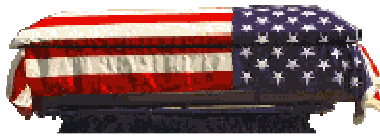


What to do when a Veteran Passes Away



This is some good information you may want to print it out and put in a safe place for your spouse or family members. Over the weekend I received a call from the wife of an MRFA member who's husband, a Retired Navy Captain, had passed away. The widow was in the dark on what she should do with the Veterans Administration and Social Security Administration. The information below will give you some insight on what your loved ones should do in case of your passing. This is something that we all never want to think about, but it is a reality. We need to have all our paper work in order for our loved ones.

This information was put together by MRFA board member Paul Kasper.

Albert Moore, President

Contact the Funeral Director of your choice to arrange for interment. If the burial is at a military Cemetery, request a Military Funeral and Honor Guard from the National Cemetery or local VFW, DAV, VVA or American Legion group. You may also contact the military recruiter in your area and they may be able to assist you in locating people to assist.

Contact your church to arrange for the services if you desire. Bring to the Funeral Director, a copy of the Veteran's discharge, separation notice or DD-214, VA Claim Number, if known, and Veteran's Social Security Number. If the Veteran was a member of any military group or unit association they will also assist you at this time.

The Funeral Director will apply for any burial entitlements from the Department of Veterans Affairs toward burial expenses and also the allowance from Social Security for burial. The Funeral Director will also apply for the flag to drape the casket. If the Veteran is a member of the Veterans of Foreign Wars, the Post Commander should be contacted for the Ritual Service, firing squad, if any and

casket bearers if needed. If the Veteran had G.I. Insurance contact the County Veterans Service Officer for assistance in completing the forms. If it is commercial insurance contact an agent of the company that insured the Veteran. The spouse should contact the Social Security Office to file for benefits that may be available for self and for the children.

The Social Security Administration has a toll-free number that operates from 7AM to 7PM - Monday to Friday: 1-800-772-1213.

The County Veterans Service Officer can assist or you can call the Veterans Administration at: 1-800-827-1000. They will assist the spouse and children in obtaining any benefits to which they may be entitled to such as, survivors death benefits from the Department of Veterans Affairs and headstone if burial is in a private cemetery. Bring to the County Veterans Service Officer the following information when applying for benefits:

1. Certified copy of the deceased Veterans service record (discharge).
2. The Department of Veterans Affairs Claim Number if there is one.
3. Social Security numbers of the deceased Veteran, spouse and dependent children.
4. G.I. Insurance policies, if any.
5. Certified copies of marriage license, birth certificates of children and, if any, prior marriages existed, the information regarding when, where, and how dissolved (death or divorce).
6. Certified copy of death certificate of Veteran.

Department of Veterans Affairs (VA) national cemetery directors have the primary responsibility for verifying eligibility for burial in VA national cemeteries. A determination of eligibility is usually made in response to a request for burial in a VA national cemetery.

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

- (1) Any member of the Armed Forces of the United States who dies on active duty.
- (2) Any veteran who was discharged under conditions other than dishonorable. With certain exceptions, service beginning after September 7, 1980, as an enlisted

person, and service after October 16, 1981, as an officer, must be for a minimum of 24 months or the full period for which the person was called to active duty. (Examples include those serving less than 24 months in the Gulf War or Reservists that were federalized by Presidential Act.) Undesirable, bad conduct, and any other type of discharge other than honorable may or may not qualify the individual for veterans benefits, depending upon a determination made by a VA Regional Office. Cases presenting multiple discharges of varying character are also referred for adjudication to a VA Regional Office.

(3) 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 was 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

(1) Reservists and National Guard members who, at time of death, were entitled to retired pay under Chapter 1223, title 10, United States Code, or would have been entitled, but for being under the age of 60. Specific categories of individuals eligible for retired pay are delineated in section 12731 of Chapter 1223, title 10, United States Code.

(2) Members of reserve components who die while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while performing active duty for training or inactive duty training, or undergoing such hospitalization or treatment.

(3) 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.

(4) Members of reserve components who, during a period of active duty for training, were disabled or died from a disease or injury incurred or aggravated in line of duty or, during a period of inactive duty training, were disabled or died from an injury incurred or aggravated in line of duty.

c. Commissioned Officers, National Oceanic and Atmospheric Administration

(1) A 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.

(2) A Commissioned Officer who served before July 29, 1945, and;

(a) Was assigned to an area of immediate military hazard while in time of war, or of a Presidentially declared national emergency as determined by the Secretary of Defense;

(b) Served in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter; or,

(c) 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

(1) A 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), 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.

(2) A Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who performed full-time duty prior to July 29, 1945:

(a) In time of war;

(b) On detail for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard; or,

(c) While the Service was part of the military forces of the United States pursuant to Executive Order of the President.

(3) A Commissioned Officer serving on inactive duty training as defined in section 101(23), title 38, United States Code, whose death resulted from an injury incurred or aggravated in the line of duty.

e. World War II Merchant Mariners

(1) United States Merchant Mariners with oceangoing service during the period of armed conflict, December 7, 1941, to December 31, 1946. Prior to the enactment of Public Law 105-368, United States Merchant Mariners with oceangoing service during the period of armed conflict of December 7, 1941, to August 15, 1945, were eligible. With enactment of Public Law 105-368, the service period is extended to December 31, 1946, for those dying on or after November 11, 1998. A DD-214 documenting this service may be obtained by submitting an application to Commandant (G-MVP-6), United States Coast Guard, 2100 2nd Street, SW,

Washington, DC 20593. Notwithstanding, the Mariner's death must have occurred after the enactment of Public Law 105-368 and the interment not violate the applicable restrictions while meeting the requirements held therein.

(2) United States Merchant Mariners who served on blockships in support of Operation Mulberry during World War II.

f. Spouses and Dependents

(1) The spouse or un-remarried surviving 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 for burial.

(2) The surviving spouse of an eligible decedent who remarries an ineligible individual and whose remarriage is void, terminated by the ineligible individual's death, or dissolved by annulment or divorce is eligible for burial in a national cemetery. The surviving spouse of an eligible decedent who remarries an eligible person retains his or her eligibility for burial in a national cemetery.

(3) The minor children of an eligible person. For purpose of burial in a national cemetery, a minor child is a person who is unmarried and:

(a) Who is under the age of 21 years; or,

(b) Who is under 23 years of age and pursuing a course of instruction at an approved educational institution.

(4) An unmarried adult child of an eligible person if the child is physically or mentally disabled and incapable of self-support before reaching the age of 21 years. Proper supportive documentation must be provided.

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), or (38 CFR § 3.7(x)).

Persons NOT Eligible for Burial in a VA National Cemetery

a. Remarried Surviving Spouses Married to a Non-veteran

A surviving spouse of an eligible decedent who marries an ineligible individual and predeceases that individual.

b. Former Spouses

A former spouse of an eligible individual whose marriage to that individual has been terminated by annulment or divorce, if not otherwise eligible.

c. Other Family Members

Family members of an eligible person except those defined as eligible in paragraph f, above.

d. Disqualifying Characters of Discharge

A person whose only separation from the Armed Forces was under dishonorable conditions or whose character of service results in a bar to veterans benefits.

e. Discharge from Draft

A person who was ordered to report to an induction station, but was not actually inducted into military service.

f. Person Found Guilty of a Capital Crime

Under 38 U.S.C. § 2411, interment or memorialization in a VA cemetery or in Arlington National Cemetery is prohibited if a person is convicted of a Federal capital crime and sentenced to death or life imprisonment, or is convicted of a State capital crime, and sentenced to death or life imprisonment without parole. Federal officials are authorized to deny burial in veterans cemeteries to persons who are shown by clear and convincing evidence to have committed a Federal or State capital crime but were not convicted of such crime because of flight to avoid prosecution or by death prior to trial. The Secretary is authorized to provide aid to States for the establishment, expansion and/or improvement of veterans cemeteries on the condition that the State is willing to prohibit interment or memorialization in such cemeteries of individuals convicted of Federal or State capital crimes, or found by clear and convincing evidence to have committed such crimes, without having been convicted of the crimes due to flight to avoid prosecution or death prior to trial. (38 U.S.C. § 2408(d)(2)).

g. Subversive Activities

Any person convicted of subversive activities after September 1, 1959, shall have no right to burial in a national cemetery from and after the date of commission of such offense, based on periods of active military service commencing before the date of the commission of such offense, nor shall another person be entitled to burial on account of such an individual. Eligibility will be reinstated if the President of the United States grants a pardon.

h. Active or Inactive Duty for Training

A person whose only service is active duty for training or inactive duty training in the National Guard or Reserve Component, unless the individual meets the eligibility criteria listed in Section III.1.b of this information sheet.

i. Other Groups

Members of groups whose service has been determined by the Secretary of the Air Force under the provisions of Public Law 95-202 as not warranting entitlement to benefits administered by the Secretary of Veterans Affairs.