PUBLIC LAW 116-106, FALLEN WARRIOR BATTLEFIELD CROSS MEMORIAL ACT

1. PURPOSE/REASON FOR ISSUE: This notice provides information about provisions in Public Law 116-106, which amends, title 38, United States Code (U.S.C.), to require the Secretary of Veterans Affairs to permit the display of Fallen Soldier Displays in national cemeteries.

2. BACKGROUND: On January 7, 2020, President Donald Trump signed H.R.1424, enacting Public Law 116-106, which provides that the Secretary shall permit the display of a Fallen Soldier Display in any national cemetery. This provision will have minimal impact because NCA policy already permits display of Fallen Soldier Displays in national cemeteries.

3. SUMMARY OF PUBLIC LAW 116-106:


This section amended 38 U.S.C. § 2403, by adding subsection (d) that requires the Secretary to permit the display of a Fallen Soldier Display, which is subject to the standards established by the Secretary, in any national cemetery. The subsection also defines the term 'Fallen Soldier Display' as a memorial monument in honor of fallen members of the Armed Forces that may include a replica of an inverted rifle, boots, helmets, and identification tag.

4. ACTION: NCA will continue to follow procedures outlined in NCA Handbook 3160.02 – “Processing Donations of Standardized Memorial Monuments, Plaques, Benches and Trees; Fallen Soldier Displays” (January 15, 2019), which already allows for the donation and placement of Fallen Soldier displays. NCA policy is consistent with the new statutory requirements.

5. RESPONSIBLE OFFICE: National Cemetery Administration, Office of Finance and Planning, Legislative and Regulatory Service (42E), 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the contents of this notice.

6. EXPIRATION: This notice will be archived on the last day of June 2020.

/s/ Ronald E. Walters
Principal Deputy Under Secretary for Memorial Affairs

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