

**PROCEDURES FOR VA NATIONAL CEMETERY  
AGREEMENTS WITH NON-VA ENTITIES**

- 1. REASON FOR ISSUE:** To establish National Cemetery Administration (NCA) procedures regarding agreements between NCA cemeteries and non-Department of Veterans Affairs (VA) entities.
- 2. SUMMARY OF CONTENTS:** This handbook establishes procedures to follow in establishing agreements with non-VA entities. This handbook refers to, but does not provide procedural information for: contracts between NCA and any other party, leases or licensing agreements related to real property, or rental of NCA properties (lodges) as residences by VA employees.
- 3. RELATED DIRECTIVE:** NCA Directive 3014 –VA National Cemetery Agreements with Non-VA Entities (published simultaneously).
- 4. RESPONSIBLE OFFICE:** NCA, Office of Field Programs, 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the information contained in this handbook.
- 5. RESCISSIONS:** None.
- 6. RECERTIFICATION:** This publication is scheduled for recertification January 2010.

/s/  
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Under Secretary  
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**1. PURPOSE AND SCOPE**

a. This handbook establishes procedures for Department of Veterans Affairs (VA) National Cemetery Administration (NCA) cemetery staff to follow in establishing agreements with non-VA entities (including local, State, or Federal agencies) for the acquisition or provision of goods, services or labor as described in paragraphs 2 through 4 below.

b. For the purposes of this handbook and accompanying directive, the term “agreements” specifically excludes any contractual arrangement between NCA and any other party; any leasing, licensing, or rental agreements related to real property; and any other “agreements” covered under formal Federal, VA or NCA guidance.

**2. AGREEMENTS WITH VAVS-REGISTERED VOLUNTEERS**

a. Volunteers registered with VA Voluntary Services (VAVS) have agreed to provide ongoing volunteer services to a VA national cemetery.

b. Individuals who register with VAVS receive training on prohibited activities as part of the VAVS orientation. Such individuals are considered the equivalent of VA employees and must respect and adhere to the legal principles of public service while on cemetery property (see title 5, Code of Federal Regulations, section 2635 - Standards of Ethical Conduct for Employees of the Executive Branch).

c. The Cemetery Director will work with VAVS to ensure that VAVS requirements are met, and the specific volunteer services to be provided (including frequency, duration, etc.) are covered during the registration process.

**3. AGREEMENTS FOR NON-VAVS REGISTERED ‘ONE-TIME’ VOLUNTEER SERVICES**

a. These agreements cover ‘one-time’ volunteer services provided by individuals or groups not registered with VA Voluntary Services, such as those provided for single purpose projects (e.g., installing or renovating a landscape feature) or in support of a once a year ceremony or special event (e.g., installing grave decorating flags prior to a Memorial Day ceremony). Because these are one-time events limited to fulfilling a specific purpose, it is not necessary for the individuals involved to formally register with VAVS for training.

b. Agreements for single purpose projects will be in writing, signed by the Cemetery Director and the individual volunteer or the representative of the volunteer group. The agreement should be as simple and clear as possible, specifying the scope of the volunteer work to be done under the agreement, the duration or manhours of the actual activity, the number of volunteers involved, any support the national cemetery will provide to the volunteer(s), and any specific requirements (e.g., standards of appearance for landscaping) to be met.

c. The time spent by individuals for special purpose projects or in support of once a year ceremonies/special events will be reported to VAVS as "volunteer hours." In order to accurately report the number of hours of the individuals involved in the one-time service, the Cemetery Director will keep a record of the names of the individual(s) and an estimate of the hours spent at the cemetery. For individuals this can be done by having the volunteers sign-in at the cemetery office; for groups or organizations, the representative can provide a listing of the names of those involved.

#### **4. DOCUMENTED SERVICE PROVIDED THROUGH A STATE OR LOCAL GOVERNMENT AGENCY**

a. Documented service individuals are those who provide grounds maintenance or other services as arranged through a State or local government entity (such as a court system). This may include individuals serving community service terms, or incarcerated individuals who are allowed to work outside of a jail or prison. **NOTE:** *Arrangements for such services with Federal entities (e.g., Federal penitentiaries) would be covered under the Economy Act (see information in Directive 3014).*

b. Because the work programs are arranged through a government entity, the work performed is under direct supervision, and the services provided are limited to grounds maintenance or other work that does not involve contact with the public, the individuals do not register with VAVS.

c. The appropriate MSN Director will review and approve all potential agreements with state and local government entities before Cemetery Director signature.

d. Cemetery Directors are authorized to sign all MSN-approved agreements and should secure the signature of the appropriate authorized official of the organization or agency providing the labor.

e. Prior to any services being provided, there must be an approved/signed Memorandum of Understanding (MOU) in effect that:

(1) Describes the general type of services to be performed and the frequency (e.g., specific days/times);

(2) Cites the authority under which the services will be provided (such as a specific section from the State penal code);

(3) Describes any conditions associated with providing the service(s);

(4) Outlines any need for supervision and/or guard services and specifies who will have what responsibilities;

(5) States whether, based on the duties assigned, the cemetery will provide training and safety equipment;

(6) Includes a requirement for any individual providing services on cemetery grounds to respect and adhere to the legal principles of public service and to all Federal, VA, and NCA rules, regulations and policies related to appropriate behavior while on VA property, including, but not limited to, protecting and conserving Federal property/equipment, and using it only for authorized activities; and

(7) Specifies the duration of the agreement (if the duration of the agreement is longer than one year, the MOU will be reviewed annually by the Cemetery Director to verify accuracy).

f. The Cemetery Director will:

(1) Ensure that accurate records are kept of the individuals who serve at the cemetery and the number of hours of labor provided are reported to VAVS as “volunteer hours;”

(2) Inform the State or local government entity of Federal, VA and NCA policies and regulations related to the provision of services to the cemetery;

(3) Ensure that the Cemetery Director or his/her designee meets with the official representative of the State or local government entity at least annually to verify that all rules and regulations are being followed;

(4) Provide guidance, work assignments, personal protective equipment, and other information/items as necessary to facilitate provision of services;

(5) Specify an appropriate point of contact (e.g., grounds maintenance foreman) for coordinating all activities under the agreement; and

(6) Keep records of all services provided under the MOU in accordance with appropriate State or local government entity requirements.