

National Cemetery Burial Act Now to Preserve Your Rights



607 N McCarty Ave
Eagle Lake, TX 77434

(979) 234-2011
eaglelakefuneral.com

Arlington Cemetery in Washington DC is nearing capacity, prompting plans to limit burials and interments. This is due to surrounding land development, and similar restrictions are being considered for other National Cemeteries.

Several of the 135 cemeteries managed by the Department of Veterans Affairs are approaching full capacity. Following Arlington National Cemetery's example, some are resorting to burying family members on top of each other and compacting cremated remains into tighter spaces.

Currently, Arlington burial plots are available to various categories, including retirees, wounded veterans, prisoners of war, active-duty deaths, select government officials, and their families. As space dwindles, these eligibility criteria are under review, mirroring similar scrutiny for other National Cemeteries.



Veterans and their families should promptly decide on their preferred National Cemetery for burial and submit their applications without delay. Remaining spaces will be allocated on a first-come, first-served basis, with no restrictions on early applications.

Please be aware that reserving early does not ensure a specific National Cemetery or gravesite. Assignments are made upon official notification of the eligible person's death. However, early application guarantees a gravesite at a National Cemetery. Since the VA prioritizes assigning a cemetery close to the deceased veteran's home, there's no reason to delay applying.

How The Process Works

To apply for pre-need determination, veterans must fill out and submit VA Form 40-10007 - Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery, along with required documents like a DD Form 214.



Submit the documents to the VA National Cemetery Scheduling Office via:

- **Toll-free fax at 855-840-8299**
- **Email digital documents to Eligibility.PreNeed@va.gov**
- **Mail copies to the National Cemetery Scheduling Office at P.O. Box 510543, St. Louis, MO 63151.**

While applicants can express a preference for a VA national cemetery, a pre-need determination of eligibility doesn't guarantee burial at a specific VA national cemetery or

gravesite. VA assigns gravesites in cemeteries with available space upon death and scheduling of burial.

What To Expect After Applying

VA will review pre-need burial applications and issue a determination of eligibility (a decision letter). The information will be electronically stored for future reference and to streamline burial claim processing when needed.

Save copies of all submitted documents and the received decision letter. Communicate with loved ones or estate planners about the location of these documents and the preference for burial in a VA national cemetery.

When burial arrangements are required, the next-of-kin, funeral home, or designated representative should contact the National Cemetery Scheduling Office at 800-535-1117 to request burial.



Who Is Eligible?

Various forms of public service qualify individuals for burial privileges in a national cemetery. Eligible persons include:

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 honorably discharged. For service after September 7, 1980, a minimum of 24 months or the full period for which called to active duty is required, with exceptions. Eligibility for veterans benefits may depend on a special determination by the Adjudication Officer at a VA Regional Office. Cases with multiple discharges of varying character are referred for adjudication to a VA Regional Office.
- Any U.S. citizen who served in the Armed Forces of any Government allied with the United States during any war, whose last active service terminated honorably, and who was a U.S. citizen 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, including the Army National Guard or Air National Guard, who becomes disabled or dies during

active duty training due to an injury or disease incurred or aggravated in the line of duty, or during inactive duty training due to an injury incurred or aggravated in the line of duty.

- Members of reserve components who die under honorable conditions while hospitalized or receiving treatment at the expense of the United States for injury or disease contracted or incurred during active duty training or inactive duty training, or while 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, on an authorized cruise, during 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 during one of those activities.
- All individuals, including Reservists and National Guard members with 20 years of qualifying service, eligible for retired pay under Chapter 67, Title 10, U.S. Code, or who would be eligible if at least 60 years old. Specific categories of individuals eligible for retired pay are outlined 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 known as the Coast and Geodetic Survey and the Environmental Science Services Administration) serving full-time duty on or after July 29, 1945.
- Any Commissioned Officer who served before July 29, 1945, and either:
 - Was assigned to an area of immediate hazard as 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.
 - 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 serving full-time duty on or after July 29, 1945. If classified under active duty for training as defined in section 101(22) of title 38, United States Code, the officer must have incurred or aggravated a disease or injury in the line of duty to qualify.

- Any Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who performed full-time duty before July 29, 1945:
 - During wartime,
 - While detailed for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard.
 - When the Service was part of the military forces of the United States under the President's Executive Order.
- Any Commissioned Officer serving 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 serving in active oceangoing duty between December 7, 1941, and August 15, 1945, are eligible for discharge certificates. Apply to Commandant (G- MVP-6), United States Coast Guard, 2100 2nd Street, SW, Washington, DC 20593. Upon approval, an individual will receive a Department of Defense Form 214 (DD 214), potentially establishing eligibility for Veterans benefits, including burial in a national cemetery (Public Law 95-202).



F. Spouses and Dependents:

- The spouse of an eligible person is eligible for interment in a national cemetery, regardless of whether the eligible person is buried there.
- Additionally, the spouse of a member of the Armed Forces lost at sea, missing in action, or whose remains have been donated to science or cremated and scattered, is eligible.
- A surviving spouse who remarries a nonveteran and later becomes eligible due to void, terminated, or dissolved remarriage is eligible for burial (Public Law 103-446).
- A surviving spouse who remarries an eligible person retains eligibility for burial.
- Minor children of an eligible person are eligible for burial in a national cemetery if:
 - Under 21 years of age.
 - Pursuing education or training until age 23.
- Unmarried adult children with a disability incurred before age 21 and rendering them permanently incapable of self-support are also eligible.

G. Others:

- Persons or classes 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).

For a comprehensive list of National Cemeteries, along with links to forms and full pre-need application details, visit <https://www.cem.va.gov/pre-need/>.

Note: The VA currently does not accept emailed or online applications; you must download, print, complete, and mail VA Form 40-10007.

It's straightforward. Once you start, a representative will guide you through to complete the application.

Understanding your veteran's eligible benefits ensures they receive a burial that fully honors their service to the country.