

FYI

Department of
Veterans Affairs

Memorandum

Date: JAN 3 2008

From: Under Secretary of Memorial Affairs (40)

Subj: Guidelines and Requirements for Review and Acceptance of Memorials in
National Cemeteries (WebCims #387167)

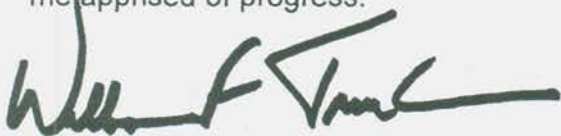
To: Director, Office of Field Programs (41A)
Director, Office of Finance and Planning (41B)
Director, Office of Construction Management (41F)
Director, Office of Communication Management Services (41C)

1. On October 30, 2007, the New Memorials Quality Improvement Team presented a set of draft guidelines to use in determining whether or not to accept donations of memorials to VA national cemeteries. The team made several recommendations, including separating potential donations into two categories: Standardized Memorial Monuments (reviewed/approved at cemetery level following stated guidelines), and Commemorative Works (reviewed/approved at higher levels).

2. This memorandum documents my approval of the attached, revised New Memorials Guidelines (December 2007), and the implementation of the following team recommendations:

- a. Establishment of an endowment fund for memorial maintenance and upkeep;
- b. Establishment of a review board and associated procedures;
- c. Development of training and outreach; and
- d. Development of directive(s) and/or handbook(s) to formalize policy and procedures.

3. The Director of the Office of Construction Management will have the lead in this process and will work with the Directors of the Office of Field Programs, Office of Finance and Planning, and Communications Management Service to implement these recommendations. The Director of the Office of Construction Management will keep me apprised of progress.



William F. Tuerk

Attachment

National Cemetery Administration

Guidelines and Requirements for Review and Acceptance of Memorials in National Cemeteries



TABLE OF CONTENTS

	PAGE
1.0 Purpose and Scope	2
1.1 Purpose and Scope	2
1.2 Definitions.....	2
2.0 Record Keeping and Reporting.....	3
2.1 Required documentation	3
2.2 Disposition of Records.....	3
2.3 Reporting Requirements	3
3.0 Commemorative Works	3
3.1 General Guidelines and Requirements.....	3
3.2 Proposal Process	5
3.3 Design Guidelines and Requirements	6
3.4 Location Guidelines and Requirements	8
3.5 Design Documents Submission and Approval Process	8
3.6 Construction Requirements.....	9
3.7 Endowment for Maintenance.....	10
4.0 Standardized Memorial Monument Donations	11
4.1 General Guidelines and Requirements.....	11
4.2 Application Process	12
4.3 Design Guidelines and Requirements	13
4.4 Location Guidelines and Requirements	14
4.5 Delivery and Installation Requirements.....	14
4.6 Maintenance	16

APPENDICES

- A. Checklist for Standardized Memorial Monument Donation
- B. Checklist for Commemorative Work Donation
- C. Terms and Conditions of Acceptance by VA for Gift or Donation of Standardized Memorial Monument
- D. Sample Cemetery Specific Location Handout
- E. Sample Contractor's Certification of Liability Insurance
- F. Sample Letter Approving Donation of a Monument (valued at \$3,000 or less)
- G. Sample Letter Disapproving Donation of a Monument (valued at \$3,000 or less)
- H. Sample Letter Acknowledging Receipt of a Proposal to Donate a Commemorative Work or a Memorial Monument
- I. Sample Memorandum of Understanding (MOU)
- J. Sample Custody Receipt
- K. Information about Hosting Ceremonies at VA National Cemeteries
- L. New Monument or Memorial Report

1.0 Purpose and Scope

1.1 Purpose: The purpose of these guidelines and requirements is to provide guidance on the appropriate design, size, and procedures for the acceptance of donation of memorials to National Cemetery Administration (NCA). Each national cemetery is maintained as a national shrine, that is, a place of honor and memory where veterans and visitors can sense the serenity, historic sacrifice and nobility of purpose of those who have served the Nation in the military. This document contains criteria and information to instruct donor groups and national cemetery administration staff on the donation and acceptance of Commemorative Works and Standard Memorial Monuments. The responsibilities of the Cemetery Directors, Memorial Service Network (MSN) Directors and Central Office staff regarding proposal, installation, approval, and reporting of donations of memorials are contained herein.

1.2 Definitions

- 1.2.1 Commemorative Work - for purposes of national cemeteries the term 'commemorative work' means any statue, sculpture, structure, landscape feature, or monument outside of the specified size range for standardized memorial monuments, designed to perpetuate in a permanent manner the memory of a group, event, a war, or similar major military conflict, a branch or major unit of the U.S. Armed Forces, or other significant element of American military history.
- 1.2.2 Construction Monitor – the person responsible in NCA to monitor construction progress and conduct the final inspection during construction of a commemorative work. The Office of Construction Management (OCM) will recommend to Office of Field Programs who -- the Cemetery Director, the MSN Engineer or OCM Project Manager -- should be responsible for construction monitoring. The Director, Field Programs, will decide who will be responsible for construction monitoring.
- 1.2.3 Donor Group - the organization offering donation of a Commemorative Work or Standardized Memorial Monument.
- 1.2.4 Foundation - as used for Standardized Memorial Monuments, is a concrete pad a total of 4 inches wider and 4 inches longer than the memorial monument dimensions at its base, to provide support under the monument. The pad shall be set flush with the ground and shall extend no more than 2 inches beyond the monument on any side.
- 1.2.5 Memorial Plaque - a cast bronze or cast stainless steel plate with a commemorative inscription that is mounted to a cut stone or natural boulder base.
- 1.2.6 Memorial Walkway, Path, or Trail - an area or areas, separate and distinct from interment areas for the collective display of memorials donated by various recognized veterans groups.
- 1.2.7 Memorandum of Understanding (MOU) - a legal document describing a bilateral agreement between VA and the donor group for a commemorative work. It creates a

platform for a clear understanding of each party's commitments/purpose and sets out expectations for responses in the event of intentional or unintentional breach of the MOU's original commitments.

1.2.8 Review Board - a group of no more than seven (7) design experts who are federal employees, assembled by NCA for the purpose of providing input and recommendations on the design, aesthetics and appropriateness of individual Commemorative Work proposals. The anticipated membership of the review board is two (2) NCA representatives (landscape architect and architect) and five (5) other representatives with expertise in disciplines such as art, art history, sculpture, architecture, and landscape architecture from federal agency programs such as General Services Administration (GSA) Art in Architecture, National Park Service (NPS) Cultural Resources, National Endowment for the Arts (NEA), Department of Treasury U.S. Mint, Smithsonian Institution, and U.S. Commission of Fine Arts.

1.2.9 Standardized Memorial Monument - A cut stone or natural boulder base of a specified size with an incised inscription or a plaque honoring military service in the U.S. Armed Forces by groups or organizations or those physically interred in that national cemetery.

2.0 Record Keeping and Reporting

2.1 Required Documentation - New Commemorative Works shall be formally conveyed from the donor to NCA through a Custody Receipt signed by both parties. Three (3) original Custody Receipts and one (1) copy will be generated: An original Custody Receipt as well as a set of reduced-sized final drawings, a copy of MOU, and related correspondence will be permanently maintained by the History Program, VACO; the Cemetery will retain an original Custody Receipt and an original MOU; the donor will be provided with an original Custody Receipt and original MOU. The MSN will retain a copy of the Custody Receipt and copy of MOU.

2.2 Disposition of Records - All documentation maintained in NCA offices should be considered permanent records and should not be archived or destroyed.

2.3 Reporting Requirements - Policy and procedures for the reporting of new memorials installed at VA national cemeteries and soldiers lots are contained in *NCA Notice 2006-03 Reporting Memorials in VA National Cemeteries*. The Notice requires a Cemetery Director to report new memorials within 30 days of installation in accordance with specified procedures, and annually certify and report the number and names through the appropriate Memorial Service Network by September 30 of each year.

3.0 Commemorative Works

3.1 General guidelines and requirements

3.1.1 Commemorative Works will be accepted only from organizations whose purposes, objectives and teachings, as exemplified by their constitution, by-laws and activities

are primarily patriotic in nature. The organization must be based on a primary objective to honor and recognize military service and have thus acquired a distinctive patriotic character and purpose. Commemorative works may also be accepted from governments (federal, state and local.)

3.1.2 Commemorative Works will not be accepted from individuals.

3.1.3 Only one Commemorative Work honoring a specific subject matter will be accepted at a cemetery.

3.1.4 The primary component or design element of the proposed Commemorative Work does not feature actual ordnance or a realistic replica of actual ordnance. For example, Commemorative Works built around something such as a torpedo or a howitzer would not be approved.

3.1.5 The proposed Commemorative Work is primarily secular in nature and does not feature explicit religious emblems or themes.

3.1.6 The proposed Commemorative Work does not include words or design elements that are incompatible with the VA or NCA mission to honor veterans, or that could be perceived as offensive or derogatory by a reasonable person.

3.1.7 The proposed Commemorative Work does not bear acknowledgment of individual or corporate contributors, nor any advertising.

3.1.8 If the Commemorative Work honors a military event, it is at least 10 years after the officially designated end of the event.

3.1.9 For any potential replication of an existing monument, memorial, or artwork from another location, the donor has certified in writing that the group has received any necessary permission(s) or approval(s) for replication.

3.1.10 The proposed Commemorative Work design team must have a licensed/registered landscape architect or architect as a member of the team, with experience in the design of similar projects. Specialty disciplines should be involved as needed for the specific project.

3.1.11 The design, location, size, and features of the commemorative work shall be compatible with the existing infrastructure features of the cemetery such as roadways, curbing and gutter, pedestrian walkways, storm drainage system, underground and/or overhead utilities, topography, etc.

3.1.11.1 When existing infrastructure features of the cemetery need to be modified or new infrastructure features need to be added to accommodate the commemorative work, the design of these features shall be accomplished by the donor groups registered professional architect, landscape architect, or engineer as appropriate, and included on the commemorative works contract documents to be submitted NCA for approval.

3.1.11.2 Design and construction of new or modified infrastructure features that are needed to accommodate the commemorative work shall be in accordance with Paragraph 3.4 “Compliance with Codes” and meet all VA standard construction guidelines and specification requirements. New or modified infrastructure design and construction shall match or exceed the physical and material characteristics, quality, and design of the existing infrastructure features of the cemetery.

3.1.12 The proposed commemorative work design shall be evaluated by the Review Board for artistic and commemorative merit, and the Board will make recommendations for NCA consideration.

3.2 Proposal Process

3.2.1 A proposal to donate a commemorative work shall be submitted in writing to the Cemetery Director.

3.2.2 A proposal to donate a commemorative work shall contain the following:

3.2.2.1 Identification of Donor Organization (includes mailing address of Donor Organization, designation of organization’s principal point of contact, and - for other than government entities - documents or articles of incorporation, membership criteria, history of Donor Organization, proof of tax exempt status, and copy of the constitution and by laws, if not a recognized National organization according to 38CFR14.628.)

3.2.2.2 Conceptual design drawings of proposed commemorative work showing:

3.2.2.2.1 Elevations, plan, and dimensions

3.2.2.2.2 Potential areas for inscriptions and proposed text, if available

3.2.2.2.3 Materials proposed

3.2.2.2.4 Location proposed by donor group

3.2.2.2.5 Conceptual landscape plan for proposed location

3.2.2.3 Narrative of commemorative intent (includes background and historical information on what group or event is being commemorated or memorialized, a statement of relevance or relationship of subject to Donor Organization and explanation of reasons for seeking placement in a VA national cemetery.)

3.2.3 Cemetery Director:

3.2.3.1 Acknowledges the conceptual proposal in writing (Appendix C) and explains the Commemorative Work process and time frames to expect either approval or disapproval

3.2.3.2 Reviews proposal for compliance with general guidelines and requirements

3.2.3.3 Reviews the Cemetery Master Plan

3.2.3.4 Confers with the donor group on the site recommendation

3.2.3.5 Forwards proposal to MSN office with cemetery findings and recommendations

3.2.4 Memorial Service Network:

- 3.2.4.1 Reviews proposal and cemetery director's findings
- 3.2.4.2 Makes recommendation for acceptance or non-acceptance of proposal
- 3.2.4.3 Submits to Office of Field Programs

3.2.5 Office of Field Programs reviews proposal and forwards to Office of Construction Management

- 3.2.4.1 Reviews proposal with MSN's and cemetery director's findings
- 3.2.4.2 Makes recommendation for acceptance or non-acceptance of proposal
- 3.2.4.3 Submits to Office of Construction Management

3.2.6 Office of Construction Management:

- 3.2.6.1 Reviews proposal and prepares comments to be considered by Review Board
- 3.2.6.2 Convenes Review Board up to four times a year.

3.2.7 Review Board reviews proposal, makes recommendation and forwards to Office of Construction Management. This review will occur for the initial proposal and also during the design review phase.

3.2.8 Office of Construction Management prepares recommendation package and forwards to Field Programs.

3.2.9 Office of Field Programs reviews package and makes recommendation on approval or disapproval of donation

- 3.2.9.1 Prepares decision letter for signature of Under Secretary for Memorial Affairs
- 3.2.9.2 Develops MOU to be signed by the Under Secretary for Memorial Affairs for acceptance of the memorial donation.

3.3 Design guidelines and requirements

3.3.1 Character and Theme: The Commemorative Work shall be artistically designed and consistent with the purpose of the cemetery as a national shrine. The Commemorative Work will be placed in perpetuity.

3.3.2 Size and Scale: The size and scale of the Commemorative Work shall be appropriate to the site and context within the cemetery.

3.3.3 Materials and Workmanship

3.3.3.1 The Commemorative Work shall be of durable and permanent materials, designed with maintenance and upkeep in mind. Factors such as minimal maintenance and upkeep of the commemorative work shall also be considered. Materials should be appropriate to environment and topography in which they are installed, for example, desert, mountainous terrain, humid climate, etc.

3.3.3.2 The materials and workmanship of the commemorative work shall be of the highest quality, free of flaws and imperfections.

3.3.4 Compliance with Codes

3.3.4.1 The design and construction of the commemorative work shall comply with the latest edition of national recognized building codes as a minimum, such as the International Building Code (IBC), National Electrical Code (NEC), National Fire Protection Association (NFPA) Codes, and National Standard Plumbing Code (NSPC).

3.3.4.2 The commemorative work shall be readily accessible to people with disabilities, in compliance with the Americans with Disabilities Act of 1990, Architectural Barriers Act of 1968, as amended, and local accessibility requirements. To achieve compliance, the National Cemetery Administration uses as its standard for building and facility design the Architectural Barriers Act Accessibility Standards (ABAAS). It is NCA policy to make all cemetery structures accessible without the use of special facilities for the disabled. The donor group's A/E is responsible for checking to see whether there are local accessibility requirements. If they exist, the most stringent requirements shall prevail between local and ABAAS. The criteria of these standards would be considered a minimum in providing access for the physically disabled.

3.3.4.3 The commemorative work must comply with applicable federal statutes, Executive Orders, and state and local regulations establishing environmental standards.

3.3.5 Effect on historic and cultural resources, and mandatory Section 106 consultation:

New Commemorative Works should be consistent with the historic significance of the cemetery. Appropriate siting can be assessed using the *Secretary of the Interior's Standards for Rehabilitation and Preservation Brief 36, Protecting Cultural Landscapes*. The goal is to ensure that a new Commemorative Work does not adversely affect the historic character or existing features of the cemetery. Any proposed Commemorative Work that could potentially affect the character of an NCA national cemetery or soldiers' lot shall be subject to the Section 106 process of the National Historic Preservation Act of 1966. This is applicable to all NCA cemeteries regardless of age, but especially those more than 50 years old. NCA shall be responsible for the Section 106 Process.

3.3.6 Inscriptions: Inscriptions shall be meaningful to the broadest possible audience. Text and any design element on the commemorative work and related plaques shall be limited to interpretive information about the work itself or the subject it commemorates. Wording shall be both descriptive and concise. It may include a brief memorial inscription, or verse, quotation, or other brief wording appropriate to the work. Inscriptions shall not include words or design elements that are incompatible with the VA or NCA mission to honor veterans, or that could be perceived as offensive or derogatory by a reasonable person. Plaques should be in scale with the work. The plaque should be in scale to the work and complimentary, rather than competing with it for attention. Dedication plaques shall be limited to name of the artist or designer, name of the donor group, and the date dedicated.

3.3.7 Safety: To ensure public safety, the commemorative work shall be free of hazards and consistent with VA's responsibility to maintain a safe environment, protect and preserve VA staff, volunteers, visitors and property.

3.4 Location guidelines and requirements

3.4.1 The specific locations for Commemorative Works shall be consistent with the cemetery master plan. If no master plan exists, the cemetery director shall consult with MSN and VACO.

3.4.2 Commemorative Works shall be located only within developed grounds and must not conflict with existing or planned burial space.

3.5 Design Documents Submission and Approval Process

3.5.1 Commemorative Work proposals that are accepted by the Under Secretary for Memorial Affairs and covered by a Memorandum of Understanding (MOU) will proceed to the design phase.

3.5.2 The donor and the donor's A/E firm shall adhere to the approved proposal concept for the commemorative work and to the signed MOU.

3.5.3 Most commemorative works will follow the following typical submission policy: one Schematic submission, one Design Development submission and one Construction Document submission. Depending on the complexity of the project NCA may alter the submission requirements by adding or deleting certain reviews.

3.5.4 The donor's A/E is responsible for producing a correct, complete, and fully coordinated set of drawings, design narrative, calculations, sample boards and specifications for the successful completion of the project in accordance with professional practice standards and VA criteria.

3.5.5 At each submission, the donor's A/E shall date all material and present designs on standard size drawings that are appropriately labeled "SCHEMATIC SUBMISSION", "DESIGN DEVELOPMENT SUBMISSION", or "CONSTRUCTION DOCUMENT SUBMISSION", in large block letters above or beside the drawing title block. In each submission, the donor's A/E shall incorporate the corrections, adjustments and changes made by NCA at the previous review.

3.5.6 A/E Seal: Each Construction Drawing shall bear the seal and signature of the registered professional architect, landscape architect or engineer responsible for its design. Before the final contract documents are issued for construction, a principal of the design firm shall be required to provide a signed certification that all drawings and calculations have been properly signed and sealed by the appropriate individual for each discipline, in accordance with the rules and regulations of the local state

licensing authority. This certification shall be forwarded to the NCA Office of Construction Management upon the completion of the Construction Documents.

3.5.7 The donor or the donor's A/E firm shall submit complete packages at each stage of design to the Office of Construction Management with copies to the Cemetery, MSN and Office of Field Programs.

3.5.8 Office of Construction Management:

3.5.8.1 Reviews design documents, receives and consolidates comments from MSN and Cemetery and prepares comments to be considered by Review Board

3.5.8.2 Convenes Review Board up to four times a year.

3.5.9 Review Board reviews design, makes recommendation and forwards to Office of Construction Management.

3.5.10 Office of Construction Management responds to donor group with consolidated NCA comments at each stage of design document review.

3.5.11 Upon completion of Construction Documents, Office of Construction Management makes recommendation on approval of design documents for the commemorative work

3.2.9.1 Prepares decision letter for signature of Under Secretary for Memorial Affairs.

3.6 Construction Requirements

3.6.1 Construction and Inspection

3.6.1.1 The donor organization and/or its general contractor shall coordinate the construction with the designated Construction Monitor.

3.6.1.2 The contractor shall obtain all necessary licenses and/or permits required to perform this work.

3.6.1.3 On-site work must be performed during the cemetery's normal operating hours.

3.6.1.4 All on-site contractor work must be coordinated with the cemetery's ongoing grounds maintenance and burial operations, including funeral traffic and "quiet times" during the funerals. Work shall interfere as little as possible with normal functioning of the cemetery, including operations of utility services, fire protection systems, and any existing equipment, and with work being done by others. The construction contractor shall keep roads clear of construction materials, debris, standing construction equipment, and vehicles. The contractor shall perform a clean-up of the construction site at the close of construction work each day.

3.6.1.5 The designated Construction Monitor shall monitor the progress of the commemorative work for compliance with the approved drawings and specifications.

3.6.1.6 The designated Construction Monitor shall inspect the commemorative work for compliance with the approved drawings and specifications.

3.6.1.7 The designated Construction Monitor shall make certain that the contractor leaves the surrounding grounds or cemetery grounds in the same or better condition after the construction of the monument is completed. All debris resulting from the construction shall be removed by the contractor.

3.6.2 Liability requirements

3.6.2.1 Liability insurance requirements for each donated commemorative work shall be stipulated in the MOU between NCA and the donor group. The donor group shall provide the contractor's certification of liability insurance in amounts and as stipulated in the MOU.

3.6.2.2 The donor organization is responsible for obtaining the Contractor's Certification of Liability Insurance, Performance and Payment Bonds and providing them to the designated Construction Monitor prior to start of construction.

3.6.2.3 The donor organization and its contractor are responsible for ensuring that all work is done in a manner that safeguards all VA employees and the public. The contractor shall be solely responsible for any and all actions of his/her employees and shall take all responsible precautions necessary to protect persons and property from injury or damage. Furthermore, the contractor and his/her employees shall fully comply with all applicable Federal, State, County, and City Laws, ordinances, Right-to-Know laws, EPA guidelines and regulations.

3.6.2.4 The donor organization and its contractor are responsible for the prompt replacement of any contractor-damaged cemetery structure, feature or equipment, including but not limited to: turf, trees, plant beds, landscaping; walks; curbs and gutters; road pavement; headstones or markers; utility and service lines; valve boxes, grid monument control markers, irrigation lines and equipment, etc. Damage shall be brought to the immediate attention of the designated Construction Monitor before any corrective action is taken. The contractor shall bear all costs associated with repair, replacement and reinstallation of damaged property to the cemetery director's satisfaction.

3.7 Endowment for Maintenance

3.7.1 An agency trust fund or endowment shall be established for each commemorative work to accept, hold, and invest monies for future needs of monuments in a revenue generating account similar to authorities granted to the National Park Service and General Services Administration for maintenance of memorials and monuments under their jurisdiction.

3.7.2 The amount provided by the donor group as an endowment for perpetual maintenance of the commemorative work shall be a fixed percentage of about ten percent of the cost of construction or other appropriate amount as specified in the MOU.

4.0 Standardized Memorial Monument Donations

4.1 General guidelines and requirements

4.1.1 Standardized Memorial Monuments will be accepted only from organizations whose purposes, objectives, teachings as exemplified by their constitution, by-laws and activities are primarily patriotic in nature. The organization must be based on a primary objective to honor and recognize military service and have thus acquired a distinctive patriotic character and purpose. Standardized Memorial Monuments may also be accepted from governments (federal, state and local.)

4.1.2 Standardized Memorial Monuments will not be accepted from individuals.

4.1.3 Only one memorial monument honoring a specific subject matter will be accepted at a cemetery.

4.1.4 The primary components of the proposed memorial monument do not feature actual or realistic replicas of ordnance.

4.1.5 The proposed memorial monument is primarily secular in nature and does not feature explicit religious emblems or themes.

4.1.6 The proposed memorial monument does not include words or design elements that are incompatible with VA or NCA mission to honor veterans, or that could be perceived as offensive or derogatory by a reasonable person.

4.1.7 The proposed memorial monument does not bear acknowledgment of individual or corporate contributors, nor any advertising.

4.1.8 If the memorial monument honors a military event (war or major conflict), it is at least 10 years after the officially designated end of the event.

4.1.9 For any potential replication of an existing monument, memorial, or artwork from another location, the donor has certified in writing that the group has received any necessary permission(s) or approval(s) for replication.

4.1.10 The memorial monument honors:

4.1.10.1 Military service in the U.S. Armed Forces by groups or organizations (as distinctive from individuals and civilian service, however notable and patriotic); or

4.1.10.2 Those physically interred in that national cemetery (e.g., allied forces, prisoners of war, Confederate personnel).

4.1.11 Standardized memorial monuments which meet all criteria and with a total value of \$3,000 or less may be accepted by the cemetery director. Standardized memorial monuments which meet all criteria and with a total value of \$5,000 or less may be accepted by the MSN director. Monuments with a total value over \$5,000 will be forwarded to the Director, Office of Field Programs.

4.2 Application Process

4.2.1 A request for placement of a memorial monument shall be submitted in writing to the Cemetery Director.

4.2.1.1 Each proposal to donate a standardized memorial monument should contain the following:

4.2.1.1.1 Identification of Donor Organization (includes mailing address of Donor Organization, designation of organization's principal point of contact, and - for other than government entities - documents or articles of incorporation, membership criteria, history of Donor Organization, proof of tax exempt status, and copy of the constitution and by laws, if not a recognized National organization according to 38CFR14.628.)

4.2.1.1.2 Technical drawings of proposed monument design showing:

4.2.1.1.2.1 All four elevations, plan, and foundation specifications with exact dimensions

4.2.1.1.2.2 Exact inscription and details of all text and graphics

4.2.1.1.2.3 Materials specified in the fabrication

4.2.1.1.2.4 Location proposed by donor group

4.2.1.1.2.5 Conceptual landscape plan for proposed location

4.2.2.3 Narrative explanation of commemorative intent (includes background and historical information on the group or event to be commemorated or memorialized, a statement of relevance or relationship of commemoration to Donor Organization, and an explanation of reasons for seeking placement in a VA national cemetery.

4.2.2.4 Contractor's name and phone number

4.2.2.5 Contractor's Certification of Liability Insurance

4.2.2.6 Copy of Terms and Conditions of Acceptance by VA for Gift Donation signed by the donor.

4.2.2.7 Estimate of Approximate Cost (including design, fabrication, and installation.)

4.2.2.8 Proposed schedule for fabrication, delivery, and installation.

4.2.2.9 Schedule for Dedication Ceremony (if requested). See Appendix K for procedures and time line.

4.2.2.10 The Cemetery Director shall review and approve/disapprove the request and respond to the donor organization in writing if memorial is valued at \$3,000 or less, or forward to the MSN director for approval if the total value is over \$3,000.

4.2.2.11 The MSN Director shall review and approve/disapprove the request and respond to the donor organization in writing if memorial is valued at \$5,000 or less, or forward to the Director, Office of Field Programs for review if the total value is over \$5,000.

4.3 Design guidelines and requirements

4.3.1 Character: The Standardized Memorial Monument shall be artistically designed and consistent with the purpose of the cemetery as a national shrine.

4.3.1.1 Quality of Design: The design of the Standard Memorial Monument and all its features shall exhibit excellence that is characterized by refinement in composition, balance, artistic skill, thought-provoking intention, and timeless quality. The design should convey dignity and appropriateness to a reasonable person and invite quiet reflection. The design of the monument and its features shall not detract from or infringe upon other monuments in the cemetery.

4.3.1.2 Use of Color: Color applied to stone and metal is limited to organizational emblems of the donor group and the service seals. Inscriptions may use grey-scale litho chrome to improve legibility.

4.3.2 Dimensions: The size range for standardized memorial monuments is 24”to 36” high, 33” to 45” wide and 12” to 20” deep. Proposed memorial monuments outside of this size range shall follow the guidelines for commemorative works.

4.3.3 Materials and Workmanship:

4.3.3.1 The Monument shall be granite, marble, limestone, or natural boulder, in the natural color of the material.

4.3.3.2 If a memorial plaque is part of the Monument, it shall be of cast bronze or cast stainless steel in its natural color.

4.3.3.3 Where incising of inscription is used in lieu of a plaque, granite or marble is to be used. Inscriptions may use grey-scale litho chrome to improve legibility.

4.3.3.4 The materials and workmanship of the monument, including the plaque and the stone base, shall be of durable materials of the highest quality, free of flaws and imperfections.

4.3.4 Concrete Foundation:

4.3.4.1. The donor group shall arrange for a concrete pad a total of four (4) inches wider and four (4) inches longer than the memorial monument dimensions at its base, and of appropriate thickness to provide support under the monument. The pad shall be set flush with the ground and shall extend no more than 2 inches beyond the monument on any side. The design of the foundation is to meet soil/climate conditions and shall be coordinated with the Cemetery Director.

4.3.4.2 The concrete foundation specifications must be a part of technical drawings submitted in the proposal package

4.4 Location guidelines and requirements

4.4.1 The specific locations for Standardized Memorial Monuments vary by cemetery and include some or all of the following:

4.4.1.1 Along a Memorial Walkway that is designed for the collective display of memorial monuments donated by various recognized veterans groups.

4.4.1.2 In a specific area designated for the collective display of memorial monuments donated by various veterans groups.

4.4.1.3 In areas designated on the Cemetery Master Plan that are designed for the collective display of memorial monuments by various recognized veterans groups.

4.4.1.4 At cemeteries where the locations listed above do not exist, memorial monuments may be located in a limited number of sites as approved by the Cemetery Director. The cemetery director shall consult with the MSN to determine an appropriate location.

4.4.1.5 Placement in the national cemetery of standardized memorial monuments is final. Monuments will not be relocated or removed.

4.5 Delivery and Installation Requirements

4.5.1 Delivery

4.5.1.1 The donor organization and/or their monument contractor shall coordinate with the cemetery director to set the date and time for delivery and installation of both the standardized memorial monument and foundation.

4.5.1.2 Foundations must be installed in sufficient time to allow the concrete to cure prior to placing the monument.

4.5.1.3 The Cemetery Director shall inspect the monument upon delivery to the cemetery before installation. If the monument does not conform in every detail to the approved design, the delivery of the memorial monument will not be accepted.

4.5.1.4 The monument contractor shall be required to unload and set the memorial monument. They shall not be permitted to drive powered trucks over turf areas at any time. Monuments shall be transferred from the delivery truck to the memorial pathway/installation site by means that will not damage cemetery property such as a pneumatic-tire hand truck or other portable equipment, approved by the cemetery director.

4.5.2 Installation

4.5.2.1 Work must be scheduled in advance and must be performed during the cemetery's normal operating hours.

4.5.2.2 All contractor work must be coordinated with the cemetery's ongoing grounds maintenance and burial operations, including funeral traffic and "quiet times" during the funerals. Work shall be executed so as to interfere as little as possible with normal functioning of the cemetery, including operations of utility services, fire protection systems and any existing equipment, and with work being done by others. The monument contractor shall keep roads clear of construction materials, debris, standing construction equipment and vehicles at all times.

4.5.2.3 The Cemetery Director shall make certain that the monument contractor leaves the cemetery grounds in the same or better condition after the installation of the monument is completed. All debris resulting from the installation will be removed by the contractor.

4.5.3 Liability requirements

4.5.3.1 The donor organization is responsible for obtaining the Contractor's Certification of Liability Insurance [Appendix E] and providing it to the cemetery director prior to the start of installation. The contractor shall maintain personal liability and property damage insurance having coverage for a limit as required by the laws of the State.

4.5.3.2 The donor organization and its contractor are responsible for ensuring that all work is done in a manner that safeguards all VA employees and the public. The contractor shall be solely responsible for any and all actions of his/her employees and shall take all responsible precautions necessary to protect persons and property from injury or damage. Furthermore, the contractor and his/her employees shall fully comply with all applicable Federal, State, county, and city laws, ordinances, Right-to-Know laws, EPA guidelines and regulations.

4.5.3.3 The donor organization and its contractor are responsible for replacement of any contractor-damaged cemetery structure, feature or equipment, includes but not limited to: turf, trees, plant beds, landscaping; walks; curbs and gutters; road pavement; headstones or markers; grid monument control markers; utility and service lines; valve boxes, irrigation lines and equipment, etc. Damage shall be brought to the immediate attention of the cemetery director before any corrective action is taken. The contractor shall bear all costs associated with repair, replacement and reinstallation of damaged property to the cemetery director's satisfaction.

4.5.4 Contractor Certification: The contractor shall provide certification of insurance that contains at least the following:

4.5.4.1 Company complies with applicable Federal and State Worker Compensation and occupational disease studies.

4.5.4.2 Bodily Injury Liability Insurance coverage written on the comprehensive form of policy of at least \$500,000 per occurrence and the name of the insurance company.

4.5.4.3 Property Damage Liability Insurance coverage of at least \$500,000 and the name of Insurance Company

4.6 Maintenance: The National Cemetery Administration will provide reasonable care and maintenance of the memorial monument.

Checklist for Standardized Memorial Monument Donation**INFORMATION Phase :**

- ☐ 1. Inquiry to donate received (record of initial contact or letter from a group wishing to donate a memorial monument to the U.S. Department of Veterans Affairs, National Cemetery Administration)
- ☐ 2. VA Cemetery Director provides donor group a Donation Kit for Standardized Memorial Monuments. This kit contains the following:
 - ☐ a. Checklist for Standardized Memorial Monument Donations (Appendix A)
 - ☐ b. Guidelines and requirements for donation of monuments
 - ☐ c. Terms and Conditions of Acceptance by VA for Gift or Donation (Appendix C)
 - ☐ d. Location for Standardized Memorial Monuments at the specific cemetery to receive the donation (Appendix D)
 - ☐ e. Contractor's Certification of Liability Insurance (Appendix E)
 - ☐ f. Information About Hosting Ceremonies or Special Events at VA National Cemeteries (Appendix K)

PROPOSAL Phase :

- ☐ 3. Donor Group submits a written proposal (two complete copies) requesting permission to donate standardized memorial monument. Proposal contains the following:
 - ☐ a. Identification of Donor Organization (includes: address of Donor Organization, documents or articles of incorporation and proof of tax exempt status from the IRS, copy of the constitution and by laws of the donor, if not a recognized National Veterans Organization, membership, history of Donor Organization and designation of organization's principal point of contact)
 - ☐ b. Technical drawings of proposed monument design showing:
 - ☐ b.1 all four elevations, plan, and foundation plan, with exact dimensions
 - ☐ b.2. exact inscription and details of all text and graphics
 - ☐ b.3. materials specified in the fabrication
 - ☐ b.4. location proposed by donor group
 - ☐ b.5. conceptual landscape plan for proposed location
 - ☐ c. Narrative of commemorative intent (includes background and historical information on what group or event is being commemorated or memorialized, statement of relevance or relationship of commemoration or subject to Donor Organization, explanation of reason(s) for placement in a VA national cemetery)
 - ☐ d. Memorial supplier's name and phone number
 - ☐ e. Contractor's Certification of Liability Insurance
 - ☐ f. Copy of Terms and Conditions of Acceptance by VA for Gift or Donation signed by the donor
 - ☐ g. Estimate of Cost (including design, fabrication, and installation)
 - ☐ h. Proposed schedule for fabrication, delivery, and installation
 - ☐ i. Proposed schedule for dedication ceremony (if requested)

- ☐ 4. Cemetery Director acknowledges in writing receipt of the proposal (Appendix H) explains the review process and time frames to expect either approval or disapproval and sends MSN a copy of the proposal
- ☐ 5. Cemetery Director reviews proposal for compliance with specified criteria
- ☐ 6A. If proposal meets specified criteria, Cemetery Director reviews Master Plan to recommend site and forwards review comments to donor to finalize proposal.
OR
- ☐ 6B. If proposal does not meet specified criteria, Cemetery Director informs donor group in writing of disapproval of donation (Appendix G.)
- ☐ 7. Donor group revises proposal if necessary and resubmits. Cemetery Director informally confers with donor group, informs donor group of approved location and returns proposal for changes until proposal is complete

PROPOSAL APPROVAL Phase (valued at \$3,000 or less):

- ☐ 8A. Cemetery Director informs donor group in writing of approval of donation (Appendix G), signs and returns *Terms and Conditions of Acceptance by VA for Gift or Donation* (Appendix C.)

OR

PROPOSAL APPROVAL Phase (valued between \$3,000 and \$5,000):

- ☐ 8B.1. Cemetery Director forwards proposal to MSN with cemetery findings and recommendations
- ☐ 8B.2. MSN Director:
 - ☐ a. Reviews proposal, cemetery findings and recommendations
 - ☐ b. Informs donor group in writing of approval/disapproval; if approved, provides donor group with location and forwards review comments to donor to finalize proposal; sends cemetery a copy of the response

OR

PROPOSAL APPROVAL Phase (valued more than \$5,000):

- ☐ 8C.1. Cemetery Director forwards proposal to MSN office with cemetery findings and recommendations
- ☐ 8C.2. MSN Director reviews proposal and cemetery findings and submits to Field Programs with recommendation for approval/disapproval

- ☐ 8C.3. Field Programs:
 - ☐ a. Reviews cemetery and MSN findings and recommendations
 - ☐ b. Consults Office of Construction Management if needed
 - ☐ c. Prepares decision letter for signature of Under Secretary for Memorial Affairs
- ☐ 8C.4. Under Secretary for Memorial Affairs signs letter approving or disapproving donation of standardized memorial monument valued at more than \$5,000.

INSTALLATION Phase

- ☐ 9. Donor Group procures monument and, in coordination with the Cemetery, sets time of delivery and installation of the memorial monument
- ☐ 10. Cemetery Director inspects monument condition on delivery and its conformance to the design documents. Conforming monument accepted for installation
- ☐ 11. Donor group's contractor executes installation as stipulated, with Cemetery oversight
- ☐ 12. Cemetery staff conducts final inspection of installed monument
- ☐ 13. Actions, if needed, to follow up to correct deficiencies, damage or other adjustments

REPORTING Phase

- ☐ 14a. Optional Dedication ceremony (refer to NCA Directive 3170 for policy)
- ☐ 14b. Cemetery Director reports installation of monument per NCA Notice 2006-03

Checklist for Commemorative Work Donation

INQUIRY Phase :

- ☐ 1. Interested group inquires about donating a commemorative work (record of initial contact or letter from a group wishing to donate a commemorative work to the U.S. Department of Veterans Affairs, National Cemetery Administration)
- ☐ 2. VA Cemetery Director provides donor group a Commemorative Work Donation Kit that includes the following:
 - ☐ a. Checklist for Commemorative Work Donations (Appendix B)
 - ☐ b. Guidelines and requirements for donations
 - ☐ c. Sample MOU (Appendix I)

PROPOSAL Phase :

- ☐ 3. Donor Group submits conceptual proposal (two complete copies) to donate a Commemorative Work. Proposal contains the following:
 - ☐ a. Identification of Donor Organization (includes: address of Donor Organization, documents or articles of incorporation and proof of tax exempt status from the IRS, copy of the constitution and by laws of the donor, if not a recognized National Veterans Organization, list of membership, history of Donor Organization and designation of organization's principal point of contact).
 - ☐ b. Conceptual design drawings of proposed monument design showing:
 - ☐ b.1. Elevations, plan, and dimensions
 - ☐ b.2. Potential areas for inscriptions and proposed text if available
 - ☐ b.3. Materials proposed
 - ☐ b.4. Location proposed by donor group
 - ☐ b.5. Conceptual landscape plan for proposed location
 - ☐ c. Narrative of commemorative intent (includes background and historical information on what group or event is being commemorated or memorialized, statement of relevance or relationship of commemoration or subject to Donor Organization, explanation of reasons for placement in a VA national cemetery)
 - ☐ d. Estimate of Cost (including design, fabrication, and construction/installation)
- ☐ 4. Cemetery Director:
 - ☐ a. Acknowledges the conceptual proposal in writing (Appendix H) and explains the Commemorative Works process and time frames to expect either approval or disapproval
 - ☐ b. Reviews proposal for compliance with general guidelines and requirements
 - ☐ c. Reviews the Cemetery Master Plan
 - ☐ d. Confers with donor group on the site recommendation
 - ☐ e. Forwards proposal to MSN office with cemetery findings and recommendations

- ☐ 5. Memorial Service Network
 - ☐ a. Reviews proposal and cemetery director's findings
 - ☐ b. Makes recommendation for acceptance or non acceptance of proposal
 - ☐ c. Submits to Office of Field Programs
- ☐ 6. Field Programs reviews proposal, prepares comments and forwards to Office of Construction Management
 - ☐ a. Reviews proposal, cemetery director's and MSN's findings
 - ☐ b. Makes recommendation for acceptance or non acceptance of proposal
 - ☐ c. Submits to Office of Construction Management
- ☐ 7. Office of Construction Management reviews proposal and convenes Review Board
- ☐ 8. Review Board considers proposal, makes recommendation and forwards to Office of Construction Management

PROPOSAL APPROVAL Phase :

- ☐ 9. Office of Construction Management prepares recommendation package and forwards to Field Programs for decision
- ☐ 10. Field Programs:
 - ☐ a. Reviews OCM's and Review Board's findings
 - ☐ b. Makes recommendation for acceptance or non acceptance of proposal
 - ☐ c. prepares decision letter for signature of Under Secretary for Memorial Affairs
- ☐ 11. Under Secretary for Memorial Affairs signs letter approving or disapproving donation of commemorative work
- ☐ 12. Field Programs develops MOU for approved donation
- ☐ 13. Donor Group signs MOU
- ☐ 14. Under Secretary for Memorial Affairs signs MOU

DESIGN REVIEW / APPROVAL Phase :

- ☐ 15. Donor initiates design development for approved concept and submits design review packages to OCM with copies to cemetery, MSN and Field Programs
- ☐ 16. Construction Management:
 - ☐ a. Notifies SHPO of proposed action
 - ☐ b. Convenes Review Board
- ☐ 17. Cemetery reviews and prepares comments on each submittal
- ☐ 18. MSN reviews and prepares comments on each submittal

- ☐ 19. Field Programs reviews and prepares comments on each submittal
- ☐ 20. Construction Management:
 - ☐ a. Reviews and prepares comments on each submittal
 - ☐ b. Leads joint NCA review including Review Board review
 - ☐ c. Orchestrates design reviews with Donor Group
 - ☐ d. Coordinates any SHPO reviews
 - ☐ e. Upon donor's completion of Construction Documents, prepares decision letter approving final design
- ☐ 21. Under Secretary for Memorial Affairs signs letter approving final design of the commemorative work

CONSTRUCTION / INSTALLATION Phase

- ☐ 22. Office of Construction Management recommends monitoring option to Field Programs
- ☐ 23. Field Operations determines option for construction monitoring
- ☐ 24. Donor Group constructs Commemorative work as approved
- ☐ 25. Designated construction monitor monitors construction progress
- ☐ 26. Final Inspection is conducted by designated construction monitor
- ☐ 27. Punch list items are corrected
- ☐ 28. Commemorative Work is reinspected

POST CONSTRUCTION Phase

- ☐ 29. Cemetery Director accepts completed donation; Issues Custody Receipt.
- ☐ 30. Optional Dedication ceremony (refer to NCA Directive 3170 for policy).
- ☐ 31. Cemetery Director reports installation of monument per NCA Notice 2006-03.



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
NATIONAL CEMETERY

**TERMS AND CONDITIONS OF ACCEPTANCE BY VA FOR A GIFT OR DONATION
OF STANDARDIZED MEMORIAL MONUMENT**

As an officer or recognized representative of _____, I hereby certify and acknowledge on behalf of the organization the following conditions relating to the donation of _____, to _____ National Cemetery.

1. The acceptance of the gift or donated item by the National Cemetery Administration is subject to the provisions of Title 38 U.S.C., Chapter 24, Section 2407.
2. Title to the donated item passes to, and is vested in, the United States, and the donor relinquishes all control over the future use or disposition of the gift or donation.
3. The donor is responsible for all costs related to design and acquisition, transporting, installing, and finishing the installation of the donation.
4. The donor is responsible for all costs for repairs related to damage to cemetery features and infrastructure caused by the installation of the donated item including, but not limited to: turf and landscaping; walks; curb and gutter; street paving; and utility and service lines.
5. The design plans and exact location for placement of the donation must be approved by the Cemetery Director.
6. All actions associated with installation and dedication of donated items will be approved in advance by the Cemetery Director.
7. The National Cemetery Administration will provide reasonable care and maintenance of the donated item and accountability of the gift.

We agree to the above conditions:

Printed Name of Representative or Officer

Title

Signature of Representative or Officer

Date

Signature of Cemetery Director

Date



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION

NATIONAL CEMETERY**

LOCATIONS FOR STANDARDIZED MEMORIAL MONUMENTS

At _____ National Cemetery Standardized Memorial
Monuments are placed at the _____ area designated for collective
display of memorials donated by various veterans groups.

Guidelines and Requirements for Review and Acceptance of Memorials



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION

NATIONAL CEMETERY

**CONTRACTOR'S CERTIFICATION OF LIABILITY INSURANCE
FOR STANDARDIZED MEMORIAL MONUMENT**

I certify that _____ on _____ :
(Name of Company) (Date)

- a. Our company complies with applicable Federal and State Worker Compensation and occupational disease studies;
- b. Our company has current Bodily Injury Liability Insurance coverage written on the comprehensive form of policy of at least \$500,000 per occurrence with _____ ; and
(Name of Insurance Company)
- c. Our company has current Property Damage Liability insurance coverage of at least \$500,000 with _____.
(Name of Insurance Company)

Printed Name of Company Official

Title

Signature of Company Official

Date

Street Address

City/State/Zip Code

Telephone Number

12/04/2007

Guidelines and Requirements for Review and Acceptance of Memorials



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION

NATIONAL CEMETERY

SAMPLE LETTER APPROVING DONATION OF A MONUMENT(valued at \$3,000 or less)

<Date>

Mr. <Name>

<Title>

<Address>

Dear Mr. <Name>:

Your request, on behalf of the <Donor Group Name>, to place a memorial on this cemetery's Memorial Trail is approved. The documents and drawings you submitted are in accordance with the guidelines for such a memorial.

We're privileged that your organization has selected _____ National Cemetery as the site for a memorial honoring those who served in the <Name of group being honored>.

We look forward to hearing from the <Monument Company Name> when the memorial has been completed to arrange for its placement. If I may be of further assistance I can be reached at _____, or by e-mail at _____@va.gov.

Sincerely,

<Name>

Director

cc: MSN Director

Guidelines and Requirements for Review and Acceptance of Memorials



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION

NATIONAL CEMETERY

SAMPLE LETTER DISAPPROVING DONATION OF A MONUMENT (valued at \$3,000 or less)

<Date>

<Name>

<Title>

<Address>

Dear Ms. <Name>:

Thank you for your <Donor Group Name> organization's recent request to donate a memorial monument to be placed in the memorial <walkway/path/area> at _____ National Cemetery. I am sorry to inform you that your request is not approved.

The primary purpose of the Memorial Path is to honor military service in the United States Armed Forces by groups or organizations, as distinctive from individuals and civilian service, however notable and patriotic. The memorial that you have proposed honors <an individual, Governor John Doe.>

I regret that we cannot accommodate your request. If you have any questions, please contact me at <phone number>.

Sincerely,

<Name>

Director

cc: MSN Director

Guidelines and Requirements for Review and Acceptance of Memorials

APPENDIX H

12/04/2007



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION

NATIONAL CEMETERY

**SAMPLE LETTER ACKNOWLEDGING RECEIPT OF A PROPOSAL TO DONATE
A COMMEMORATIVE WORK OR A MEMORIAL MONUMENT**

<Date>

<Name>

<Title>

<Address>

Dear Ms. <Name>:

Thank you for your <Donor Group Name> organization's recent offer to donate a
<commemorative work> <memorial monument> to be placed at _____
National Cemetery.

Please be advised that your offer will be submitted for approval through the NCA
<commemorative work> <memorial monument> review process.

You will be contacted after a decision has been made.

Sincerely,

<Name>

Director

cc: MSN Director

MEMORANDUM OF UNDERSTANDING
BETWEEN
UNITED STATES DEPARTMENT OF VETERANS AFFAIRS
AND
VETERANS PARK, A NON-PROFIT CORPORATION

I. PURPOSE

This Memorandum of Understanding will establish the framework for the donation by VETERANS PARK to the Department of Veterans Affairs ("VA"), of various enhancements to beautify and improve portions of the campus of the West Los Angeles Medical Center and the VA Los Angeles National Cemetery.

II. BACKGROUND

A. VETERANS PARK has evidenced an intention to raise money, solely under its auspices, which it will offer to VA in the form of various enhancements to the VA Medical Center, West Los Angeles, and the VA Los Angeles National Cemetery. The initial phase of the implementation of this Memorandum of Understanding will be directed to the enhancements to the VA Los Angeles National Cemetery.

B. VA has authority pursuant to 38 U.S.C. §§ 2407 and 8104(e) to accept gifts and donations for the enhancement of the VA West Los Angeles Medical Center and VA Los Angeles National Cemetery.

C. VA applauds the efforts of VETERANS PARK to enhance the campus of the VA West Los Angeles Medical Center and the VA Los Angeles National Cemetery. VETERANS PARK and those raising funds on its behalf shall have the right to distribute this Memorandum of Understanding or portions of it, but because of restrictions imposed by Federal law, under no circumstances will any statement be made, either oral or written, that the fundraising efforts of VETERANS PARK are supported or endorsed by VA. Further, other than referencing this Memorandum of Understanding or any subsequent written approvals of VA, VA specifically prohibits VETERANS PARK or those raising funds on its behalf from using VA's name, or the name of any employee or official of VA, in any manner which would indicate that VA is a sponsor of, or participant in, the fund-raising efforts of VETERANS PARK.

D. To facilitate VA's review of the terms and conditions of the Offer of Donation, VETERANS PARK will submit to VA a detailed description of the enhancements in the form of concept and working drawings or other submittals which will specifically identify the location and type of enhancements. The enhancements will be strictly limited to those projects identified below, and will not include any other project(s) as identified in the Veterans Parkway conceptual design plan of March 1996 offered by VETERANS PARK.

III. OFFER OF DONATION

A. The enhancements will be limited as follows:

1. appropriate plantings and landscaping at the western edge of the Medical Center bordering San Vicente Boulevard;
2. appropriate plantings and landscaping to line Wilshire Boulevard and the Veterans Parkway; and
3. appropriate fencing and landscaping for the Los Angeles National Cemetery and the burial of overhead utility lines at the Los Angeles National Cemetery.

B. The Offer of Donation will be submitted by an authorized official of VETERANS PARK, who will represent VETERANS PARK in all discussions with VA and have authority to commit VETERANS PARK and its donors to any final agreement reached with VA. The Offer of Donation must include a statement that sufficient funding is or will be available in an amount sufficient to cover the total cost of the enhancement project(s) identified in this Paragraph III.

C. VA will review the Offer, the concept and working drawings and any other submittals, and provide comments or suggest revisions to VETERANS PARK within 20 working days of receipt.

D. VA solely will determine whether acceptance of the Offer of Donation or any portion thereof, including concept and working drawings, is in the VA's best interest.

E. Prior to the commencement of any project(s), as identified in this Paragraph III, VETERANS PARK will obtain a Performance Bond in the penal amount of 100 percent of the contract price agreed upon between VETERANS PARK and its contractor, which bond will remain in effect for the duration of the project(s). VETERANS PARK will furnish the Performance Bond to the Under Secretary for Health, on behalf of VA, before VA will authorize VETERANS PARK to commence work on the West Los Angeles Medical Center or Los Angeles National Cemetery project(s).

F. Prior to the commencement of any project(s), as identified in this Paragraph III, VETERANS PARK will provide the Under Secretary for Health, on behalf of VA, with a statement that the contractor(s) selected to perform the project(s) at the West Los Angeles Medical Center and the Los Angeles National Cemetery is licensed, bonded and insured in amounts acceptable to VA.

G. Prior to the commencement of any project(s), as identified in this Paragraph III, VETERANS PARK will provide the Under Secretary for Health, on behalf of VA, with a statement that all necessary licenses, permits and approvals have been obtained from the various Federal, state and local authorities, as applicable.

H. The Under Secretary for Health, or the Director, Los Angeles National Cemetery, as applicable, and VETERANS PARK will determine when work on the project(s) will commence to ensure minimal adverse impact on the Medical Center and the National Cemetery. VA will issue a Revocable License to VETERANS PARK, which will constitute permission to enter VA property and to commence work on the project(s). The Revocable License will remain in effect for the duration of the enhancement project(s).

I. The Under Secretary for Health, or designee, or the Director, VA Los Angeles National Cemetery, as applicable, periodically will inspect the work being performed on the project(s), as identified in this Paragraph III, to ensure it is proceeding in a timely manner. Once work has been completed, the Under Secretary for Health, or designee, or the National Cemetery Director, as applicable, will inspect the work to determine if the project(s) is in full compliance with the plans and specifications previously approved by VA. The Under Secretary for Health, or designee, or the National Cemetery Director, as applicable, will be the sole judge whether the project(s) is in full compliance with the approved plans and specifications. If the Under Secretary for Health, or designee, or the National Cemetery Director, as applicable, determines there are deficiencies of any kind in the work performed by VETERANS PARK, the Under Secretary for Health, or designee, or the National Cemetery Director, as applicable, will advise VETERANS PARK in writing of the deficiencies, which deficiencies must be remedied by VETERANS PARK within 20 calendar days of receipt of written notice.

J. After any and all identified deficiencies have been corrected by VETERANS PARK, the Under Secretary for Health, or designee, or the Director, VA Los Angeles National Cemetery, as applicable, will reinspect the project(s), and if completed to their satisfaction, the project(s) formally will be accepted. Once a project(s) has been accepted, any and all enhancements to the VA West Los Angeles Medical Center or VA Los Angeles National Cemetery will become the property of the VA, which will have sole responsibility for the control and disposition of the enhancements.

K. With the exception of special enhancements not typically placed on VA National Cemeteries (fountains, etc.), VA will be responsible for maintenance of all improvements to the VA Los Angeles National Cemetery undertaken by VETERANS PARK pursuant to this Memorandum of Understanding. For such special enhancements, VETERANS PARK agrees to fund an endowment sufficient to generate income required for annual maintenance of such improvements. The parties will contribute their best efforts to agree on the amount of the endowment and the income required for maintenance, and VETERANS PARK reserves the right to eliminate such special enhancements in the event the parties cannot agree on the funding required.

IV. EFFECTIVE DATE, TOTALITY OF AGREEMENT, AMENDMENT, TERMINATION

A. This Memorandum of Agreement becomes effective on the date of the later signature.

B. This Memorandum of Agreement represents and contains the entire and only agreement and understanding among the parties with respect to the subject matter of the Agreement, and supersedes any and all prior and contemporaneous oral and written agreements, understandings, representations, inducements, promises, warranties, and conditions among VETERANS PARK and VA. No agreement, understanding, representation, inducement, promise, warranty or condition of any kind with respect to the subject matter of this Agreement shall be relied upon unless expressly incorporated herein.

C. This Memorandum of Agreement shall be binding on, and inure to the benefit of the successors, assigns, and heirs of VETERANS PARK and VA. Nothing in the Agreement, express or implied, is intended to confer upon any person or entity other than VETERANS PARK or VA or their respective successors and assigns, any rights or benefits under or by reason of this Agreement, except as provided herein.

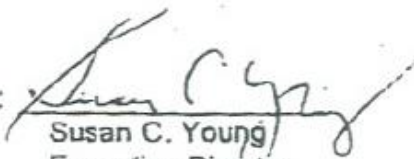
D. This Memorandum of Agreement will remain in effect unless amended, modified or superseded. Additions, deletions or changes shall be made in writing and signed by the signatories or their designated representatives.

IN WITNESS WHEREOF, VETERANS PARK and VA have executed this Agreement this 12 day of December 1997.

DEPARTMENT OF VETERANS
AFFAIRS

By: 
Hershel W. Gober
Acting Secretary
Department of Veterans Affairs

VETERANS PARK

By: 
Susan C. Young
Executive Director
Veterans Park

12/04/2007

Guidelines and Requirements for Review and Acceptance of Memorials



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION

NATIONAL CEMETERY

Custody Receipt

_____ National Cemetery
<Location>, <State>
<Name of Commemorative Work>

This Receipt hereby establishes and transfers custody this ____ day of <Month> <Year> and completion is acknowledged by the Department of Veterans Affairs of the commemorative work named above and all associated construction detailed and described in the approved plans and specifications as donated by <Name of donor group>.

The work named above is subject to the terms and conditions of the Memorandum of Understanding between VA and the <Name of donor group>.

For <Name of Donor Group>

For the Cemetery:

 <Name> Date
 <Title>

 <Name> Date
 Cemetery Director,
 <National Cemetery>

Copies: Retain an original of this form at the cemetery for your files
 Send an original to VACO, NCA History Program (41C4)
 Send an original to the Donor Group
 Send a copy to the MSN office

Information About Hosting Ceremonies or Special Events at VA National Cemeteries

Request Procedures: A sponsoring organization that seeks to hold a ceremony or special event at a Department of Veterans Affairs (VA) national cemetery must submit a written request to the Cemetery Director in sufficient time to be received 30 days in advance of the proposed event. Requests involving the discharge of firearms or cannons with blanks require additional processing and requests should be received at the cemetery at least 45 days (but not less than 30 days) before the proposed ceremony or special event. The request must be submitted by an officer or official of the sponsoring organization and must contain the following information:

- a. Identity of organization;
- b. Date/time period requested for the event;
- c. Specific location within the cemetery where the organization would like to hold the event;
- d. Brief summary of the purpose and nature of the event; for example, how the event would honor the memory of those interred in the cemetery;
- e. Copy of the event's agenda, including a list of proposed activities and names and affiliations of potential speakers;
- f. Description of the estimated audience size and affiliations (if known);
- g. Any potential logistical or support needs;
- h. The name(s) and contact information for the official(s) who will be primarily responsible for organizing the event; and
- i. A statement that the sponsoring organization assumes all liability for actions and events that are directly related to the ceremony or special event and will hold VA harmless for any damage to property and/or injuries that are directly related to the ceremony.

Ceremonial Use of Weapons: If the event will include the carrying or discharge of firearms or cannons with blanks, the sponsoring organization must provide a letter, signed and dated by an officer or representative official of the sponsoring organization, at least 30 days, but preferably 45 days, in advance of the requested date certifying that:

- a. The carrying and/or discharge of firearms or cannons with blanks will be made only in the context of memorializing those buried within the national cemetery in connection with an officially authorized ceremony; and
- b. The sponsoring organization accepts liability for any harm to persons or property resulting from the carrying and/or discharge of firearms or cannons on cemetery grounds and will hold VA harmless for any damage to property and/or injuries resulting from such actions.

Standards of Conduct on VA Property: All non-VA ceremonies/special events held at VA national cemeteries are governed by the provisions of 38 CFR Section 1.218, Rules and Regulations Governing Security, Law Enforcement, and Standards of Conduct on Veterans Affairs Property, and the policies and procedures stated in NCA Directive 3170.

NEW MONUMENT or MEMORIAL REPORT

This form, along with requested materials, will be completed and forwarded to NCA History Program (41C4) within 30 days of installation.

Cemetery Name _____ Station No _____

Monument or Memorial Name _____

Date Installed and/or Dedicated _____

Donor Name _____

Cost _____ Dimensions _____

Materials _____

Artist/Designer/Manufacturer _____

Monument/Memorial's location in cemetery _____

Inscription(s) _____

(Continue inscription(s) on back of this page, if necessary)

Please submit at least 2 photographs of the monument/memorial (front and back) along with 1 copy of dedication ceremony announcements, clippings, media coverage, plans or related documentary materials for this memorial to NCA History Program. Digital images acceptable as long as saved in .tif format and submitted on a Compact Disk.

Signature of Cemetery Director

Date _____

Copies: Send original of this form to VACO, NCA History Program (41C4)
 Retain a copy at the cemetery, for your files
 Send your MSN office a copy