

Installations
INTERMENT ON THE FORT HOOD MILITARY RESERVATION

History. This printing publishes a revision of the regulation. The proponent of the regulation has changed with this revision.

Summary. This regulation governs interment of individuals within the Fort Hood Military Reservation. Interment of remains is generally prohibited. The garrison commander may approve interment under limited exceptions.

Applicability. This regulation applies to requests by persons wishing to inter remains on the Fort Hood Reservation. This regulation is not intended to affect current practices regarding burial at the Comanche National Indian Cemetery.

Proponent. The proponent for this

regulation is the Directorate of Public Works (DPW), Plans and Projects Division, Master Planning and Real Property Branch, Real Property Office, III Corps and Fort Hood.

Army management control process. This regulation does not contain management control provisions.

Supplementation. Local supplementation of this regulation is prohibited except upon approval by AFZF-PW-PPD.

Suggested Improvements. Send comments and suggested improvements to Commander, III Corps and Fort Hood, ATTN: AFZF-PW, Fort Hood, TX 76544-5000.

For the Commander:

STEPHEN M. SPEAKES
Brigadier General, U.S.
Army
Chief of Staff



JOSEPH J. FRAZIER
LTC, SC
DOIM

Distribution.
IAW FH Form 1853: S

Contents

Overview, 1.....	3
Purpose, 1a.....	3
References, 1b.....	3
Abbreviations and Terms, 1c.....	3
Responsibilities, 2.....	3
Garrison Commander, 2a.....	3
Directorate of Public Works (DPW), 2b.....	3

Policy, 3..... 3
 Approval, 3a..... 3
 Repatriation Burials, 3b..... 3
 Religious Practice, 3c..... 4
 Other Applications, 3d..... 4
Maintenance, 4..... 4
 Family, 4a..... 4
 Clearance, 4b..... 4
Expenses and Procedure, 5..... 4
 Interment Expenses, 5a..... 4
 Application Procedures, 5b..... 7

Figures List

5-1. Sample affidavit requesting authority to bury remains on the Fort Hood military reservation..... 6
5-2. Sample affidavit signifying agreement to burial of remains on the Fort Hood military reservation..... 7

Appendix List

A. References..... 8

Glossary..... 9

OVERVIEW

1

Purpose This regulation governs interment of individuals within the Fort Hood military reservation.

 1a

References Appendix A outlines required and related references in this regulation.

 1b

Abbreviations and Terms The glossary defines abbreviations and terms used in this regulation.

 1c

Responsibilities

2

Garrison Commander The garrison commander is the approving authority for interment.

 2a

Directorate of Public Works (DPW) DPW provides staff supervision and coordinating actions.

 2b

POLICY

3

Approval The garrison commander may approve an application for interment if the spouse of the decedent was buried on the reservation prior to 1954.

Approval under this provision is not automatic and subject to case-by-case review.

 3a

Repatriation Burials Native American repatriation burials within the established Comanche National Indian Cemetery are covered by the separate Memorandum of Understanding governing that cemetery.

That understanding is not affected by this regulation.

 3b

Religious Practices Nothing in this regulation prevents the garrison commander from authorizing burial pursuant to Native American religious practice where law or regulation, including the American Indian Religious Freedom Act of 1978 or EO 13007, requires approval. 3c

Other Applications All other applications will be denied. 3d

MAINTENANCE 4

Family As a condition for approval of a burial request, the family must agree to assume responsibility for maintenance of the burial site. 4a

Clearance Individuals desiring access to cemeteries for maintenance or visits must get clearance from Range Control in advance.

Access must not interfere with military training or operations. 4b

EXPENSES AND PROCEDURE 5

Interment Expenses Interment of remains and maintenance of gravesites on the Fort Hood reservation must be at no expense to the government. 5a

Application Procedure Application for burial will be submitted by the decedent's family or representative to the office of the garrison commander.

- Figure 5-1 depicts a sample application .

The application will:

- State the basis under which authorization is sought.
- State the location at which burial is requested.

(continued on next page)

***Application
Procedures
(continued)***

- Indicate that the family of the decedent is willing to assume responsibility for burial and maintenance at no cost to the government.
- Release the government from liability.

The application may be supported by an affidavit from all close living relatives of the deceased expressing agreement with the decision to bury on the Fort Hood Military Reservation.

- Figure 5-2 depicts a sample affidavit.

Upon the garrison commander's approval for interment, DPW will coordinate with:

- DPW Environmental Division Cultural Resource Management Office for land acquisition.
- ACoS, G3, Range Control for access and safety.
- The Provost Marshal's Office for escort of the funeral party to and from the burial site.
- The office of the Staff Judge Advocate for execution of a "hold harmless" agreement with the relatives.

Burials at the Comanche National Indian Cemetery are not subject to the procedural requirements of this regulation.

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Figure 5-1. Sample affidavit requesting authority to bury remains on the Fort Hood military reservation

TO: Garrison Commander, Fort Hood, TX

Under the provisions of Fort Hood Regulation 210-190, I hereby request approval to bury the remains of _____ at _____. I understand that the expenses
(name of deceased) (location of site)
of this burial cannot be borne by the Government.

The basis of this request is (the decedent's spouse was buried on the reservation prior to 1954) (burial at this site is pursuant to Native American religious practice).

I am the (personal representative) (executor) (closest living relative) of the decedent.

In consideration of approval of this application, I agree to waive any claim against the Government that may arise in conjunction with this burial or concerning these remains. I further agree to bear all costs associated with the burial and maintenance of the burial site.

Signed this ____ day of _____, 20____

(signature)

Sworn to and subscribed before me this ____ day of _____, 20__

Notary Public
My commission expires _____

[seal]

sample

(continued on next page)

Figure 5-2. Sample affidavit signifying agreement to burial of remains on the Fort Hood military reservation

TO WHOM IT MAY CONCERN:

I (we) the undersigned are all the close living relatives of _____.
(name of deceased)

I (we) hereby signify my (our) agreement to the burial of the remains of on the Fort Hood military reservation.

In consideration for burial on the Fort Hood Military Reservation I (we) hereby agree to arrange for burial and maintenance of the gravesite at no cost to the Government. I (we) waive any claims against the Government that may arise in conjunction with this burial or concerning these remains.

Signature

Relationship

sample

[attach continuation sheets as necessary]

Sworn to and subscribed before me this ____ day of _____, 20__

Notary Public

My commission expires _____

[seal]

**Appendix A
References**

Section I. Required references.

American Indian Religious Freedom Act of 1978, 42 U.S.C. 1996 et seq., (cited in para. 5)

Executive Order (EO) 13007, 24 May 1996 (cited in para. 5)

Memorandum of Understanding Among the Comanche Tribal Council, the American Indian Resource and Education Coalition, Inc., and the United States Army at Fort Hood on the Use of Federal Land for Reburial of Repatriated Human Remains, signed 25 October 1991 by the Fort Hood Garrison Commander (cited in para. 5)

Section II. Related references.

AR 210-190
Post Cemeteries

AR 200-3
Natural Resources: Land, Forest, and Wildlife Management

AR 200-4
Cultural Resource Management

National Historic Preservation Act of 1966 as amended (NHPA), 16 U.S.C. Sec. 470-470t.

Letter of Agreement, 8 April 1943, between Coryell County and MG A.D. Bruce, Commander, Tank Destroyer Center.

Letter, 21 January 1954, to Fort Worth District Engineer from the Hubbard Cemetery Association.

Section III. Referenced forms

This section *not* used

Glossary

ACofS

Assistant Chief of Staff

AR

Army regulation

DPW

Directorate of Public Works

DOIM

Directorate of Information Management

EO

Executive Order

FH

Fort Hood

IAW

In accordance with

LTC

Lieutenant Colonel

MG

Major General

NHPA

National Historic Preservation Act

Sec

section

TX

Texas

U.S.

United States

U.S.C.

United States Code