

## §2402. Persons eligible for interment in national cemeteries

- (a) Under such regulations as the Secretary may prescribe and subject to the provisions of [section 6105 of this title](#), the remains of the following persons may be buried in any open national cemetery under the control of the National Cemetery Administration:
- (1) Any veteran (which for the purposes of this chapter includes a person who died in the active military, naval, air, or space service).
  - (2) Any member of a Reserve component of the Armed Forces, any member of the Space Force, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while such member is hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while such member is performing active duty for training, inactive duty training, or undergoing that hospitalization or treatment at the expense of the United States.
  - (3) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while such member is-
    - (A) attending an authorized training camp or on an authorized practice cruise;
    - (B) performing authorized travel to or from that camp or cruise; or
    - (C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while such member is-
      - (i) attending that camp or on that cruise;
      - (ii) performing that travel; or
      - (iii) undergoing that hospitalization or treatment at the expense of the United States.
  - (4) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.
  - (5) The spouse, surviving spouse (which for purposes of this chapter includes a surviving spouse who had a subsequent remarriage), minor child (which for purposes of this chapter includes a child under 21 years of age, or under 23 years of age if pursuing a course of instruction at an approved educational institution), and, in the discretion of the Secretary, unmarried adult child of any of the persons listed in paragraphs (1) through (4) and paragraph (7), and the spouse, minor child, and, in the discretion of the Secretary, unmarried adult child of a member of the Armed Forces serving on active duty under conditions other than dishonorable, as shown by a statement from a general court-martial convening authority, at the time of the spouse's or child's death if such death occurs before September 30, 2032.
  - (7) Any person who at the time of death was entitled to retired pay under [chapter 1223 of title 10](#) or would have been entitled to retired pay under that chapter but for the fact that the person was under 60 years of age.