

**VA NATIONAL CEMETERY SUPPORT COMMITTEES**

**1. REASON FOR ISSUE:** To update National Cemetery Administration (NCA) policies and procedures governing the relationship between Department of Veterans Affairs (VA) national cemeteries and support committees.

**2. SUMMARY OF CHANGES:** This directive adds a responsibility for Memorial Service Network (MSN) Directors to ensure that Memoranda of Agreement (MOA) are updated when a Cemetery Director arrives at a cemetery, and clarifies when Cemetery Directors will submit MOA to the MSN Director for approval.

*NOTE: New information is indicated by a line in the left margin.*

**3. RELATED HANDBOOK:** None.

**4. RESPONSIBLE OFFICE:** NCA, Office of Field Programs, 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the information contained in this directive.

**5. RESCISSIONS:** NCA Directive 3013 - VA National Cemetery Support Committees, dated December 15, 2006.

**6. RECERTIFICATION:** This publication is scheduled for recertification in January 2013.

/s/  
Steve L. Muro  
Acting Under Secretary  
for Memorial Affairs

Distribution: Electronic

## VA NATIONAL CEMETERY SUPPORT COMMITTEES

### 1. PURPOSE AND SCOPE

a. This directive outlines National Cemetery Administration (NCA) policies and procedures governing the relationship between Department of Veterans Affairs (VA) national cemeteries and support committees.

b. For the purposes of this directive a "support committee" is defined as any formal group of volunteers serving under any name (e.g., Support Committee, Memorial Committee, Advisory Committee, Rifle Squad) whose charter or bylaws states that the group's purpose is to:

(1) Support the attainment of national shrine status for a particular cemetery through beautification endeavors on national cemetery grounds; and

(2) Improve public awareness of the mission of VA national cemeteries by assisting in the planning and conduct of major ceremonies or special events at a particular cemetery commemorating and/or honoring those who served or are serving in the U.S. Armed Forces, or those interred in that national cemetery.

c. The statutory authority for this directive is title 38, United States Code, chapters 5 and 24. Specific implementing regulations and agency guidance are cited in paragraph 4 - References. Conduct on NCA property must conform to the requirements of title 38, Code of Federal Regulations, section 1.218 (Security and Law Enforcement at VA Facilities).

### 2. POLICY

a. There are certain activities prohibited on Federal property (such as fundraising, soliciting donations, etc.). NCA employees and contractors should be aware of such restrictions as part of ethics training, and review of their specific employee responsibilities. Volunteers registered with VA Voluntary Services (VAVS) will receive training on restrictions that apply to them. For support committees with members not registered with VAVS, see paragraph 2.e. below.

b. Each VA national cemetery may have one or more, but is not required to have any, support committee(s).

c. There are two types of support committees, those with members registered as official volunteers through VAVS, and those with members who are not registered with VAVS. Support committees already in existence as of December 15, 2006, should be encouraged to register with VAVS. **If a Cemetery Director is involved in the creation of a new support committee, he/she will advise the committee members that they must register with VA Voluntary Services.** Information about VAVS is available electronically at <http://www1.va.gov/volunteer/about.cfm>.

d. The Cemetery Director must review and approve (or refer for approval) all gifts and donations to the cemetery or NCA (see NCA Directive 3160 - Gifts and Donations to VA National Cemeteries). **NOTE:** *Support committee members are not authorized to accept gifts or donations on behalf of a VA national cemetery or NCA.*

e. Support committees with VAVS registered members:

(1) Support committee members registered with VAVS are considered the equivalent of VA employees and must respect and adhere to the legal principles of public service while on cemetery property (see paragraph 4-References).

(2) Individuals who register with VAVS will receive training on prohibited activities (such as those listed in paragraph e.(3) below) as part of the VAVS orientation.

(3) Support committees with members registered with VAVS will use the following naming convention: *Support Committee at XX National Cemetery*. A name change is not required (although it should be encouraged) for support committees in existence as of December 15, 2006, and whose members register with VAVS.

f. Support committees with non-VAVS registered members:

(1) Support committees with members who are not registered with VAVS have additional restrictions on their actions and activities.

(2) The activities of support committees with non-VAVS registered members conducted on national cemetery property (such as planning meetings, the display of support committee promotional materials, or work by volunteers) must be covered under a written Memorandum of Agreement (MOA) between the cemetery director and the support committee (see sample MOA attached to this directive.) The MOA must be reviewed and approved by the Memorial Service Network (MSN) Director prior to becoming effective.

(3) In addition to the requirements of 38 CFR 1.218, support committees with non-VAVS registered members may not:

(a) Enter into any transaction or business arrangement pertaining to the purchase of goods and services, or the sale of goods and services, on national cemetery property;

(b) Solicit donations on cemetery property;

(c) Conduct fundraising on cemetery property;

(d) Engage in political activity on cemetery property;

(e) Store any committee items or materials on cemetery property; or

(f) Present themselves as officially representing VA or NCA. For example, using the address and/or telephone number of the national cemetery in its informational materials for the purpose of implying affiliation with VA or NCA. Support committee materials (e.g., brochures, press releases, or correspondence) should not list the national cemetery, or NCA or VA employees, as contacts in a manner that implies an endorsement of support committee activities.

(4) Support committees with members not registered with VAVS will use the following naming convention: *Support Committee for XX National Cemetery*. A name change is not required (although it should be encouraged) for support committees in existence as of December 15, 2006.

g. All those conducting activities on VA national cemetery grounds will:

(1) Act impartially and not give preferential treatment to any private organization or individual;

(2) Protect and conserve Federal property and not use it for other than authorized activities; and

(3) Avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in the law.

### 3. RESPONSIBILITIES

a. The **Under Secretary for Memorial Affairs (USMA)** is responsible for the overall administration of NCA and ensuring that NCA staff comply with Federal and agency requirements regarding activities of cemetery support committees.

b. **Director, Office of Finance and Planning**, will provide advice and assistance as needed on financial matters related to cemetery operations and fiscal transactions involving support committees.

c. **Director, Office of Field Programs**, is responsible for:

(1) Providing guidance to the field regarding establishment and conduct of cemetery support committees;

(2) Advising the Deputy USMA and USMA of any new support committees established at VA national cemeteries, as well as any issues regarding support committee activities (and their resolution);

(3) Ensuring that MSN Directors conduct annual reviews of MOAs with non-registered support committees; and

(4) Maintaining a list of all support committees that indicates whether the committee is registered with VAVS or not.

d. **Memorial Service Network (MSN) Directors** are responsible for:

(1) Approving all MOAs between national cemeteries and support committees with non-VAVS registered members for the conduct of activities on NCA property and advising Office of Field Programs of any new/revised MOAs;

(2) Conducting an annual review of MOAs between MSN national cemeteries and support committees with non-VAVS registered members for the conduct of activities on NCA property;

(3) Ensuring that MOAs are updated within 90 days of new Cemetery Director arrival at a cemetery;

(4) Ensuring appropriate recordkeeping by cemetery staff of:

(a) Files related to the short-term active, long-term active, and expired written MOAs between the cemetery and support committees with non-VAVS registered members;

(b) Records of gifts and/or donations of monetary or physical items to the cemetery and/or NCA in accordance with records management requirements; and

(5) Reviewing any recommendations from Cemetery Directors to terminate MOAs with support committees with non-VAVS registered members and informing the Director, Office of Field Programs, of final decision.

(6) Informing Office of Field Programs when new support committees are established at cemeteries.

e. **Cemetery Directors** are responsible for:

(1) Requiring all members of newly-established support committees to register with VAVS, and encouraging members of already established support committees to do the same;

(2) Informing the MSN when new support committees with VAVS registered members are established;

(3) Working with the appropriate VA Medical Center (VAMC) servicing station to establish procedures for registration of support committee members with VAVS and documentation of volunteer hours;

(4) Ensuring that an MOA is in place for all activities conducted on cemetery property by support committees with non-VAVS registered members and maintaining a file of all MOAs for review by MSN or Central Office staff;

(5) Submitting all revised MOAs with support committees with non-VAVS registered members to the MSN for approval prior to the effective date;

(6) Ensuring that a support committee with non-VAVS registered members does not represent itself as endorsed by VA or NCA, or connected in any official capacity with VA or NCA;

(7) Terminating any existing MOA, for cause, after MSN review/approval;

(8) Informing and educating all support committee members of Federal and NCA policies and regulations related to their purpose and scope of activities;

(9) Attending all support committee meetings that discuss activities conducted at the cemetery (or designating a representative to attend if he/she is absent from the cemetery due to official travel or leave);

(10) Maintaining records of:

(a) All MOAs (including original and any revision of support committees' bylaws or charter and description of activities);

(b) The quantity and type of volunteer assistance provided at ceremonies and special events by the support committee; and

(c) Gifts and donations received from a support committee or committee members;

(11) Issuing identification to support committee members conducting activities on cemetery property; and

(12) Reading VHA Directive 1620 and Handbook 1620.1 (VA Voluntary Service Procedures) and ensuring that up-to-date hard copies of the directive and handbook are on file at the cemetery.

#### 4. REFERENCES

a. 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch

(1) 5 CFR 2635.101, Basic Obligation of Public Service

(2) 5 CFR 2635.102, Definitions

(3) 5 CFR 2635.702, Use of Public Office for Private Gain

(4) 5 CFR 2635.704, Use of Government Property

b. 38 CFR 1.218, Security and Law Enforcement at VA Facilities

c. VA Directive 0070 - Management Accountability and Access Control

d. VA Directive 6300 - Records and Information Management

e. VA Handbook 6300.1 - Records Management and Procedures

f. NCA Directive and Handbook 3160 - Gifts and Donations in VA National Cemeteries (and Procedures)

g. NCA Directive and Handbook 6300 - NCA Records Management (and Procedures)

h. VHA Directive 1620 and Handbook 1620.1 - Department of Veterans Affairs Voluntary Service (and Procedures)

**MEMORANDUM OF AGREEMENT**  
**National Cemeteries and Non-VA Voluntary Service-Registered**  
**Cemetery Support Committees**

**I. Purpose**

The purpose of this Memorandum of Agreement (MOA) is to establish an agreement between \_\_\_\_\_ National Cemetery ("Cemetery") and \_\_\_\_\_ ("Committee") to support the relationship between the Cemetery and Committee in determining appropriate Committee activities on National Cemetery Administration (NCA) property that honor the military service of those who served or are serving in the Armed Forces of the United States or are interred in the National Cemetery, and support the attainment of national shrine status for the Cemetery through beautification endeavors.

**II. Authority** The authority for this MOA is title 38 U.S.C., chapters 5 and 24.

**III. Agreement****A. The Support Committee will:**

- (1) Respect and adhere to the legal principles of public service and to all rules, regulations and policies stipulated in NCA Directive 3013, VA National Cemeteries and Support Committees, while on Cemetery property. Specifically, Committee members will:
  - a. Protect and conserve Federal property and not use it for other than authorized activities;
  - b. Endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in law.
  - c. Refrain from entering into transactions or business arrangements pertaining to the purchase of goods and services, or the sale of goods and services, for profit or non-profit fundraising on behalf of the Committee, the Cemetery, or any other party, on Cemetery property.
  - d. Ensure that oral or written references to the Cemetery or Cemetery staff (e.g., contact information) in any of the Committee's promotional activities or published materials do not imply an endorsement of the Committee's actions.
  - e. Not solicit donations nor engage in political activities on Cemetery property.
- (2) Assist cemetery staff with planning and conducting proper observances of national holidays, specifically Memorial Day and/or Veterans Day that constructively reflect on veterans or patriotism.
- (3) Identify projects that enhance the natural beauty of the cemetery and facilitate the accomplishment of those projects by securing Cemetery Director approval before planning, funding, and implementing.
- (4) Provide to the Cemetery Director, prior to the execution of the MOA, a copy of the committee charter or bylaws and a document describing the activities of the committee to be conducted on cemetery grounds (submit new versions when revised).

**B. The Cemetery will:**

- (1) Inform and educate the Committee and its members of Federal, VA and NCA policies and regulations related to the purpose and scope of activities of support committees.
- (2) Ensure that the Cemetery Director or his/her designee attends Committee meetings where cemetery business is discussed and/or any to which he/she is invited in an official capacity.
- (3) Report to VA Voluntary Services the hours and type of volunteer assistance provided by the Committee at observances, ceremonies and special events and maintain appropriate records at the cemetery.
- (4) Properly handle all gifts and donations received from the Committee, conforming to policies and procedures specified by Federal, VA, and NCA regulations and guidance.
- (5) Issue proper identification to Committee members for display when on Cemetery property.

**IV. Effective Date**

This memorandum will be effective as of the date of the last signature and will remain in effect by mutual consent of the participating entities.

This memorandum may be amended, in writing, by mutual consent of the participating entities.

- This memorandum will be reviewed on an “as-needed” basis, or when the Cemetery or committee leadership changes but not less than once a year to permit needed changes.
- Either party may terminate this agreement upon 60 days notice in writing.

\_\_\_\_\_  
Director, National Cemetery

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chair, Support Committee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Memorial Service Network Director

\_\_\_\_\_  
Date