms are used for <a href="#">(SGLI/VGLI)</a> . For all others, click <a href="#">here</a> .
<b>Financial Counseling Available for SGLI/VGLI Beneficiaries</b>	
<b>Burial Benefits a Spouse Should Consider Upon the Death of the Veteran</b>	Separate Forms are Available Through the National Cemetery Administration <a href="#">Web Site</a>
<b>Burial Flags</b>	VA Form 27-2008
<p><b><i>Related Benefits</i></b></p> <p> <b>TRICARE Dental Program</b>  <b>Social Security Administration</b>  <b>Civil Service Preference</b>  <b>Commissary and Exchange Privileges</b>  <b>Montgomery GI Bill Death Benefit</b>  <b>Death Gratuity</b>  <b>Military Records and Medals</b>  <b>Burial at Arlington National Cemetery</b>  <b>Internal Revenue Service information</b> </p>	

**VA Surviving Children Benefits**

BENEFIT DESCRIPTION	APPLICATION FORMS
Dependency Indemnity Compensation (DIC) <u>DIC Rates for children</u>	VA Form 21-534
Death Pension <u>Death Pension Rates for Children</u>	VA Form 21-534
Survivors' and Dependents' Educational Assistance (DEA) (Includes Counseling Services and Work Study)	VA Form 22-5490
MEDICAL - CHAMPVA	VA Form 10-10d
	VA Form 10-7959c
	Request Copy of DD Form 214
Spina Bifida	
Bereavement Counseling	
Specialized Vocational Training	VA Form 22-5490
To Claim VA Life Insurance  SGLI/VGLI Claims	Separate Claim Forms are used for <u>(SGLI/VGLI)</u> . For all others, click <u>here</u> .
Financial Counseling Available for SGLI/VGLI Beneficiaries	
Burial Benefits Next of Kin May Consider Upon the Death of the Veteran	Separate Forms are Available Through the National Cemetery Administration <u>Web Site</u>
Burial Flags	VA Form 27-2008

***Related Federal Benefits***

TRICARE Dental Program  
 Social Security Administration  
 Civil Service Preference  
 Commissary and Exchange Privileges  
 Montgomery GI Bill Death Benefit  
 Death Gratuity  
 Military Records and Medals  
 Burial at Arlington National Cemetery  
 Internal Revenue Service information

**VA Surviving Dependent Parent Benefits**

BENEFIT DESCRIPTION	APPLICATION FORMS
Parents Dependency Indemnity Compensation	VA Form 21-535
To Claim VA Life Insurance	Separate Claim Forms are used for <a href="#">(SGLI/VGLI)</a> . For all others, click <a href="#">here</a> .
Financial Counseling Available for SGLI/VGLI Beneficiaries	
Burial Benefits Next of Kin May Consider Upon the Death of the Veteran	Separate Forms are Available Through the National Cemetery Administration <a href="#">Web Site</a>
Burial Flags	
Bereavement Counseling	
VA Form 27-2008	

***Related Federal Benefits***

**Civil Service Preference**  
**Military Records and Medals**  
**Burial at Arlington National Cemetery**  
**Internal Revenue Service information**  
**Death Gratuity**

## Appendix J

# Federal Travel Regulations Agency Requirements for Payment of Expenses Connected with the Death of Certain Employees

### Overview

The following Travel Regulations are used to pay expenses related to the Death of an employee - where the death is not work related - who is on travel or OCONUS at the time of death. If the death is work related, expenses are payable under the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8134

### Subpart A – General Policies

#### **303-70.1 When must we authorize payment of expenses related to an employee's death?**

When, at the time of death, the employee was:

- (a) On official travel; or
- (b) Performing official duties outside CONUS; or
- (c) Absent from duty as provided in [§303-70.3](#); or
- (d) Reassigned away from his/her home of record under a mandatory mobility agreement; or
- (e) Performing official duties as determined by the head of agency and be a covered employee as provided in [§303-70.700](#).

#### **§303-70.2 Must we pay death-related expenses when the employee's death is not work-related?**

Yes, provided the requirements in [§303-70.1](#) are met.

#### **§303-70.3 Must we pay death-related expenses for an employee who dies while on leave, or who dies on a nonworkday while on TDY or stationed outside CONUS?**

Yes. However, payment cannot exceed the amount allowed if death had occurred at the temporary duty station or at the official station outside CONUS.

#### **§303-70.4 May we pay death-related expenses under this chapter if the same expenses are payable under other laws of the United States?**

No.

**Note to [Subpart A](#):** When an employee dies from injuries sustained while performing official duty, death-related expenses are payable under the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8134. For further information contact the  
Department of Labor,  
Federal Employees' Compensation Division,  
200 Constitution Avenue, NW,  
Washington, DC 20210.

### Subpart B – General Procedures

#### **§303-70.100 May we pay the travel expenses for an escort for the remains of a deceased employee?**

Yes, in accordance with [§§303-70.600](#) through [303-70.602](#).

#### **§303-70.101 Must we provide assistance in arranging for preparation and transportation of employee remains?**

Yes.

## Subpart C – Allowances for Preparation and Transportation of Remains

### **§303-70.200 What costs must we pay for preparation and transportation of remains?**

All actual costs including but not limited to:

(a) Preparation of remains:

- (1) Embalming or cremation;
- (2) Necessary clothing;
- (3) A casket or container suitable for shipment to place of burial;
- (4) Expenses necessary to comply with local laws at the port of entry in the United States; and

(b) Transportation of remains by common carrier (that is normally used for transportation of remains), hearse, other means, or a combination thereof, from the temporary duty station or official station outside CONUS to the employee's residence, official station, or place of burial, including but not limited to:

- (1) Movement from place of death to a mortuary and/or cemetery;
- (2) Shipping permits;
- (3) Outside case for shipment and sealing of the case if necessary;
- (4) Removal to and from the common carrier; and
- (5) Ferry fares, bridge tolls, and similar charges.

**Note to §303-70.200:** Costs for an outside case are not authorized for transportation by hearse. Costs for transportation by hearse or other means cannot exceed the cost of common carrier (that is normally used for transportation of remains). Transportation costs to the place of burial cannot exceed the actual cost of transportation to the employee's residence.

## Subpart D – Transportation of Immediate Family Members, Baggage, and Household Goods

### **§303-70.300 Must we pay transportation costs to return the deceased employee's baggage?**

Yes, you must pay transportation costs to return the deceased employee's baggage to his/her official station or residence. However, you may not pay insurance of or reimbursement for loss or damage to baggage.

### **§303-70.301 Are there any limitations on the baggage we may transport?**

Yes. You may only transport government property and the employee's personal property.

### **§303-70.302 When the employee dies at or while in transit to or from his/her official station outside CONUS, must we return the employee's immediate family, baggage and household goods to the residence or alternate destination?**

Yes. However, your agency head or his/her designated representative must approve the family's election to return to an alternate destination, and the allowable expenses cannot exceed the cost of transportation to the decedent's residence. Travel and transportation must begin within one year from the date of the employee's death. A one-year extension may be granted if requested by the family prior to the expiration of the one-year limit.

### **§303-70.303 Must we continue payment of relocation expenses for an employee's immediate family if the employee dies while in transit to his/her new duty station within CONUS?**

Yes, if the immediate family chooses to continue the relocation, you must continue payment of relocation expenses for the immediate family if the immediate family was included on the employee's relocation travel orders. (See [§303-70.305](#).)

### **§303-70.304 Must we continue payment of relocation expenses for an employee's immediate family if the employee dies after reporting to the new duty station within CONUS, but the family was in transit to the new duty station or had not begun its en route travel?**

Yes, if the immediate family chooses to continue the relocation, you must continue payment of relocation expenses for the immediate family if the immediate family was included on the employee's relocation travel orders. (See [§303-70.305](#).)

**§303-70.305 What relocation expenses must we authorize for the immediate family under [§§303-70.303](#) and [303-70.304](#)?**

When the immediate family chooses to continue the relocation, the following expenses must be authorized:

- (a) Travel to the new duty station; or
- (b) Travel to an alternate destination, selected by the immediate family, not to exceed the remaining constructive cost of travel to the new duty station.
- (c) Temporary quarters not to exceed 60 days, to be paid at the per diem rate for an unaccompanied spouse or domestic partner and immediate family.
- (d) Shipment of household goods to the new or old duty station, or to an alternate destination selected by the immediate family. However, the cost may not exceed the constructive cost of transportation between the old and the new duty stations.
- (e) Storage of household goods not to exceed 90 days.
- (f) Reimbursement of real estate expenses incident to the relocation.
- (g) Shipment of POV to the new or old duty station, or to an alternate destination, selected by the immediate family. However, the cost may not exceed the constructive cost of transportation between the old and the new duty stations.

**Subpart E – Preparation and Transportation Expenses for Remains of Immediate Family Members**

**§303-70.400 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, must we furnish mortuary services?**

Yes, if requested by the employee and when:

- (a) Local commercial mortuary facilities or supplies are not available; or
- (b) The cost of available mortuary facilities or supplies are prohibitive as determined by your agency head.

**Note to [§303-70.400](#):** The employee must reimburse you for all furnished mortuary facilities and supplies.

**§303-70.401 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, must we pay expenses to transport the remains?**

Yes, if requested by the employee, payment must be made to transport the remains to the residence of the immediate family member. The employee may elect an alternate destination, which must be approved by your agency head or his/her designated representative. In that case, the allowable expenses cannot exceed the cost of transportation to the decedent's residence.

**§303-70.402 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, may we pay burial expenses?**

No.

**§303-70.403 When a family member, residing with the employee, dies while in transit to or from the employee's duty station outside CONUS, must we furnish mortuary services and/or transportation of the remains?**

You must furnish transportation if requested by the employee. You must follow the guidelines in [§303-70.401](#) for transportation expenses. You must furnish mortuary services only if the conditions in [§303-70.400](#) are met.

**Subpart F – Policies and Procedures for Payment of Expenses**

**§303-70.500 Are receipts required for claims for reimbursement?**

Yes.

**§303-70.501 To whom should we make payment?**

You should pay:

- (a) The person performing the service; or
- (b) Reimburse the person who made the original payment.

**Subpart G – Escort of Remains**

**§303-70.600 How many persons may we authorize travel expenses for to escort the remains of a deceased employee?**

Travel expenses may be authorized for no more than two persons.

**§303-70.601 Under what circumstances may we authorize the escort of remains?**

Escort of remains may be authorized when the employee's death occurs:

- (a) While in a travel status away from his/her official station in the United States; or
- (b) While performing official duties outside the United States or in transit thereto or therefrom.

**§303-70.602 What travel expenses may we authorize for the escort of remains?**

You may authorize any travel expenses in accordance with [Chapter 301](#) of this title that are necessary for the escort of remains to:

- (a) The home or official station of the deceased; or
- (b) Any other place appropriate for interment as determined by the head of your agency.

**Subpart H – Transportation of Immediate Family Members, Baggage, Household Goods, and Privately Owned Vehicles for Law Enforcement Assignment**

**§303-70.700 When an employee dies as a result of personal injury sustained while in the performance of the employee's law enforcement duties, either on official travel duties away from the official station, or at the current official station, must we provide transportation for the employee's immediate family, baggage, and household goods to an alternate residence destination?**

Yes, if the head of the agency concerned (or a designee) determines that the employee died as a result of personal injury sustained while in the performance of the employee's duties, and the employee was:

- (a) A law enforcement officer as defined in 5 U.S.C. 5541;
- (b) An employee in or under the Federal Bureau of Investigation who is not described in paragraph (a); or
- (c) A Customs and Border Protection officer as defined in 5 U.S.C. 8331(31).

**§303-70.701 What relocation expenses must we authorize for the immediate family under [§303-70.700](#)?**

If the place where the immediate family will reside is different from the place where the immediate family resided at the time of the employee's death, and within the United States, then the agency must approve the following expenses:

- (a) Transportation of the immediate family;
- (b) Moving of the household goods of the immediate family, including transporting, packing, crating, draying, and unpacking, not to exceed 18,000 pounds net weight;
- (c) Storage of household goods moved pursuant to paragraph (b) of this section, not to exceed 90 days; and

(d) Transportation of one privately owned motor vehicle.

**§303-70.702 Must we pay transportation costs to return the deceased employee's privately owned vehicle (POV) from the temporary duty (TDY) location or from an official station OCONUS under §303-70.700?**

Yes. The agency must pay costs associated with returning the POV from the following:

- (a) TDY location to the employee's permanent official station, if the agency had authorized the use of the employee's POV at the TDY location as being advantageous to the Government; or
- (b) Official station OCONUS to the employee's former actual residence or alternate destination as approved by the agency, if the agency determined that the use of the employee's POV was required accordance with Chapter 302, Part 302-9 of this title.

**5 U.S.C. 5724D – Transportation and Moving Expenses for Immediate Family of Certain Deceased Federal Employees – Law Enforcement**

<http://uscode.house.gov/search/criteria.shtml>

a) In General. - Under regulations prescribed by the President, the head of the agency concerned (or a designee) may determine that a covered employee died as a result of personal injury sustained while in the performance of the employee's duty and authorize or approve the payment by the agency, from Government funds, of -

- (1) any qualified expense of the immediate family of the covered employee attributable to a change in their place of residence, if the place where the immediate family will reside following the death of the employee is
  - (A) different from the place where the immediate family resided at the time of the employee's death; and
  - (B) within the United States; and
- (2) any expense of preparing and transporting the remains of the deceased to -
  - (A) the place where the immediate family will reside following the death of the employee; or
  - (B) such other place appropriate for interment as is determined by the agency head (or designee).

(b) No Duplicate Payment of Expenses. - No expenses may be paid under this section if those expenses are paid from Government funds under section 5742 or any other authority.

(c) Definitions. - For purposes of this section -

(1) the term "covered employee" means -

- (A) a law enforcement officer, as defined in section 5541;
- (B) any employee in or under the Federal Bureau of Investigation who is not described in subparagraph (A); and
- (C) a customs and border protection officer, as defined in section 8331(31); and

(2) the term "qualified expense", as used with respect to an immediate family changing its place of residence, means the transportation expenses of the immediate family, the expenses of moving (including transporting, packing, crating, temporarily storing, draying, and unpacking) the household goods and personal effects of such immediate family, not in excess of 18,000 pounds net weight, and, when authorized or approved by the agency head (or designee), the transportation of 1 privately owned motor vehicle.

Contact your Regional PCS Coordinator

<http://classicinside.nps.gov/documents/START%20PCS%20FORM.pdf>

[http://165.83.62.205/travel/pcs/NPS\\_PCS\\_Handbook.PDF](http://165.83.62.205/travel/pcs/NPS_PCS_Handbook.PDF)

## References and Authorities

**Chapter 303—Payment of Expenses Connected With the Death of Certain Employees**

<http://www.gsa.gov/portal/ext/public/site/FTR/file/FTR303TOC.html/category/21870/hostUri/portal>

## Appendix K

# Denver Payroll Unpaid Compensation, Timesheets and Quicktime

### Overview

Denver Payroll will process the employee's last pay check and distribute this money and any lump-sum annual leave payable. HROC will forward the [SF-1153](#) and [SF-1152](#) to Denver Payroll once they have received the forms and a copy of the death certificate. You will need to work with Denver Payroll to make sure that all amendments regarding the employee's timesheets and any requests for converting compensatory time to overtime have been processed before HROC releases the death action.

### Unpaid Compensation

Unpaid Compensation usually consists of the employee's last paycheck and any remaining available annual leave and/or compensatory time off. Form [SF-1153](#) needs to be completed and forwarded to the Denver Payroll Office along with a copy of the death certificate. The Unpaid Compensation will not be paid out until the benefits package is completed and forwarded from HROC. If a surviving spouse is in need of the final paycheck, request that Denver Payroll not hold the final paycheck, but allow it to process as normal. Be advised that a payment that is sent to a bank account that only has the deceased employee's name on it, might take longer to access than if Denver Payroll was to hold it until it could be paid out with the Unpaid Compensation payment.

### Annual Leave Lump-Sum Payment

An employee will receive a lump-sum payment for any unused annual leave when he or she separates from Federal service or enters on active duty in the armed forces and elects to receive a lump-sum payment. Generally, a lump-sum payment will equal the pay the employee would have received had he or she remained employed until expiration of the period covered by the annual leave.

[OPM Lump-Sum Payments for Annual Leave](#)

[5 U.S.C. 5551](#) and [6306](#)

[5 CFR part 550, subpart L](#)

### Compensatory Time

Compensatory Time is time off earned in lieu of overtime pay. A deceased employee may have unused compensatory time off available.

**Non-Exempt**, deceased employee - automatically pays out at the overtime rate.

**Exempt**, deceased employee – may be paid out at the discretion of the head of the agency **(recommend approval to pay out all unused comp time for exempt employees at the time of death.)**

- [Complete Client Interface Manual Appendix Form A-02](#). Authorization for Expired Compensatory

Time to Be Paid As Overtime for the Exempt Employee.

5 USC 5543, and 5342(2) and 5 CFR 550.114 and 551.531.

### **Travel Comp time**

Travel Comp time may not be paid out at an employee's death. [5 CFR 550.1408](#) states, "As provided by [5 U.S.C. 5550b\(b\)](#), an individual may not receive payment under any circumstances for any unused compensatory time off he or she earned under this subpart. This prohibition against payment applies to surviving beneficiaries in the event of the individual's death." Because Travel Comp time cannot be paid out, there is no difference between FLSA Exempt and Non-Exempt employees.

### **Time Off Awards**

5 CFR 451.104(f) "A time-off award granted under this subpart shall not be converted to a cash payment under any circumstances."

### **Cash, Honorary and/or Informal Recognition Awards**

5 CFR 451.104(e) "An award may be granted to a separated employee or the legal heir(s) or estate of a deceased employee."

### **How to Record Date of Death on Timesheet**

If the employee died on a regularly scheduled work day, code 010 regular hours worked for all hours regularly scheduled to work on that day, as long as the employee was in a pay status at the close of business on the last day of the preceding administratively established workweek. Code DE on last timesheet in Quicktime.

[B-52981, October 31, 1945, 25 Comp. GEN. 366](#)

### **Missing In Service**

An employee who is determined to be in a missing status as defined in [5 U.S.C. Sec 5561](#) is "entitled to receive or have credited to his account, for the period he is in that status, the same pay and allowances (as defined in 5 U.S.C. Section 5561) to which he was entitled at the beginning of that period or may become entitled thereafter to include;

- Basic pay;
- Special pay;
- Incentive pay;
- Basic allowance for housing;
- Basic allowance for subsistence;
- Station per diem allowances for not more than 90 days;
- Annual leave accruals to include that forfeited under Use or Lose ([5 U.S.C. Section 5562](#));
- With-in-grade increases (include?)

- Promotions (include?)
- Annual Pay Adjustments (include?)

Expiration of Benefits payable to a Missing Employee ([5 U.S.C. 5562](#))

These entitlements end on the date of:

- Receipt by the head of the agency concerned of evidence that the employee is dead; or
- Death prescribed or determined under section [5565 of Title 5 U.S.C.](#)

The entitlements do not end on

- The expiration of the term of service or employment of an employee while he is in a missing status; or
- Earlier than the dates prescribed in the above

Therefore, while an employee is in a missing status, they will continue to get paid while in that status

- No career seasonal (furlough)employee shall be placed into a non-pay status during the period of missing status, but will continue to be coded as 010 regular hours worked.
- If an employee in a missing status is still in that status at the end of his/her appointment limit date, the appointment shall be extended to a period of 12 months from the date of the missing status and the missing employee will continue to be coded as 010 regular hours worked until either requirement for the expiration of benefits as described above is met.

## References and Links

[5 CFR Chapter 1, Section 178.204](#)

[Client Interface Manual](#)

[5 U.S.C. 5561-5569](#)

## Forms

[SF-1152, Designation of Beneficiary – Unpaid Compensation of Deceased Civilian Employee](#)

[SF-1153, Claim for Unpaid Compensation of Deceased Civilian Employee](#)

[Appendix A-02, Authorization for Expired Compensatory Time to Be Paid As Overtime for the Exempt Employee](#)

[Appendix A-05, Deceased Payment Packet Checklist](#)

## Appendix L

# Missing Employee - 5 U.S.C. Subchapter VII NPS Policy

### Designation of Authority

Under this NPS policy, the Regional Director is appointed the designee authorized to administer, in full, [Title 5 U.S.C. Subchapter VII](#) Payments to Missing Employees.

### Authority

#### Sec. 5566 (a)(1-5) Agency determinations

The Regional Director is delegated the authority to make any determination necessary to administer 5 U.S.C. Subchapter VII Payments to Missing Employees, and when so made **it is conclusive** as to -

1. death or finding of death;
2. the fact of dependency under this subchapter;
3. any other status covered by this subchapter;
4. an essential date, including one on which evidence or information is received by the head of the agency concerned; and
5. whether information received concerning an employee is to be construed and acted on as an official report of death.

#### Sec. 5566(b-d)

When the Regional Director receives information that he/she considers to conclusively establish the death of an employee, he shall take action thereon as **an official report of death**, notwithstanding an earlier action relating to death or other status of the employee.

Conclusively Established includes the following:

- Death Certificate, or
- Body of the deceased

**After the end of 12 months in a missing status** prescribed by section 5565 of this title, the Regional Director shall make a finding of death when he/she considers that the information received, or a lapse of time without information, establishes **a reasonable presumption** that an employee in a missing status is dead.

The Regional Director may determine the entitlement of an employee to pay and allowances under this subchapter, including credits and charges in his account, and **that determination is conclusive**.

When circumstances warrant the reconsideration of a determination made under this subchapter, the **Regional Director** may change or modify it.

### Agency Review – Establishing Date of Death

**Sec. 5565 (a-c). Agency review**

When an employee has been in a missing status almost 12 months **and no official report** of his/her death has been received, the Regional Director shall have the case fully reviewed. After that review **and the end of 12 months in a missing status**, or after any later review which shall be made when warranted by information received or other circumstances, Regional Director may –

1. Direct the continuance of his missing status - if there is a reasonable presumption that the employee is alive; or
2. Make a finding of death.

When a finding of death is made it shall include the date **death is presumed** to have occurred for the purpose of the ending of crediting pay and allowances and settlement of accounts. **That date is -**

1. the day after the day on which the 12 months in a missing status ends; or
2. a day determined by the head of the agency concerned or his designee when the missing status has been continued under subsection (a) of this section.

A determination under this section made by the Regional Director **is conclusive** on all other agencies of the United States.

**Entitlements**

**Sec. 5562 Pay and allowances**

An employee who is determined to be in a missing status as defined in [5 U.S.C. Sec 5561](#) is “entitled to receive or have credited to his account, for the period he is in that status, the same pay and allowances (as defined in 5 U.S.C. Section 5561) to which he/she was entitled at the beginning of that **period or may become entitled thereafter** to include;

- Basic pay;
- Special pay;
- Incentive pay;
- Basic allowance for housing;
- Basic allowance for subsistence;
- Station per diem allowances for not more than 90 days;
- Annual leave accruals to include that forfeited under Use or Lose ([5 U.S.C. Section 5562](#));
- With-in-grade increases
- Promotions – Evaluated on a case by case basis to determine completion of specialized experience requirements
- Annual Pay Adjustments

## Duration of Entitlements

Expiration of Benefits payable to a Missing Employee ([5 U.S.C. 5562](#))

These entitlements end on the date of:

- Receipt by the head of the agency concerned of evidence that the employee is dead (**conclusively established**); or
- Death prescribed or determined under section [5565 of Title 5 U.S.C.](#)

The entitlements do not end on:

- The expiration of the term of service or employment of an employee while he is in a missing status; or
- Earlier than the dates prescribed in the above

If a death certificate **is not** issued, or a body **is not** recovered, the employee will remain in a missing status for 12 months from the date in which he/she went missing. All pay and allowances will continue during that 12 month period.

## Settlement of Accounts

5 U.S.C Sec. 5567 gives the head of the agency concerned or his designee the authority to settle the accounts of a missing employee for whose account payment has been made under sections **5562**, **5563**, and **5565** of title 5. This policy delegates this authority to the Regional Director.

Any payments or settlements of an account made pursuant to a report, determination, or finding of death **may not be recovered or reopened** because of a later report or determination which fixes a date of death. However, an account shall be reopened and settled on the basis of a date of death so fixed which is later than that used as a basis for earlier settlement.

## Administrative Procedure

Therefore, while an employee is in a missing status, they will continue to get paid while in that status

- No subject to non-pay employee shall be placed into a non-pay status during the period of missing status, but will continue to be coded as 010 regular hours worked.
- If an employee in a missing status is still in that status at the end of his/her appointment limit date, the appointment shall be extended to a period of 12 months from the date of the missing status and the missing employee will continue to be coded as 010 regular hours worked until either requirement for the expiration of benefits as described above is met.

## Other Entitlements Available

The Regional Director has the authority to administer all additional entitlements related to missing employees under Title 5 U.S.C. Subchapter VII

## Appendix M

### Booklets, Forms, Guides and Links

#### Benefits Administration Letters (BALs)

<http://www.opm.gov/retire/pubs/bals/index.asp>

- BAL 96-109**      New Death Gratuity Payment Authority  
<http://www.opm.gov/retire/pubs/bals/1996/96-109.pdf>
- BAL 97-104**      Tax Status of New Death Gratuity Payment Authority  
<http://www.opm.gov/retire/pubs/bals/1997/97-104.pdf>
- BAL 07-202**      Federal Employees Health Benefits (FEHB) Program: Pre-Tax Health Savings Account Allotments for Federal Employees  
<http://www.opm.gov/retire/pubs/bals/2007/07-202.pdf>
- BAL 09-102**      Information to Agencies to Improve Survivor Claim Processing upon the Death of a Federal Employee  
<http://www.opm.gov/retire/pubs/bals/2009/09-102.pdf>

#### Attachment 1: General Instructions

- <http://www.opm.gov/retire/pubs/bals/2009/09-102attachment1.pdf>

#### Attachment 2: Summary of Benefits Checklist

- <http://www.opm.gov/retire/pubs/bals/2009/09-102attachment2.pdf>

#### Attachment 3: Preliminary Information to OFEGLI Regarding the Death of A Federal Employee

- <http://www.opm.gov/retire/pubs/bals/2009/09-102attachment3.pdf>

#### Attachment 4: Election Regarding Method of Payment for Unpaid Compensation

- <http://www.opm.gov/retire/pubs/bals/2009/09-102attachment4.pdf>

#### Attachment 5: CSRS Death-In-Service Quick Pay

- <http://www.opm.gov/retire/pubs/bals/2009/09-102attachment5.pdf>

#### Attachment 6: Employee Death Case Summary

- <http://www.opm.gov/retire/pubs/bals/2009/09-102attachment6.pdf>

- BAL 10-105**      Enhanced Disability and Survivor Annuity Computations Under CSRS and FERS  
<http://www.opm.gov/retire/pubs/bals/2010/10-105.pdf>
- BAL 11-101**      Annual Changes  
<http://www.opm.gov/retire/pubs/bals/2011/11-101.pdf>
- BAL 11-202**      Federal Employees' Group Life Insurance (FEGLI) Program: Revisions of FE-6, Claim for Death Benefits and FE-6 DEP, Statement of Claim-Option C Family Life Insurance  
<http://www.opm.gov/retire/pubs/bals/2011/11-202.pdf>
- CA-2**              Notice of Occupational Disease and Claim for Compensation  
<http://www.dol.gov/owcp/regs/compliance/ca-2.pdf>
- CA-5**              Claim for Compensation by Widow, Widower, and/or Children  
<http://www.dol.gov/owcp/regs/compliance/ca-5.pdf>

<b>CA-5b</b>	Claim for Compensation by Parents, Brothers, Sisters, Grandparents, or Grandchildren <a href="http://www.dol.gov/owcp/regs/compliance/ca-5b.pdf">http://www.dol.gov/owcp/regs/compliance/ca-5b.pdf</a>
<b>CA-6</b>	Official Superiors Report of Employee Death <a href="http://www.dol.gov/owcp/regs/compliance/ca-6.pdf">http://www.dol.gov/owcp/regs/compliance/ca-6.pdf</a>
<b>CA-11</b>	When Injured at Work Information Guide for Federal Employees <a href="http://www.dol.gov/owcp/dfec/regs/compliance/ca-11.htm">http://www.dol.gov/owcp/dfec/regs/compliance/ca-11.htm</a>
<b>CA-40</b>	Designation of a Recipient of the Federal Employees' Compensation Act Death Gratuity Payment under 5 U.S.C. 8102a <a href="http://www.dol.gov/owcp/dfec/regs/compliance/CA-40.pdf">http://www.dol.gov/owcp/dfec/regs/compliance/CA-40.pdf</a>
<b>CA-41</b>	Claim for Survivor Benefits Under the Federal Employees' Compensation Act Section 8102a Death Gratuity <a href="http://www.dol.gov/owcp/dfec/regs/compliance/CA-41.pdf">http://www.dol.gov/owcp/dfec/regs/compliance/CA-41.pdf</a>
<b>CA-42</b>	Official Notice of Employees' Death for Purposes of FECA Section 8102a Death Gratuity <a href="http://www.dol.gov/owcp/dfec/regs/compliance/CA-42.pdf">http://www.dol.gov/owcp/dfec/regs/compliance/CA-42.pdf</a>
<b>CA-810</b>	Injury Compensation for Federal Employees Publication <a href="http://www.dol.gov/owcp/dfec/regs/compliance/DFECfolio/CA-810.pdf">http://www.dol.gov/owcp/dfec/regs/compliance/DFECfolio/CA-810.pdf</a>
<b>DD-214</b>	Report of Separation (Requesting form) <a href="http://www.archives.gov/veterans/military-service-records/">http://www.archives.gov/veterans/military-service-records/</a>
<b>FE-6</b>	Claim for Death Benefits Federal Employees Group Life Insurance Program <a href="http://www.opm.gov/forms/pdf_fill/fe6.pdf">www.opm.gov/forms/pdf_fill/fe6.pdf</a>
<b>FEGLI Handbook</b>	<a href="http://www.opm.gov/insure/life/reference/handbook/claims2.asp">http://www.opm.gov/insure/life/reference/handbook/claims2.asp</a>
<b>FE-6 DEP</b>	Statement of Claim, Option C – Family Life Insurance <a href="http://www.opm.gov/forms/pdf_fill/fe6dep.pdf">http://www.opm.gov/forms/pdf_fill/fe6dep.pdf</a>
<b>FE-76-21</b>	FEGLI Booklet for Federal Employees (FE 76-21) <a href="http://www.opm.gov/insure/life/fegli/feds.asp">http://www.opm.gov/insure/life/fegli/feds.asp</a>
<b>FEDVIP</b>	Benefeds Website <a href="https://www.benefeds.com">https://www.benefeds.com</a>
<b>FEDVIP OPM</b>	<a href="http://www.opm.gov/insure">http://www.opm.gov/insure</a>
<b>FEGLI</b>	Life Insurance Payment Fact Sheet <a href="http://www.opm.gov/insure/life/reference/factsheet.asp">http://www.opm.gov/insure/life/reference/factsheet.asp</a>
<b>FEHB Handbook</b>	TCC Eligibility <a href="http://www.opm.gov/insure/health/reference/handbook/fehb16.asp#law">http://www.opm.gov/insure/health/reference/handbook/fehb16.asp#law</a>
<b>FLTCIP</b>	FLTCIP Home Page <a href="http://www.ltcfeds.com/">http://www.ltcfeds.com/</a>
<b>FLTCIP OPM</b>	OPM Website on FLTCIP <a href="http://www.opm.gov/insure/ltc/index.asp">http://www.opm.gov/insure/ltc/index.asp</a>
<b>FSAFEDS</b>	FSAFEDS Website

	<a href="https://www.fsafeds.com/fsafeds/index.asp">https://www.fsafeds.com/fsafeds/index.asp</a>
<b>FSAFEDS OPM</b>	OPM Website on FSAFEDS <a href="http://www.opm.gov/insure/flexible/index.asp">http://www.opm.gov/insure/flexible/index.asp</a>
<b>Form 10-34</b>	Application for Emergency Law and Order Funding <a href="http://data2.itc.nps.gov/wapc/forms/10-34.pdf">http://data2.itc.nps.gov/wapc/forms/10-34.pdf</a>
<b>IRS Pub. 502</b>	Medical and Dental Expenses (2011 Returns) <a href="http://www.irs.gov/pub/irs-pdf/p502.pdf">http://www.irs.gov/pub/irs-pdf/p502.pdf</a>
<b>IRS Pub. 575</b>	Pension and Annuity Income – TSP (2011 Returns) <a href="http://www.irs.gov/pub/irs-pdf/p575.pdf">http://www.irs.gov/pub/irs-pdf/p575.pdf</a>
<b>IRS Pub. 590</b>	Individual Retirement Arrangements (IRAs) – TSP (2011 Returns) <a href="http://www.irs.gov/pub/irs-pdf/p590.pdf">http://www.irs.gov/pub/irs-pdf/p590.pdf</a>
<b>IRS Pub. 721</b>	Tax Guide to U.S. Civil Service Retirement Benefits – TSP (2011 Returns) <a href="http://www.irs.gov/pub/irs-pdf/p721.pdf">http://www.irs.gov/pub/irs-pdf/p721.pdf</a>
<b>IRS Pub. 969</b>	Health Savings Accounts and Other Tax-Favored Health Plans <a href="http://www.irs.gov/pub/irs-pdf/p969.pdf">http://www.irs.gov/pub/irs-pdf/p969.pdf</a>
<b>OPM-1482</b>	Agency Certification of Status of Reemployed Annuitants <a href="http://www.opm.gov/Forms/pdf_fill/opm1482.pdf">http://www.opm.gov/Forms/pdf_fill/opm1482.pdf</a>
<b>OPM-1519</b>	Survivor's Military Service Election <i>Deceased Employee Covered by CSRS or CSRS Offset</i> <a href="http://www.opm.gov/forms/pdf_fill/opm1519.pdf">www.opm.gov/forms/pdf_fill/opm1519.pdf</a>
<b>OPM-2809</b>	Health Benefits Registration Form (Only for use by Annuitants and Former Spouses of Annuitants) <a href="http://www.opm.gov/Forms/pdf_fill/OPM2809.pdf">http://www.opm.gov/Forms/pdf_fill/OPM2809.pdf</a>
<b>OPM Website</b>	31-Day Extension of Coverage and Conversion <a href="http://www.opm.gov/insure/health/reference/handbook/fehb15.asp#31">http://www.opm.gov/insure/health/reference/handbook/fehb15.asp#31</a>
<b>OPM Website</b>	FEGLI – Death Claims <a href="http://www.opm.gov/insure/life/deathclaims/index.asp">http://www.opm.gov/insure/life/deathclaims/index.asp</a>
<b>OPM Website</b>	FEHB Handbook <a href="http://www.opm.gov/insure/health/">http://www.opm.gov/insure/health/</a>
<b>OPM Website</b>	FEHB Handbook – Survivor Annuitants <a href="http://www.opm.gov/insure/health/reference/handbook/fehb25.asp#survannuit">http://www.opm.gov/insure/health/reference/handbook/fehb25.asp#survannuit</a>
<b>OPM Website</b>	High Deductible Health Plans (HDHP) with Health Savings Accounts (HSA) <a href="http://www.opm.gov/insure/health/hsa/index.asp">http://www.opm.gov/insure/health/hsa/index.asp</a>
<b>OPM Website</b>	HDHP with HSA and HRA FAQs <a href="http://www.opm.gov/insure/health/hsa/faq.asp#1">http://www.opm.gov/insure/health/hsa/faq.asp#1</a>
<b>OPM Website</b>	Temporary Continuation of Coverage <a href="http://www.opm.gov/insure/health/tcc/index.asp">http://www.opm.gov/insure/health/tcc/index.asp</a>
<b>OPM Website</b>	What Happens if I die? <a href="http://www.opm.gov/insure/lifeevents/le7.asp">http://www.opm.gov/insure/lifeevents/le7.asp</a>

<b>RI-20-7</b>	Representative Payee Application <a href="http://www.opm.gov/Forms/pdf_fill/RI20-7.pdf">http://www.opm.gov/Forms/pdf_fill/RI20-7.pdf</a>
<b>RI-20-59</b>	Information for Annuitants (CSRS) <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/RI20-59.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/RI20-59.pdf</a>
<b>RI-20-97</b>	Estimated Earnings During Military Service <a href="http://www.opm.gov/Forms/pdf_fill/RI20-97.pdf">http://www.opm.gov/Forms/pdf_fill/RI20-97.pdf</a>
<b>RI-25-14</b>	Self-Certification of Full-Time School Attendance For the School Year <a href="http://www.opm.gov/Forms/pdf_fill/RI25-14.pdf">http://www.opm.gov/Forms/pdf_fill/RI25-14.pdf</a>
<b>RI-24-14a</b>	Information and Instructions for Completing the Self-Certification of Full-Time School Attendance <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/RI25-14A.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/RI25-14A.pdf</a>
<b>RI-25-26</b>	Information for Survivor Annuitants (CSRS) <a href="http://www.opm.gov/retire/pubs/pamphlets/RI25-26.pdf">http://www.opm.gov/retire/pubs/pamphlets/RI25-26.pdf</a>
<b>RI-25-27</b>	Survivor Benefits for Children (CSRS) <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/RI25-27.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/RI25-27.pdf</a>
<b>RI-25-41</b>	Initial Certification of Full-Time School Attendance <a href="http://www.opm.gov/Forms/pdf_fill/RI25-41.pdf">http://www.opm.gov/Forms/pdf_fill/RI25-41.pdf</a>
<b>RI-30-10</b>	Disabled Dependent Questionnaire <a href="http://www.opm.gov/Forms/pdf_fill/RI_30-10_June_2010_508.pdf">http://www.opm.gov/Forms/pdf_fill/RI_30-10_June_2010_508.pdf</a>
<b>RI-70-1</b>	Federal Benefits for Federal Civilian Employees <a href="http://www.opm.gov/insure/health/planinfo/2012/guides/70-1.pdf">http://www.opm.gov/insure/health/planinfo/2012/guides/70-1.pdf</a>
<b>RI-70-5</b>	Federal Benefits for Temporary Continuation of Coverage TCC and Former Spouse Enrollees <a href="http://www.opm.gov/insure/health/planinfo/2012/guides/70-5.pdf">http://www.opm.gov/insure/health/planinfo/2012/guides/70-5.pdf</a>
<b>RI-70-6</b>	Federal Benefits for Individuals Receiving Compensation from the Office of Workers' Compensation Programs <a href="http://www.opm.gov/insure/health/planinfo/2012/guides/70-6.pdf">http://www.opm.gov/insure/health/planinfo/2012/guides/70-6.pdf</a>
<b>RI-70-8</b>	Federal Benefits for Certain Temporary Employees <a href="http://www.opm.gov/insure/health/planinfo/2012/guides/70-8.pdf">http://www.opm.gov/insure/health/planinfo/2012/guides/70-8.pdf</a>
<b>RI-70-9</b>	Federal Benefits For Federal Retirees and Their Survivors <a href="http://www.opm.gov/insure/health/planinfo/2012/guides/70-9.pdf">http://www.opm.gov/insure/health/planinfo/2012/guides/70-9.pdf</a>
<b>RI-76-10</b>	Assignment of Life Insurance - FEGLI <a href="http://www.opm.gov/insure/life/fegli/ri76-10.asp">http://www.opm.gov/insure/life/fegli/ri76-10.asp</a>
<b>RI-79-2</b>	Information for Retirees and Survivor Annuitants – Federal Employees Health Benefits (FEHB) <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/RI79-2.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/RI79-2.pdf</a>
<b>RI-79-9</b>	Health Benefits Cancellation/Suspension Confirmation <a href="http://www.opm.gov/Forms/pdf_fill/RI79-9.pdf">http://www.opm.gov/Forms/pdf_fill/RI79-9.pdf</a>
<b>RI-79-27</b>	TCC Booklet <a href="http://www.opm.gov/insure/health/eligibility/tcc/">http://www.opm.gov/insure/health/eligibility/tcc/</a>
<b>RI-83-3</b>	Retirement Facts 2 – Military Service Credit Under the Civil Service Retirement System

	<a href="http://www.opm.gov/retire/pubs/pamphlets/forms/RI83-2.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/RI83-2.pdf</a>
<b>RI-83-5</b>	Retirement Facts 5 – Survivor Benefits under the Civil Service Retirement System (CSRS) <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/RI83-5.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/RI83-5.pdf</a>
<b>RI-90-12</b>	Information for Survivor Annuitants under the FERS System <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/RI90-12.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/RI90-12.pdf</a>
<b>SF-180</b>	Requests Pertaining to Military Records <a href="http://www.archives.gov/research/order/standard-form-180.pdf">http://www.archives.gov/research/order/standard-form-180.pdf</a>
<b>SF-1152</b>	Designation of Beneficiary Unpaid Compensation of Deceased Civilian Employee <a href="http://www.opm.gov/forms/pdf_fill/sf1152.pdf">www.opm.gov/forms/pdf_fill/sf1152.pdf</a>
<b>SF-1153</b>	Claim for Compensation of Deceased Civilian Employee <a href="http://www.opm.gov/forms/pdf_fill/SF1153.pdf">www.opm.gov/forms/pdf_fill/SF1153.pdf</a>
<b>SF-2800</b>	Application for Death Benefits Civil Service Retirement System <a href="http://www.opm.gov/forms/pdf_fill/sf2800.pdf">www.opm.gov/forms/pdf_fill/sf2800.pdf</a>
<b>SF-2800-1</b>	Applying for Death Benefits Under the Civil Service Retirement System <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/sf2800-1.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/sf2800-1.pdf</a>
<b>SF-2800A</b>	Documentation and Elections in Support of Application for Death Benefits When Deceased Was an Employee at the Time of Death Civil Service Retirement System <a href="http://www.opm.gov/forms/pdf_fill/sf2800a.pdf">www.opm.gov/forms/pdf_fill/sf2800a.pdf</a>
<b>SF-2801-1</b>	Certified Summary of Federal Service – CSRS <a href="http://www.opm.gov/Forms/pdf_fill/SF2801.pdf">http://www.opm.gov/Forms/pdf_fill/SF2801.pdf</a>
<b>SF-2803</b>	Application to make Deposit or Redeposit Civil Service Retirement System <a href="http://www.opm.gov/forms/pdf_fill/SF2803.pdf">www.opm.gov/forms/pdf_fill/SF2803.pdf</a>
<b>SF-2804</b>	Application to Make Voluntary Contributions <a href="http://www.opm.gov/Forms/pdf_fill/sf2804.pdf">http://www.opm.gov/Forms/pdf_fill/sf2804.pdf</a>
<b>SF-2804A</b>	Information Regarding Voluntary Contributions – CSRS <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/sf2804a.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/sf2804a.pdf</a>
<b>SF-2806</b>	Individual Retirement Record (CSRS) <a href="http://www.opm.gov/Forms/pdfimage/sf2806.pdf">http://www.opm.gov/Forms/pdfimage/sf2806.pdf</a>
<b>SF-2808</b>	Designation of Beneficiary – CSRS <a href="http://www.opm.gov/Forms/pdf_fill/SF2808.pdf">http://www.opm.gov/Forms/pdf_fill/SF2808.pdf</a>
<b>SF-2809</b>	Employee Health Benefits Registration Form <a href="http://www.opm.gov/Forms/pdf_fill/SF2809.pdf">http://www.opm.gov/Forms/pdf_fill/SF2809.pdf</a>
<b>SF-2810</b>	Notice of Change in Health Benefits Enrollment <a href="http://www.opm.gov/Forms/pdf_fill/sf2810.pdf">http://www.opm.gov/Forms/pdf_fill/sf2810.pdf</a>
<b>SF-2817</b>	Life Insurance Election: FEGLI <a href="http://www.opm.gov/Forms/pdf_fill/SF%202817.pdf">http://www.opm.gov/Forms/pdf_fill/SF%202817.pdf</a>

<b>SF-2819</b>	Notice of Conversion Privilege <i>Federal Employees Group Life Insurance (FEGLI) Program</i> <a href="http://www.opm.gov/forms/pdf_fill/sf2819.pdf">www.opm.gov/forms/pdf_fill/sf2819.pdf</a>
<b>SF-2821</b>	Agency Certification of Insurance Status <i>Federal Employees Group Life Insurance (FEGLI) Program</i> <a href="http://www.opm.gov/forms/pdf_fill/sf2821.pdf">www.opm.gov/forms/pdf_fill/sf2821.pdf</a>
<b>SF-2823</b>	Designation of Beneficiary <i>Federal Employees Group Life Insurance (FEGLI) Program</i> <a href="http://www.opm.gov/forms/pdf_fill/sf2823.pdf">www.opm.gov/forms/pdf_fill/sf2823.pdf</a>
<b>SF-3100</b>	Individual Retirement Record (FERS) <a href="http://www.opm.gov/Forms/pdf_fill/sf3100.pdf">http://www.opm.gov/Forms/pdf_fill/sf3100.pdf</a>
<b>SF-3102</b>	Designation of Beneficiary <i>Federal Employees' Retirement System</i> <a href="http://www.opm.gov/forms/pdf_fill/sf3102.pdf">www.opm.gov/forms/pdf_fill/sf3102.pdf</a>
<b>SF-3104</b>	Application for Death Benefits <i>Federal Employees Retirement System</i> <a href="http://www.opm.gov/Forms/pdf_fill/sf3104.pdf">http://www.opm.gov/Forms/pdf_fill/sf3104.pdf</a>
<b>SF-3104B</b>	Documentation and Elections in Support of Application for Death Benefits when Deceased was an Employee at the time of Death <i>Federal Employees Retirement System (FERS)</i> <a href="http://www.opm.gov/forms/pdf_fill/SF3104B.pdf">www.opm.gov/forms/pdf_fill/SF3104B.pdf</a>
<b>SF-3107-1</b>	Certified Summary of Federal Service – FERS <a href="http://www.opm.gov/Forms/pdf_fill/sf3107.pdf">http://www.opm.gov/Forms/pdf_fill/sf3107.pdf</a>
<b>SF-3108</b>	Application to Make Service Credit Payment (FERS) <a href="http://www.opm.gov/Forms/pdf_fill/SF3108.pdf">http://www.opm.gov/Forms/pdf_fill/SF3108.pdf</a>
<b>SF-3114</b>	Applying for Death Benefits Under FERS Pamphlet <a href="http://www.opm.gov/retire/pubs/pamphlets/forms/sf3114.pdf">http://www.opm.gov/retire/pubs/pamphlets/forms/sf3114.pdf</a>
<b>SF-50</b>	Notification of Personnel Action <a href="http://www.opm.gov/forms/pdfimage/sf50.pdf">www.opm.gov/forms/pdfimage/sf50.pdf</a>
<b>SF-52</b>	Request for Personnel Action <a href="http://contacts.gsa.gov/webforms.nsf/0/FF8878DA9ED6607885256A3E005E55F0/\$file/sf52.pdf">http://contacts.gsa.gov/webforms.nsf/0/FF8878DA9ED6607885256A3E005E55F0/\$file/sf52.pdf</a>
<b>TSP-3</b>	Thrift Savings Plan Designation of Beneficiary <a href="https://www.tsp.gov/PDF/formspubs/tsp-3.pdf">https://www.tsp.gov/PDF/formspubs/tsp-3.pdf</a>
<b>TSP-17</b>	Thrift Savings Plan Information Relating to Deceased Participant <a href="https://www.tsp.gov/PDF/formspubs/tsp-17.pdf">https://www.tsp.gov/PDF/formspubs/tsp-17.pdf</a>
<b>TSP Beneficiaries</b>	Determining Beneficiaries <a href="https://www.tsp.gov/lifeevents/death/beneficiaries.shtml">https://www.tsp.gov/lifeevents/death/beneficiaries.shtml</a>
<b>TSP Booklet</b>	Death Benefits Information for Participants and Beneficiaries <a href="https://www.tsp.gov/PDF/formspubs/tspb31.pdf">https://www.tsp.gov/PDF/formspubs/tspb31.pdf</a>

<b>TSP Notification</b>	Participant Death – Notifying TSP <a href="https://www.tsp.gov/lifeevents/death/notifying.shtml">https://www.tsp.gov/lifeevents/death/notifying.shtml</a>
<b>TSP Payment</b>	Payment of Death Benefits <a href="https://www.tsp.gov/planparticipation/deathbenefits/paymentOfBenefits.shtml">https://www.tsp.gov/planparticipation/deathbenefits/paymentOfBenefits.shtml</a>
<b>TSP-583</b>	Tax Information: Death Benefit Payments <a href="https://www.tsp.gov/PDF/formspubs/tsp-583.pdf">https://www.tsp.gov/PDF/formspubs/tsp-583.pdf</a>
<b>TSP Fact Sheet</b>	Legislative Changes to the Thrift Savings Plan <a href="https://www.tsp.gov/PDF/formspubs/oc09-16.pdf">https://www.tsp.gov/PDF/formspubs/oc09-16.pdf</a>

## Appendix N

### Authorities

#### **§8102 Compensation for disability or death of employee.**

*Under specific criterion for the type of death that occurs in the workplace this authority defines who is not eligible for compensation*

The United States shall pay compensation as specified by this subchapter for the disability or death of an employee resulting from personal injury sustained while in the performance of his duty, unless the injury or death is--

- (1) caused by willful misconduct of the employee;
- (2) caused by the employee's intention to bring about the injury or death of himself or of another; or
- (3) approximately caused by the intoxication of the injured employee.

[www.dol.gov/esa/regs/compliance/owcp/laws/8102.htm](http://www.dol.gov/esa/regs/compliance/owcp/laws/8102.htm)

#### **§8133 Compensation in case of death**

If death results from an injury sustained in the performance of duty, the United States shall pay a monthly compensation equal to a percentage of the monthly pay of the deceased employee in accordance with a schedule which is further defined within the law.

Notwithstanding any funeral and burial expenses paid under section [8134](#), there shall be paid a sum of \$200 to the personal representative of a deceased employee within the meaning of section [8101 \(1\)](#) of this title for reimbursement of the costs of termination of the decedent's status as an employee of the United States.

[www.dol.gov/esa/regs/compliance/owcp/laws/8133.htm](http://www.dol.gov/esa/regs/compliance/owcp/laws/8133.htm)

#### **§8134 Funeral expenses, transportation of body.**

If death results from an injury sustained in the performance of duty, the United States shall pay, to the personal representative of the deceased or otherwise, funeral and burial expenses not to exceed \$800.

[www.dol.gov/esa/regs/compliance/owcp/laws/8134.htm](http://www.dol.gov/esa/regs/compliance/owcp/laws/8134.htm)

#### **Public Law 103-332 Section 312**

This authority provides for payment of up to \$10,000 in reimbursement for burial costs and related out-of-pocket expenses for employees killed in the line of duty in agencies that receive appropriations under a Department of the Interior and Related Agencies Appropriations Act.

[www.washingtonwatchdog.org/documents/usc/ttl5/ptIII/subptG/ch81/subchI/sec8134.html](http://www.washingtonwatchdog.org/documents/usc/ttl5/ptIII/subptG/ch81/subchI/sec8134.html)

**Public Law 104-208 Section 651**

This authority provides for payment of up to \$10,000, when combined with certain other payments, as a death gratuity to the personal representative of an employee who is killed in the line of duty. The total amount paid under the authorities of Public Law 103-332, 5 U.S.C. §8133-§8134 (FECA/OWCP) listed above, and the death gratuity payment, may not be more than \$10,000. The death gratuity payment is not reduced by any other amounts, including other benefits payable under FECA.

[www.opm.gov/asd/pdf/96-109.pdf](http://www.opm.gov/asd/pdf/96-109.pdf)

**Title 5, USC Section 6328**

Authorizes Federal agencies to finance expenses related to firefighters' and law enforcement officers' attendance at the funeral or memorial service of a fellow Federal firefighter or Federal law enforcement officer who was killed in the line of duty.

**Title 31, USC section 1345**

Authorizes Federal agencies to use appropriated funds for travel, transportation, and subsistence when an employee or officer performs an official duty.

**Comptroller General's Decision, volume 70, page 200 (70 Comp. Gen. 200)**

Sets forth that an officially designated representative(s) may be designated and approved in writing to travel to and attend the funeral as official business.

**Public Law 104-208 Section 651.**

Notwithstanding section 8116 of title 5, United States Code, and in addition to any payment made under 5 U.S.C. 8101 et seq., beginning in fiscal year 1997 and thereafter, the head of any department or agency is authorized to pay from appropriations made available to the department or agency a death gratuity to the personal representative (as that term is defined by applicable law) of a civilian employee of that department or agency whose death resulted from an injury sustained in the line of duty on or after August 2, 1990: *Provided*, That payments made pursuant to this section, in combination with the payments made pursuant to sections 8133(f) and 8134(a) of such title 5 and section 312 of Public Law 103-332 (108 Stat. 2537), may not exceed a total of \$10,000 per employee.

<http://www.gpo.gov/fdsys/pkg/PLAW-104publ208/pdf/PLAW-104publ208.pdf>

**Public Law 103-332, 5 U.S.C. §8133-§8134 (FECA/OWCP)**

Availability of Department of the Interior and related agencies appropriations to reimburse representatives of employees killed in line of duty - provided that: "Notwithstanding any other provision of law in fiscal year 1995 and thereafter, appropriations made available to any department or agency in a Department of the Interior and Related Agencies Appropriations Act shall be available to that department or agency to reimburse the representative (as that term is defined by applicable law) of employees killed in the line of duty after January 1, 1994, and in subsequent fiscal years, for burial costs and related out-of-pocket expenses: *Provided*, That the amount of such reimbursement may exceed the \$800 limitation in 5 U.S.C. 8134(a): *Provided* further, That funds provided pursuant to this authority may not exceed \$10,000 per employee."

[http://www.nps.gov/legal/parklaws/3/volume\\_3-02\\_appropriations.pdf](http://www.nps.gov/legal/parklaws/3/volume_3-02_appropriations.pdf)

## Appendix O

### Support Organizations and Resources for Employees

#### **Employee Assistance Program (EAP)**

Employees may call their local/regional Employee Assistance Program contact in the Office of Human Resources for information and assistance.

#### **The International Critical Incident Stress Foundation**

A non-profit organization with critical incident management and support teams in all states with teams specialized in responses to line of duty deaths for law enforcement, rescue, and ambulance personnel. A 24-hour hotline is available that is routed to situation appropriate personnel.

(410)750-9600

Emergency Support 24 hour Hotline: (410) 313-2473

Fax: (410)750-9601

info@icisf.org

[www.icisf.org/hotline.htm](http://www.icisf.org/hotline.htm)

3290 Pine Orchard Lane, Suite 106

Ellicott City, MD 21042

#### **Federal Bureau of Investigation**

Law Enforcement Officer debriefings

(703) 640-1628

Behavior Sciences Unit

FBI Academy

Quantico, VA 22135

#### **National Organization for Victim Assistance**

(202) 232-6682

1757 park Road, NW

Washington, DC 20010

[www.trynova.org](http://www.trynova.org)

#### **National Victim Center**

(703) 276-2880

National Victim Center

2111 Wilson Boulevard, Suite 300

Arlington, VA 22201

[www.ncvc.org/ncvc/Main.aspx](http://www.ncvc.org/ncvc/Main.aspx)

## Appendix P

### Sources of Recognition

#### 1. Law Enforcement Personnel:

##### American Police Hall of Fame

**Categories:** Awards in 19 different areas including bravery, lifesaving, and K-9.  
**Information:** Including award categories, nominations forms, criteria, procedures:  
American Police Hall of Fame  
3801 Biscayne Blvd.  
Miami, Fl. 33137  
[www.apfh.org](http://www.apfh.org)

Reference applicable state law enforcement and fire associations; California example shown below.

##### California Peace Officers Association

**Categories:** Award of Valor, Award of Distinction  
**Eligibility:** Anyone in a law enforcement-related job (sworn or non-sworn) within the organization. Do not have to be a member of CPOA.  
**Information:** Including purpose, nominating process, etc.  
California Peace Officers Association  
1455 Response Road  
Sacramento, CA 95815  
[cpoa@cpoa.org](mailto:cpoa@cpoa.org)  
[www.cpoa.org](http://www.cpoa.org)

##### Federal Law Enforcement Officers Association (FLEOA)

**Heroism Award:** Any Federal, state, or local law enforcement officer whose actions showed such concerns for other that the nominee's safety was placed in jeopardy while providing assistance to the victim of a crime or in apprehension of a suspect.

**Bravery Award:** Recipient can be any Federal, State or local law enforcement officer whose actions showed outstanding courage and valor in a life-threatening situation.

**Investigative Excellence Award (FLEOA Member):** Member in good standing whose action led to arrest of a notorious subject, or prosecution of a significant criminal conspiracy.

**Group Achievement Award:** Groups of three or more officers who together conducted a particularly noteworthy investigation or other law enforcement achievement.

**Information:** FLEOA National Awards Director  
Christine Kusiak  
8459 US 42  
PMB 308  
Florence, KY 41042  
<http://fleoa.org/>

##### International Association of Women Police

**Categories:** Officer of the Year and Medal of Valor  
**Information:** Including submissions, instructions, criteria  
Mylan M. Masson  
Center for Criminal Justice and Law Enforcement  
IAWP Awards Chairperson

1380 Energy Lane, Suite 104  
St. Paul, NM 55108  
massonmy@mctc.mnscu.edu  
[www.iawp.org](http://www.iawp.org)

**National Association of Police Organizations**

**Category:** Top Cops Awards  
**Eligibility:** Must be a sworn law enforcement officer from any Federal, State, county, or local agency within the U.S. Nomination must be submitted by a sworn law enforcement officer through a short essay on why nominee should be considered.  
**Information:** Including forms and additional information:  
Top Cops Awards  
National Association of Police Organizations  
750 First Street, Suite 920  
Washington, DC 20002-4241  
[www.napo.org](http://www.napo.org)

**National Law Enforcement Officers Memorial Fund (NLEOMF)**

**Category:** Officer of the Month. Officers who distinguish themselves through exemplary service and devotion to duty.  
**Eligibility:** Both full and part time law enforcement officers.  
**Information:** NLEOMF  
Attn: Lee Caudle  
605 E Street NW  
Washington, DC 20004  
nominate@nleomf.com  
[www.nleomf.com](http://www.nleomf.com)

**Women in Federal Law Enforcement (WIFLE)**

**Category:** Julie Y. Cross award: Officers who displayed an unusual degree of courage, stamina and willingness to go above and beyond the call of duty, resulting in an exceptional heroic achievement in law enforcement.  
**Eligibility:** All sworn full time law enforcement officers.  
**Information:** WIFLE  
PMB-204 Suite 102  
2200 Wilson Blvd  
Arlington, VA 22201  
[www.wifle.org](http://www.wifle.org)

**Women Peace Officers' Association of California**

**Categories:** Member Merit Award, Award for Professional Achievement/Management, Award for Professional Achievement/Line.  
**Information:** Woman Peace Officers Association  
7355 Dayton Avenue  
Hesperia, CA 92345  
[www.wpoaca.com](http://www.wpoaca.com)

## 2. Other

### **National Fallen Firefighters Foundation**

**Information:** National Fallen Firefighters Foundation  
P.O. Drawer 498  
Emmitsburg, MD 21727  
(301) 447-1365-phone  
(301) 447-1645-fax  
[www.firehero.org](http://www.firehero.org)

### **Wildland Firefighter Foundation**

**Information:** Wildland Firefighter Foundation  
2049 Airport Way  
Boise, ID 83705  
[www.wffoundation.org](http://www.wffoundation.org)

### **Carnegie Hero Fund Commission**

**Category:** Carnegie Metal

**Eligibility:** Any civilian who voluntarily risks his/her own life, knowingly, to an extraordinary degree while saving or attempting to save the life of another person is eligible. Law enforcement, rescue and fire personnel are also eligible if the rescue is clearly beyond the line of duty.

**Information:** Carnegie Hero Fund Commission  
Jeffrey A. Dooley, Investigations Manager  
425 Sixth Ave., Suite 1640  
Pittsburgh, PA 15219-1823  
carnegiehero@carnegiehero.org  
[www.carnegiehero.org](http://www.carnegiehero.org)

### **United States Coast Guard-Life Saving Medal**

**Categories:** Gold and Silver

**Eligibility:** Any persons who rescues or endeavors to rescue any other person from drowning, shipwreck, or other perils of water. If such rescue is made at the risk of one's own life, and extreme and heroic or daring, the medal is Gold. If such rescue or attempted rescue is not sufficiently distinguished to deserve the medal of gold, but evidenced such extraordinary effort as to merit recognition, the medal shall be Silver.

**Information:** Contact Commander of Coast Guard District where incident took place. If unknown or outside of a district contact:  
Commander (G-WPM-3)  
U.S. Coast Guard  
Washington, DC 20593-0001  
[www.uscg.mil](http://www.uscg.mil)

## Appendix Q

### Referenced Agencies, Organizations and Programs

**American Police Hall of Fame and Museum**

[www.aphf.org](http://www.aphf.org)

**Bureau of Justice (BJA or BOJ)**

[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)

**Concerns of Police Survivors, Inc. (COPS)**

[www.nationalcops.org](http://www.nationalcops.org)

**Department of the Interior (DOI)**

[www.doi.gov](http://www.doi.gov)

**Department of Justice (DOJ)**

[www.usdoj.gov](http://www.usdoj.gov)

**Department of Labor**

[www.dol.gov](http://www.dol.gov)

**Department of Labor-Office of Workers' Compensation Program (OWCP)**

[www.dol.gov/esa/owcp\\_org.htm](http://www.dol.gov/esa/owcp_org.htm)

**Department of Veterans Affairs**

[www.vba.va.gov/bln/dependents/index.htm](http://www.vba.va.gov/bln/dependents/index.htm)

**Federal Bureau of Investigation (FBI)**

[www.fbi.gov](http://www.fbi.gov)

**International Association of Chiefs of Police**

[www.iacp.org](http://www.iacp.org)

**International Critical Incident Stress Foundation**

[www.icisf.org](http://www.icisf.org)

**National Law Enforcement Officers Memorial Fund (NLEOMF)**

[www.nleomf.com](http://www.nleomf.com)

**National Organization for Victim Assistance (NOVA)**

[www.trynova.org](http://www.trynova.org)

**National Transportation Safety Board (NTSB)**

[www.nts.gov](http://www.nts.gov)

**National Victim Center (NVC)**

[www.nal.usda.gov/pavnet/cj/cjnatvic.htm](http://www.nal.usda.gov/pavnet/cj/cjnatvic.htm)

**Occupational Safety and Health Administration (OSHA)**  
[www.osha.gov](http://www.osha.gov)

**Office of Personnel Management (OPM)**  
[www.opm.gov](http://www.opm.gov)

**Social Security Administration**  
[www.ssa.gov](http://www.ssa.gov)

## Appendix R. Sample Delegation of Authority (DOA)



### United States Department of the Interior NATIONAL PARK SERVICE

#### *Delegation of Authority*

To: (Name), Incident Commander, XXXX Incident Management Team  
From: (Name), Superintendent, Park/Program  
Subject: Delegation of Authority

The following Delegation of Authority is given to you and your Incident Management Team (IMT) in response to the Line of Duty Death of (Title, Name). This delegation begins on (effective date) at 1700 hours and is valid until rescinded in writing.

Direction and considerations for management of the response to the incident are:

1. Maintain an appropriate level of coverage of emergency services and other park functions, to include maintenance and interpretive services. This level of coverage should be determined through consultation with the (Park) Management Team.
2. Prepare, plan and hold an appropriate memorial service for (Title, Name) using input from family and staff.
3. Coordinate with the Critical Incident Stress Management team to provide support for (park) staff and other individuals (visitors, volunteers and cooperators) directly impacted by the incident.
4. Oversee logistical needs of all assigned resources to include mobilization, lodging, transportation, financial tracking and demobilization.
5. Control costs through efficient management of assigned resources and demobilizing resources that are no longer needed. Utilize local NPS staff and government owned/leased vehicles to the greatest extent possible. The Interagency Incident Business Management Handbook rules will be employed by all resources assigned to this incident.
6. Ensure appropriate work methods are employed by all assigned resources to maintain a safe work environment by employing the principles of Operational Risk Management.

\_\_\_\_\_  
(Name)  
Superintendent, Park/Program

\_\_\_\_\_  
Date