

Persons Eligible for Burial in a VA National Cemetery

A. Veterans and Members of the Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard):

- Any member of the Armed Forces of the United States who dies on active duty.
- Any veteran who was discharged under conditions other than dishonorable. With certain exceptions, service after September 7, 1980, must be for a minimum of 24 months or the full period for which the person was called to active duty. Undesirable, bad conduct, and any type of discharge other than honorable may or may not qualify the individual for veterans benefits, depending upon a special determination made by the Adjudication Officer at a VA Regional Office. Cases presenting multiple discharges of varying character are also referred for adjudication to a VA Regional Office.
- Any citizen of the United States who, during any war in which the United States has been or may hereafter be engaged, served in the Armed Forces of any Government allied with the United States during that war, whose last active service terminated honorably by death or otherwise, and who was a citizen of the United States at the time of entry into such service and at the time of death.

B. Members of Reserve Components and Reserve Officers' Training Corps:

- Any member of a reserve component of the Armed Forces, the Army National Guard or Air National Guard, who during a period of active duty for training was disabled or died from a disease or injury incurred or aggravated in the line of duty or during a period of inactive duty training was disabled or died from an injury incurred or aggravated in the line of the duty.
- Members of reserve components who die under honorable conditions while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred while performing active duty for training or inactive duty training, or undergoing such hospitalization or treatment.
- Members of the Reserve Officers' Training Corps of the Army, Navy, or Air Force who die under honorable conditions while attending an authorized training camp or on an authorized cruise, while performing authorized travel to or from that camp or cruise, or while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while engaged in one of those activities.

- All persons, including Reservists and National Guard members with 20 years of qualifying service, who are entitled to retired pay or would be entitled, if at least 60 years of age, under Chapter 67, title 10, U.S. Code. Specific categories of individuals eligible for retired pay are delineated in 1332 of Chapter 67, title 10, U.S. Code.

C. Commissioned Officers, National Oceanic and Atmospheric Administration:

- Any Commissioned Officer of the National Oceanic and Atmospheric Administration (formerly titled the Coast and Geodetic Survey and the Environmental Science Services Administration) with full-time duty on or after July 29, 1945.
- Any Commissioned Officer who served before July 29, 1945, and who; Was assigned to an area of immediate hazard described in the Act of December 3, 1942 (56 Stat. 1038; 33 U. S. C. § 855a), as amended; Served in the Philippine Islands on December 7, 1941; or, Transferred to the Department of the Army or the Department of the Navy under the provisions of the Act of May 22, 1917 (40 Stat. 87; 33 U. S. C. § 855).

D. Public Health Service:

- Any Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who served on full-time duty on or after July 29, 1945. If the service of the particular Public Health Service Officer falls within the meaning of active duty for training, as defined in section 101(22) of title 38, United States Code, he or she must have been disabled or died from a disease or injury incurred or aggravated in the line of duty.
- Any Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who performed full-time duty prior to July 29, 1945:
 - In time of war;
 - On detail for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard; or,
 - While the Service was part of the military forces of the United States pursuant to Executive Order of the President.
- Any Commissioned Officer serving on inactive duty training as defined in section 101(23) of title 38, United States Code, whose death resulted from an injury incurred or aggravated in the line of duty.

E. World War II Merchant Marine:

- All American merchant seamen who were in active oceangoing service at any time during the period from December 7, 1941, to August 15, 1945, are eligible

to receive discharge certificates. Apply to Commandant (G- MVP-6), United States Coast Guard, 2100 2nd Street, SW, Washington, DC 20593. Upon successful application, an individual will be issued a Department of Defense Form 214 (DD 214) which may establish eligibility for veterans benefits including burial in a national cemetery (Public Law 95-202).

F. Spouses and Dependents:

- The spouse of an eligible person, even if that person is not buried or memorialized in a national cemetery, is eligible for interment in a national cemetery. In addition, the spouse of a member of the Armed Forces of the United States lost or buried at sea or officially determined to be permanently absent in a status of missing or missing in action or whose remains have been donated to science or cremated and the ashes scattered is also eligible.
- The surviving spouse of an eligible decedent who remarries a nonveteran and whose remarriage is void, terminated by death, or dissolved by annulment or divorce is eligible for burial in a national cemetery (Public Law 103-446). The surviving spouse of an eligible decedent who remarries an eligible person retains his or her eligibility for burial in a national cemetery. The minor children of an eligible person are eligible. For purpose of burial in a national cemetery, a minor child is a person who is unmarried and meets either of the two additional criteria listed below.
- Who is under the age of 21 years; or,
- Who, after attaining the age of 21 years and until completion of education or training (but not after attaining the age of 23 years), is pursuing a course of instruction at an approved educational institution.
- Also, eligible are the unmarried adult children of an eligible person, if they become permanently incapable of self-support because of a physical or mental disability incurred before attaining the age of 21 years.

G. Others:

- Such other persons or classes of persons as designated by the Secretary of Veterans Affairs (38 U. S. C. 2402(6)) or the Secretary of the Air Force (Public Law 95-202, 401).

Gary D. Moore
5161 Howard Road
Smiths Creek MI 48074-2023
USA

Update: June 6, 2012