**https://www.va.gov/burials-memorials/eligibility/**

**Word count: 1,988**

**Eligibility for burial in a VA national cemetery**

Meta: Find out if you or a loved one qualify for burial in a VA national cemetery and for other burial honors. Review VA burial benefits eligibility requirements for Veterans, service members, spouses, and dependents.

Veterans, service members, and some family members may be eligible for burial in a VA national cemetery. Find out if you, or a person you’re planning a burial for, can get this benefit.

**Who’s eligible for burial in a VA national cemetery?**

Veterans, service members, spouses, and dependents may be eligible for burial in a VA national cemetery, as well as other benefits, if they meet one of these requirements.

**One of these must be true:**

* The person qualifying for burial benefits is a Veteran who didn’t receive a dishonorable discharge, **or**
* The person qualifying for burial benefits is a service member who died while on active duty, active duty for training, or inactive duty for training, **or**
* The person qualifying for burial benefits is the spouse or surviving spouse of a Veteran (even if they remarried after the Veteran’s death), **or**
* The person qualifying for burial benefits is the minor child of a Veteran (even if the Veteran died first) or, in some cases, the unmarried adult dependent child of a Veteran

**Eligibility information for specific groups**

**U.S. citizens who served in the Armed Forces of any government allied with the United States during a war**

A U.S. citizen who served in the Armed Forces of a U.S. ally during wartime may be eligible if they meet both of these requirements.

**Both of these must be true:**

* The service member ended their last active service honorably by death or otherwise, **and**
* The service member was a U.S. citizen at the time they entered their last active service and at the time of their death

**Members of Reserve components or the Reserve Officers’ Training Corps**

**National Guard and Reserve members**

A National Guard or Reserve member may be eligible if they meet any of these requirements.

**At least one of these must be true:**

* The National Guard or Reserve member met their legal minimum active-duty service requirements, was called up to active duty and served their full term of service, and didn’t receive a dishonorable discharge, **or**
* The National Guard or Reserve member was entitled to retirement pay at their time of death, or would have been entitled to retirement pay if they weren’t under 60 years of age at the time of death, **or**
* The National Guard or Reserve member died while hospitalized or getting treatment at the expense of the U.S. for an injury or illness that occurred while they were performing active-duty services for training or inactive-duty training under honorable conditions, **or**
* The National Guard or Reserve member became disabled or died from a disease or injury caused—or made worse—by their service during a period of active duty for training, **or**
* The National Guard or Reserve member became disabled or died from an injury or certain cardiovascular disorders caused—or made worse—by their service during a period of inactive-duty training

**Members of the Reserve Officers’ Training Corps of the Army, Navy, or Air Force**

A member of the Reserve Officers’ Training Corps may be eligible if they meet any of these requirements.

**One of these must be true:**

* The officer died under honorable conditions while attending an authorized training camp or on an authorized cruise, **or**
* The officer died under honorable conditions while performing authorized travel to or from a training camp or cruise, **or**
* The officer died under honorable conditions while hospitalized or getting treatment at the expense of the United States for an injury or illness that occurred while they were attending or traveling to a training camp or cruise under honorable conditions

**Commissioned officers of the National Oceanic and Atmospheric Administration**

A commissioned officer of the National Oceanic and Atmospheric Administration may be eligible if they meet any of these requirements.

**At least one of these must be true:**

* The officer served on full-time duty on or after July 29, 1945, **or**
* The officer served before July 29, 1945, and was assigned to an area of immediate military hazard (as determined by the secretary of defense while in time of war or by a national emergency as declared by the president), **or**
* The officer served in the Philippine Islands on December 7, 1941, and continued to serve there until their death

**Commissioned officers of the Public Health Service**

A commissioned officer of the Public Health Service may be eligible if they meet at least one of these requirements.

**One of these must be true:**

**The officer served on full-time duty on or after July 29, 1945.** If their service was considered active duty for training, they must have become disabled or died from a disease or injury caused or made worse by their service.

**The officer performed full-time duty prior to July 29, 1945:**

* In time of war, **or**
* On detail for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard, **or**
* While a part of the military forces of the United States by executive order of the president

**The officer served on inactive-duty training,** and their death resulted from an injury caused or made worse by their service.

**World War II Merchant Mariners**

A WWII Merchant Mariner may be eligible if they meet at least one of these requirements.

**One of these must be true:**

* The Merchant Mariner had oceangoing service during the period of armed conflict from December 7, 1941, to December 31, 1945, **or**
* The Merchant Mariner had oceangoing service during the period of armed conflict from December 7, 1941, to December 31, 1946, and died after November 11, 1998, **or**
* The Merchant Mariner served on blockships in support of Operation Mulberry during World War II

**To get a DD214 documenting this service, mail an application to:**

Commandant (G-MVP-6)  
United States Coast Guard  
2100 2nd Street, SW  
Washington, DC 20593

**Philippine Armed Forces Veterans**

A Philippine Armed Forces Veteran may be eligible if they meet these requirements.

**Both of these must be true:**

* The Philippine Veteran was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States at the time of their death, **and**
* The Philippine Veteran was residing in the United States at the time of their death

**And one of these must be true:**

* The Philippine Veteran served before July 1, 1946, in the Philippine military (including recognized guerrilla forces), while these forces were in the service of the Armed Forces of the United States, and died on or after November 1, 2000, **or**
* The Philippine Veteran enlisted between October 6, 1945, and June 30, 1947, with the Armed Forces of the United States with the consent of the Philippine government, and died on or after December 16, 2003

**Hmong Veterans**

A Hmong Veteran may be eligible if they meet all of these requirements.

**All of these must be true:**

* The Hmong Veteran died on or after March 23, 2018, **and**
* The Hmong Veteran resided in the U.S. at the time of death, **and**
* The Hmong Veteran was naturalized under Section 2(1) of the Hmong Veterans’ Naturalization Act of 2000 (also called the 2000 Act)

**What burial benefits do Hmong Veterans qualify for?**

Hmong Veterans are eligible for burial in a national or private cemetery. They’re also eligible for a headstone or marker, but not for other memorial items (like a burial flag or Presidential Memorial Certificate) or for military funeral honors (like the playing of “Taps”).

**Spouses and surviving spouses of Hmong Veterans aren’t eligible** for interment or any other burial benefits, even if they were naturalized under the 2000 Act.

**What’s Public Law 115-141?**

Public Law 115-141 allows eligible Hmong Veterans to be buried in a national cemetery. Be sure to refer to it when requesting burial benefits.

**When you call the National Cemetery Scheduling Office in your time of need,** tell the scheduler you’re requesting interment under PL115-141.

**When you’re filling out an Application for Pre-need Determination of Eligibility for Burial in a VA National Cemetery** (VA Form 40-10007), write “PL115-141” in Block 5. Write the Certification of Naturalization Registration “A” number in Block 6, and select Other in Block **13.**  
[Learn more about pre-need eligibility for burial in a VA cemetery (in English)](https://www.va.gov/burials-memorials/pre-need-eligibility/)

**When you're filling out a Claim for Standard Government Headstone or** Marker (VA Form 40-1330) for burial in a private cemetery, write “PL115-141” and the Certification of Naturalization Registration “A” number in Block 33.  
[Learn more about applying for Veterans headstones and markers (in English)](https://www.va.gov/burials-memorials/memorial-items/headstones-markers-medallions/)

**Specific groups that aren’t eligible**

**Certain family members**

These family members aren’t eligible:

* A former spouse who isn’t also a Veteran whose marriage to an eligible Veteran or service member ended by annulment or divorce
* Family members of a Veteran convicted of subversive activities (unless the Veteran receives a pardon from the President of the United States)
* Other family members who don’t meet the eligibility requirements

**People who were drafted but never entered military service**

People aren’t eligible if they were ordered to report to an induction station, but were discharged at that point and never actually entered military service.

**Veterans with a certain character of discharge**

Veterans aren’t eligible if they:

* Separated from the Armed Forces under dishonorable conditions, **or**
* Have a character of service that disqualifies them

A VA regional office determines eligibility in cases where the Veteran has:

* An undesirable, bad conduct, and any other type of discharge other than honorable, **or**
* Multiple discharges of varying character

**Veterans found guilty of a capital crime**

Veterans aren’t eligible if:

* They’ve been convicted of a federal or state capital crime and may receive a sentence of imprisonment for life or the death penalty—and the conviction is final, **or**
* Clear and convincing evidence shows that they’ve committed a federal or state capital crime, but they couldn’t have a trial due to flight to avoid prosecution or death

These Veterans also don’t qualify for a Presidential Memorial Certificate, burial flag, headstone, or marker.

**Veterans convicted of certain sex offenses**

Veterans aren’t eligible if they were convicted of a Tier III sex offense and sentenced to a minimum of life imprisonment—and the conviction is final.

These Veterans also don’t qualify for a Presidential Memorial Certificate, burial flag, headstone, or marker.

**Veterans convicted of subversive activities**

Veterans aren’t eligible if they were convicted of subversive activities after September 1, 1959, unless they’ve received a pardon from the President of the United States.

**What should I do if I received an other than honorable, bad conduct, or dishonorable discharge?**

If you’ve received one of these discharge statuses, you may not be eligible for VA benefits.

There are 2 ways you can try to qualify:

[Find out how to apply for a discharge upgrade](https://www.va.gov/discharge-upgrade-instructions/) (in English)  
[Learn about the VA Character of Discharge review process](https://www.va.gov/discharge-upgrade-instructions/#other-options) (in English)

**More about VA burial benefits and planning**

[Can I be buried in Arlington National Cemetery?](https://www.va.gov/resources/can-i-be-buried-in-arlington-national-cemetery) (in English)

[What does burial in a VA national cemetery include?](https://www.va.gov/resources/what-does-burial-in-a-va-national-cemetery-include) (in English)

[Can I plan ahead for my burial in a VA national cemetery?](https://www.va.gov/resources/can-i-plan-ahead-for-my-burial-in-a-va-national-cemetery) (in English)

**Other VA benefits for survivors**

* [**VA dependency and indemnity compensation (DIC)**](https://www.va.gov/disability/dependency-indemnity-compensation)

Learn about getting VA disability benefits for a surviving spouse or a dependent child or parent.

* [**How to apply for a Veterans burial allowance**](https://www.va.gov/burials-memorials/veterans-burial-allowance)(in English)

Learn how to apply for a burial allowance to help pay for a Veteran's funeral services, burial, and transportation costs.

* [**VA Survivors Pension**](https://www.va.gov/pension/survivors-pension)(in English)

Find out if you’re eligible and how to apply for VA pension benefits as a surviving spouse or child of a deceased Veteran with wartime service.

* [**Health care for spouses, dependents, and family caregivers**](https://www.va.gov/health-care/family-caregiver-benefits)(in English)

Check if you qualify for VA medical benefits as a spouse, surviving spouse, dependent child, or caregiver.

* [**VA education benefits for survivors and dependents**](https://www.va.gov/education/survivor-dependent-benefits)(in English)

Find out if you're eligible for Veteran dependent or survivor education benefits through a GI Bill program.

* [**VA home loan programs for surviving spouses**](https://www.va.gov/housing-assistance/home-loans/surviving-spouse)(in English)

Find out if you're eligible and how to apply for a VA home loan COE as the surviving spouse of a Veteran or the spouse of a Veteran who's missing in action or being held as a prisoner of war.