1989—Subsecs. (a), (d), (e). Pub. L. 101–237 substituted ''Secretary'' for ''Administrator'' wherever appearing.

1986—Subsec. (b). Pub. L. 99–576 substituted ''the veteran's'' for ''his''.

1982—Subsec. (e). Pub. L. 97–306 added subsec. (e).

1970—Subsec. (a). Pub. L. 91–588, §9(g)(1), struck out reference to the Mexican border service.

Subsec. (c). Pub. L. 91–588, §9(g)(2), substituted ''For the purpose of this section, the term 'Mexican border period' as defined in paragraph (30) of section 101 of this title includes the period beginning on January 1, 1911, and ending on May 8, 1916'' for ''For the purpose of this section, the term 'Mexican border service' means active military, naval, or air service during the period beginning on January 1, 1911, and ending on April 5, 1917, in Mexico, on the borders thereof, or in the waters adjacent thereto''.

1967—Subsec. (d). Pub. L. 90–77 added subsec. (d).

1966—Subsec. (a)(1). Pub. L. 89–358 required a flag to be furnished to drape the casket of a deceased veteran who served after Jan. 31, 1955.

1961—Subsec. (a). Pub. L. 87–240, §1(1), inserted ''or of Mexican border service'' after ''veteran of any war''.

Subsec. (c). Pub. L. 87–240, §1(2), added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111–275 applicable with respect to the death, on or after Oct. 13, 2010, of the parent of a person described in section 2402(a)(9)(B) of this title, who dies on or after October 7, 2001, see section 502(e) of Pub. L. 111–275, set out as a note under section 107 of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–330 applicable with respect to deaths occurring on or after Dec. 6, 2002, see section 201(d) of Pub. L. 107–330, set out as a note under section 112 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105–261, div. A, title X, §1073(b), Oct. 17, 1998, 112 Stat. 2138, provided that: ''Subsection (g) of section 2301 of title 38, United States Code, as added by subsection (a), shall apply to flags procured by the Secretary of Veterans Affairs for the purposes of section 2301 of title 38, United States Code, after the end of the 30-day period beginning on the date of the enactment of this Act [Oct. 17, 1998].''

EFFECTIVE DATE OF 1982 AMENDMENT

Pub. L. 97–306, title IV, §402(b), Oct. 14, 1982, 96 Stat. 1443, provided that: ''The amendment made by subsection (a) [amending this section] shall apply with respect to burials after September 30, 1982.''

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91–588 effective Jan. 1, 1971, see section 10(a) of Pub. L. 91–588, set out as a note under section 1521 of this title.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90–77 effective first day of first calendar month which begins more than ten days after Aug. 31, 1967, see section 405 of Pub. L. 90–77, set out as a note under section 101 of this title.

[§ 2302. Repealed. Pub. L. 116–315, title II, § 2202(a)(2), Jan. 5, 2021, 134 Stat. 4984]

Section, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1169, §902; Pub. L. 88–359, July 7, 1964, 78 Stat. 296; Pub. L. 89–360, Mar. 7, 1966, 80 Stat. 29; Pub. L. 95–476, title II, §203(b), Oct. 18, 1978, 92 Stat. 1506; Pub. L. 95–479, title III, §303(a), Oct. 18, 1978, 92 Stat. 1565; Pub. L. 97–35, title XX, §2001(a)(1), Aug. 13, 1981, 95 Stat. 781; Pub. L. 97–306, title IV, §403[(a)], Oct. 14, 1982, 96 Stat. 1443; Pub.

L. 101–237, title III, §313(b)(1), Dec. 18, 1989, 103 Stat. 2077; renumbered §2302, Pub. L. 102–83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 112–260, title I, §104(b)(1), Jan. 10, 2013, 126 Stat. 2420, authorized funeral expenses for a deceased veteran.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal of section applicable to deaths that occur on or after the date that is two years after Jan. 5, 2021, see section 2202(d) of Pub. L. 116–315, set out as an Effective Date of 2021 Amendment note under section 113 of this title.

§ 2303. Death from non-service-connected disability; plot allowance

(a)(1) When a veteran described in paragraph (2) dies, the Secretary shall—

(A) pay the actual cost (not to exceed $700 (as increased from time to time under subsection (c))) of the burial and funeral or, within such limits, may make contracts for such services without regard to the laws requiring advertisement for proposals for supplies and services for the Department; and

(B) when such a death occurs in a State, transport the body to the place of burial in the same or any other State.

(2) A veteran described in this paragraph is a deceased veteran who is not covered by section 2307 of this title and who meets any of the following criteria:

(A) The deceased veteran dies in—

(i) a facility of the Department (as defined in section 1701(3) of this title) to which the deceased veteran was properly admitted for hospital, nursing home, or domiciliary care under section 1710 or 1711(a) of this title; or

(ii) an institution at which the deceased veteran was, at the time of death, receiving—

(I) hospital care in accordance with sections 1703A, 8111, and 8153 of this title;

(II) nursing home care under section 1720 of this title; or

(III) nursing home care for which payments are made under section 1741 of this title.

(B) At the time of death, the deceased veteran (including a person who died during a period deemed to be active military, naval, or air service under section 106(c) of this title) is in receipt of compensation under chapter 11 of this title (or but for the receipt of retirement pay would have been entitled to such compensation) or was in receipt of pension under chapter 15 of this title.

(C) The Secretary determines—

(i) the deceased veteran (including a person who died during a period deemed to be active military, naval, or air service under section 106(c) of this title) has no next of kin or other person claiming the body of the deceased veteran; and

(ii) that there are not available sufficient resources to cover burial and funeral expenses.

(b) In addition to the benefits provided for under subsection (a) of this section, in the case