

# What to do Before A Veteran Dies

*A guide to pre-planning*



THE AMERICAN LEGION



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## What to do Before a Veteran Dies

One of the eventualities in life, but one that the spouses and families of veterans must face, is the death of the veteran. To help ease the burdens on a deceased veteran's family certain preparations can be made by the veteran in advance.

### ***Important Records***

The first step is make certain the family has easy access to important documents:

The veteran's discharge certificate (*DD form 214*),  
VA documents if any, indicating a VA claim  
number (*after June 1974 the veteran's social security  
number is assigned as the claim number*),

A copy of all marriage certificates and divorce  
decrees (*if any*),

Family insurance policies and any VA insurance  
policies including beneficiary designation,

A copy of the family will (*not required for  
VA benefits*),

Location of safety deposit boxes (*not required  
by VA*)

Address and phone number of local American  
Legion Service Officer



## VA Burial and Memorial Benefits

The veteran who dies while on active duty or under conditions other than dishonorable is entitled by law, at a minimum, to the following:

### Burial in a National Cemetery

A standard Government headstone or ground plaque

A Government issued United States Flag to drape the casket, which is then presented to the surviving spouse or next-of-kin at the interment ceremony.

A Presidential Memorial Certificate signed by the President of the United States

### **Burial in a VA National Cemetery**

Every veteran and member of the Selected Reserves who is entitled to retired pay is entitled to burial in a national cemetery as long as space is available and the following conditions are met:

Veteran was discharged under conditions other than dishonorable,

Veteran was not subsequently convicted of a capital crime. For claims filed after December 16, 2003, conviction for offenses involving prohibited weapons of mass destruction, genocide and international terrorism is a bar to benefits.

With certain exceptions, service beginning after September 7, 1980, as an enlisted person and service after October 16, 1981 as an officer must have served for a minimum of 24 months or the full period for which the person was called to active duty.

For a full description of eligibility requirements visit: [www.cem.va.gov/elegible](http://www.cem.va.gov/elegible)

Burial benefits in a VA national cemetery include the gravesite, a headstone or marker, opening and closing of the grave, and perpetual care. Many national cemeteries have columbaria or gravesites for cremated remains. Gravesites in national cemeteries cannot be reserved. Many national cemeteries are closed to new casket interments. Funeral directors or others making burial arrangements must apply at the time of death.

Spouses and minor children of eligible veterans and of service members may also be buried in a national cemetery. If a surviving spouse of an eligible veteran marries a nonveteran, and remarriage was terminated by death or divorce of the nonveteran, the spouse is subsequently eligible for burial in a national cemetery.

Please visit the National Cemetery Administration web site at [www.cem.va.gov](http://www.cem.va.gov) for a complete listing of all national cemeteries and state veterans' cemeteries. You may also send your questions on burial benefits eligibility directly to VA at [www.public.inquiry@mail.va.gov](mailto:www.public.inquiry@mail.va.gov).

### **Headstones and Markers**

VA provides headstones and markers anywhere in the world for the unmarked graves of veterans who died before September 11, 2001. For the marked graves of veterans who died on or after September 11, 2001, double marking is authorized. Flat bronze, flat granite, flat marble, upright granite and upright marble type are available to mark the grave in a style consistent with the cemetery. Niche markers are also available for urns.

When burial is in a national cemetery or state veterans' cemetery, the headstone is ordered by the cemetery, which will place it on the grave. When burial occurs in a private cemetery the headstone must be applied for from VA. The headstone is shipped at government expense. VA does not pay the cost of placing the headstone on the grave. The cost is borne by the veteran's family or other party. These charges may be included in many prepaid funeral packages. VA Form 40-1330 (application for headstone) can be obtained from most funeral home directors, through veterans service officers, or through VA. This form may also be downloaded and printed out by visiting <http://www.cem.va.gov/hm.htm>. (Adobe Acrobat Reader required).

New VA rules allow for custom inscriptions up to the space available on headstones. Belief symbols such as Christian Crosses, Stars of David, Islamic Crescents and others are available; however, VA has severely limited other graphics such as logos, military decorations, Veterans Service Organization emblems and fraternal organization marks. The best way to assure that you get the desired stone or plaque is by obtaining and filling out VA Form 40-1330, Application for Standard Government Headstone or Marker for Installation in a Private or State Veterans' Cemetery and filing it with other vital documents. When a spouse or child is buried in the same grave as a veteran, VA will send out a contractor to inscribe the reverse side of the headstone. Twenty-year reservists generally are eligible for a headstone or marker.

Specific steps must be taken for authorization from The American Legion to affix an American Legion emblem onto the headstone.

### **Burial Flags**

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. Eligibility for Former Members of Selected Reserve were added by Section 517 of Public Law 105-261.

The flag will be issued once only for burial purposes and will not be replaced if lost, stolen, damaged or destroyed. National Cemeteries with Avenues of Flags and many State Veterans Cemeteries accept donations of burial flags for mass display on Memorial Day, Veterans Day and certain other occasions. The standard issue burial flag is made of cotton and will not withstand continuous outdoor display. Burial flags may be obtained at VA regional offices, national cemeteries and most local post offices. Overseas, American flags can be obtained from U.S. Embassies or U.S. Consulates.

### **Reimbursement of Burial Expenses**

For service-connected deaths, VA will pay up to \$1,500 toward burial expenses for deaths prior to September 10, 2001. For service-connected deaths on or after September 11, 2001, VA will pay \$2,000. If the veteran is buried in a VA national cemetery, some or all of the cost of moving the deceased may be reimbursed.

For the non-service-related death of a veteran who was receiving service-connected compensation or non-service connected pension or who was entitled to receive VA pension or compensation but decided not to reduce his/her military retirement or disability pay or died in a VA hospital or while in a nursing home under VA contract, or while in an approved state nursing home, VA will pay up to \$300 toward burial and funeral expenses, and a \$150 plot interment allowance for deaths prior to December 1, 2001. The plot-interment allowance is \$300 for deaths on or after December 1, 2001. If the death happened while the veteran was in a VA hospital or under contracted nursing home care, some or all of the costs for transporting the deceased's remains may be reimbursed.

The \$150 plot allowance may be paid to the state if a veteran is buried without charge for the cost of a plot or interment in a state-owned cemetery reserved solely for veteran burials. Burial expenses paid by the deceased's employer or a state agency will not be reimbursed.

### **Presidential Memorial Certificates**

Presidential Memorial Certificates express the nation's recognition of a veteran's service. Certificates bearing the signature of the President are issued honoring deceased veterans with honorable discharges. Eligible recipients include next of kin and other loved ones. The award of a certificate to one eligible recipient does not preclude certificates to other eligible recipients. The veteran may have died at any time. To establish honorable service, a

copy of a document such as a discharge (form DD-214) must accompany requests for a certificate. A Presidential Memorial Certificate is issued automatically when a headstone or grave marker is issued. If the Certificate is lost, stolen or destroyed a new one may be issued if requested in writing. VA regional offices can assist in applying for original or replacement certificates.

### **Arlington National Cemetery**

Arlington National Cemetery is under the jurisdiction of the Army. Eligibility for burials is more limited than at other national cemeteries. For information on Arlington burials, write to Superintendent, Arlington National Cemetery, Arlington, VA 22211, or call 703-695-3250. You can also visit Arlington National Cemetery's web site at [www.arlingtoncemetery.org](http://www.arlingtoncemetery.org).

### **Military Funeral Honors**

As of January 1, 2000 all eligible veterans, to include military retirees, are entitled to military funeral honors. At a minimum, the funeral honors ceremony will consist of the folding and presentation of the American flag and the playing of Taps. At least two uniformed military personnel, in addition to a bugler, if available, shall perform the ceremony. If a bugler is not available, a high-quality compact disk may be used. The Department of Defense has contracted for a ceremonial bugle that does not require a trained bugler. For information on this item, visit [www.ceremonialbugle.com](http://www.ceremonialbugle.com). One of the uniformed military personnel will be from the deceased veteran's parent military service and will present the flag to the next of kin.

The Military Services may provide additional elements of honors and may use additional uniformed military personnel or other authorized providers, such as members of a veteran's organization, to augment the Funeral Honors Detail.

The next of kin or appropriate individual must request the funeral honors, they are not provided automatically. Department of Defense policy calls for the funeral directors, rather than the next of kin, to contact the military. This toll-free number 1-877-MIL-HONR (645-4667) has been set up for funeral directors to coordinate the ceremonies. The Department of Defense has established a web site [www.militaryfuneralhonors.osd.mil](http://www.militaryfuneralhonors.osd.mil) that explains the funeral honors process.

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