

**ONE HUNDRED AND FIRST NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Indianapolis, Indiana
August 27, 28, 29, 2019**

Resolution No. 32: Veterans Burial/Plot Allowance Payment

Origin: Illinois

Submitted by: Convention Committee on Veterans Affairs & Rehabilitation

WHEREAS, The American Legion is a national organization of wartime veterans who have dedicated themselves to the service of community, state, and nation; and

WHEREAS, The Department of Veterans Affairs (VA) currently pays a burial allowance and plot allowance when a veteran dies in a Veterans Administration hospital, nursing home, from a service-connected condition or at the time of death was getting paid Veterans Administration compensation or pension; and

WHEREAS, This benefit ranges from approximately \$1,500 up to \$2,000 depending on the cause of death of the veteran; and

WHEREAS, The intent of this benefit is to help reimburse the cost of the funeral and burial; and

WHEREAS, Under the current law, this benefit is paid to the first living person who files a claim in any of the following groups, spouse, children regardless of age, parents of the veteran or the executor or administrator of the estate of the veteran; and

WHEREAS, Our service officers in various departments have experienced sad situations where an estranged spouse or prodigal son or daughter knows the benefit is paid to the first one who files a claim, had nothing to do with the payment of the funeral/plot expenses and yet gets this VA benefit; and

WHEREAS, We believe the original intent of this law was to help reimburse those who bore the cost of the funeral/plot expenses of the deceased veteran; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Indianapolis, Indiana, August 27, 28, 29, 2019, That The American Legion support legislation to amend this law found in Title 38 United States Code, to pay the burial/plot allowance only to the person, related to the veteran or not, who actually paid these expenses; and, be it finally

RESOLVED, That if the burial/plot expenses were prepaid before the veteran's death then this benefit be paid to the surviving spouse of the veteran, and if no surviving spouse then to the estate of the veteran.