

**PUBLIC LAW 118-83  
CONTINUING APPROPRIATIONS AND EXTENSIONS ACT 2025**

**1. PURPOSE/REASON FOR ISSUE:** This notice provides information about provisions of Public Law 118-83 Continuing Appropriations and Extensions Act 2025, enacted September 26, 2024, that are of significance to the Department of Veterans Affairs (VA) National Cemetery Administration (NCA).

**2. BACKGROUND:** Public Law 118-83 amended title 38 United States Code (U.S.C.) §§ 2306 and 2402 to extend VA's authority to inter in a VA national cemetery and commemorate the deceased spouse and dependent child of a member of the Armed Forces serving on active duty at the time of the spouse's or child's death. Originally, these authorities were enacted in section 202 of Public Law 115-407 The Veterans Benefits and Transition Act of 2018, which made the benefits available only if the eligible spouse or dependent of the active duty Servicemember died prior to October 1, 2024. With this amendment, VA's authority to provide these benefits is now extended to eligible individuals who die before September 30, 2025.

Additionally, Public Law 118-83 amended § 2404 to authorize provision of flat grave markers in any section at the Santa Fe National Cemetery where flat markers were already in use on December 22, 2023.

**3. SUMMARY OF SECTIONS IN PUBLIC LAW 118-83 SIGNIFICANT TO NCA:**

a. Section 311. Extension of Entitlement to Memorial Headstones and Markers for Commemoration of Veterans and Certain Individuals. This section amends 38 U.S.C. § 2306(b)(2)(B) and (C), in pertinent part, to authorize VA to furnish a memorial headstone or marker to an individual who dies on or after November 11, 1998, who is the spouse or eligible dependent 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, 2025. The previous applicability date was October 1, 2024.

While Sec. 311 references a change in the law affecting veteran entitlement to a memorial headstone or marker, there is no expiration for that authority as it applies to an eligible veteran or the veteran's spouse, surviving spouse, or dependent.

b. Section 312. Extension of Authority to Bury Remains of Certain Spouses and Children in National Cemeteries. This section amends 38 U.S.C. § 2402(a)(5), in pertinent part, to authorize VA to bury the remains of 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, 2025. The previous applicability date was October 1, 2024.

There is no expiration for the § 2402(a)(5) authority as it pertains to an eligible veteran's spouse, surviving spouse, minor child (which 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, an unmarried adult child of persons listed in paragraphs (1) through (4) and (7) of this section.

c. Section 313. Authority for Use of Flat Grave Markers at Santa Fe National Cemetery, New Mexico. This section amends 38 U.S.C. § 2404(c)(2) to add a new subparagraph that authorizes provision of flat grave markers in any section at the Santa Fe National Cemetery where flat markers were already in use on December 22, 2023. Previously, in 2023, Public Law 118-31 section 5002 repealed VA's authority to use flat markers at Santa Fe without including a provision that would allow VA to continue its longstanding policy of using the same type of marker within already established sections at Santa Fe.

**4. RESPONSIBLE OFFICE:** NCA, Office of Finance and Planning, Policy and Regulatory Service (42E), 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the contents of this notice.

**5. EXPIRATION:** This notice will be archived one year from the date of issuance.

/s/  
Ronald E. Walters  
Acting Under Secretary for Memorial Affairs

**Distribution:** Electronic Only