

## **NCA PUBLIC AFFAIRS**

**1. REASON FOR ISSUE:** To update the National Cemetery Administration's policy on Public Affairs (PA) to include external engagement and internal communications.

### **2. SUMMARY OF CHANGES:**

a. This directive replaces NCA Handbook 8500 in accordance with current directives management policy that eliminated development of handbooks as official policy.

b. This directive provides updated NCA-wide policy guidance for the establishment of PA programs and practices within NCA. It includes:

(1) Revisions of office and employee titles, where applicable.

(2) Updated appendices that provide detailed procedural guidance for media relations and filming/photography requests.

(3) Clarification of policies NCA staff are to follow at all NCA facilities for VA initiated or sponsored events with PA related activities.

(4) Details the management of PA programs through which NCA engages with news media, commercial filmmakers, and the public.

### **3. RELATED PUBLICATIONS:**

- a. VHA Handbook 1605.01 – Privacy and Release of Information (August 31, 2016).
- b. VA Directive and Handbook 6102 – Internet/Intranet Services (August 5, 2019).
- c. VA Directive 8500 – Public Affairs (October 2, 2019).
- d. VA Handbook 8500 – Public Affairs (October 2, 2019).
- e. VA Public Affairs Guidelines for Facility Public Affairs Practitioners (August 28, 2018).
- f. NCA Directive 3005 – NCA Mobile Outreach Vehicle (December 10, 2020).
- g. NCA Directive 0322 – NCA First Notice of Event (October 29, 2019).
- h. NCA Directive 8100 – NCA Congressional Relations Activities (March 6, 2012).
- i. NCA Directive 3012 – NCA Uniforms and Personal Protective Equipment (March

12, 2020).

**4. RESPONSIBLE OFFICE:** National Cemetery Administration, Office of Engagement and Memorial Innovation (OEMI, 44), 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the material contained in this Directive. Questions may be referred to the Deputy Director, OEMI.

**5. RESCISSIONS:**

- a. NCA Handbook 8500 – Public Affairs, dated October 28, 2019.
- b. NCA Policy Letter – “Fees for Filming at the National Cemeteries”, February 3, 1999.
- c. NCA Policy Letter – “Public Affairs Liaison”, December 19, 1994.

**6. RECERTIFICATION:** This publication is scheduled for recertification the last business day of October 2026.

/s/ Matthew T. Quinn  
Under Secretary for Memorial Affairs

## NCA PUBLIC AFFAIRS

### 1. PURPOSE/AUTHORITY:

a. To update the National Cemetery Administration's (NCA) policy on public affairs (PA) to include external engagement and internal communications.

b. The primary authority for establishing VA public affairs policy and program objectives rests with the Secretary of Veterans Affairs. The Office of Public and Intergovernmental Affairs (OPIA) is the functional and policy lead for public engagement, as articulated within this Directive.

### 2. POLICY:

#### a. General

(1) It is NCA policy that the Office of Engagement and Memorial Innovation (OEMI) is the functional and policy lead for NCA external and internal information programs. OEMI provides guidance and direction to support the Under Secretary for Memorial Affairs' (USMA) communications' objectives and goals within NCA, and externally, with federal government partners; state, local, tribal, domestic, and international partners; and the news media.

(2) NCA conducts national, regional, and local outreach and community relations events throughout the year to educate and inform Veterans of the memorial and burial benefits available to eligible Veterans and their family members.

(3) Central Office employees, District Directors, Program Office Directors, and Cemetery Directors have discretion to use local operating funds to purchase items for outreach purposes. Such items, which include, but are not limited to NCA-branded clothing items, pamphlets, and brochures that connect Veterans and their families to VA benefits managed by NCA.

#### b. Governing Principles

(1) The NCA Public Affairs (NCA PA) program contributes to the Secretary's objectives by proactively, accurately, quickly, and succinctly communicating information to Veterans, their families and survivors, VA employees, and the public at large, regarding VA activities, programs, services, and benefits.

(2) Consistent with the Department's commitment to accountability and transparent operations, NCA PA activities are governed by the philosophy of active public engagement that fosters "maximum release with minimum delay" of publicly releasable information about VA activities, programs, services and benefits.

(3) NCA PA and engagement activities shall take advantage of digital media and best practices within the communications industry to provide timely, useful products in plain language that are compliant with Section 508 of the Rehabilitation Act of 1973.

(4) All NCA personnel must ensure discussions with news media and external stakeholders reflect approved departmental and administration policy, and releasable (appropriately staffed and cleared) information. All NCA employees should refrain from speculating or offering personal opinions that may be reported by the news media as Departmental or Administration statements or policy.

c. Release of Public Information (see Appendix A, NCA Media Relations Considerations)

(1) In accordance with VA Directive 8500, the Secretary is the primary release authority for information to the public. The Secretary delegates public information “release authority” to NCA based on required staffing and approval.

(2) The Secretary further directs OPIA as the VA staff approving authority for media responses, press releases and media advisories. NCA spokespersons will be determined by OPIA on a case-by-case basis in accordance with this Directive.

(3) NCA employees with questions about authorized PA communications should contact the Chief, OEMI Public Affairs and Outreach (44A), for review and resolution.

(4) For media queries outside the mission and scope of an office’s activities (Central, District, and Program Offices or Cemeteries), follow the Media Response process described in Appendix A to this Directive. A First Notice of Event (FNOE) will still be required per NCA Directive 0322 to inform other offices within NCA.

(5) NCA District and Cemetery Directors may seek or coordinate additional PA support for NCA-approved events or engagements by contacting OPIA Regional Public Affairs teams or VHA-affiliated PA offices.

d. Privacy Requirements

(1) VA has a legal responsibility to safeguard the personal information of Veterans, their families, and survivors. Cemetery Directors may respond to news media requests concerning information about memorial benefits in general, (i.e., eligibility as an example, or information that is available through public means). Issues affecting benefit claims must be confidential and information shall not be disclosed unless otherwise authorized by law - see 38 U.S.C. § 5701, Confidential Nature of Claims.

(2) Due to the unique public nature of NCA cemeteries and headstones, NCA employees may release information that is publicly viewable such as headstone inscriptions or information that is accessible, without clearance from OEMI. This includes headstone photographs, information in the publicly-accessible [Nationwide Gravesite Locator](#), the [Daily Burial Schedule](#), information that is available on the Veterans Legacy Memorial site, or information available at [www.Data.gov](#). Additional information on commercial filming and photography in a national cemetery is in Appendix B of this Directive.

e. Accuracy and Timeliness

(1) NCA staff offices and cemeteries are responsible for ensuring the accuracy of any information requested by and provided to 44A for release to the news media and key stakeholders. This is true for routine information (i.e., cemetery special events, regular operations, general cemetery information and history) provided directly to local news media, the public or other organizations. The goal is to ensure that accurate and timely information is shared with the news media or the public in the spirit of the governing principles set in VA Directive 8500 – Public Affairs.

(2) Media Deadlines. For routine queries regarding readily available and publicly releasable information, 44A staff will work with the appropriate program offices, district offices, or cemeteries to obtain accurate information for release in a timely manner to news organizations (maximum release, minimum delay policy).

### 3. RESPONSIBILITIES

a. **Under Secretary for Memorial Affairs** is responsible for:

(1) Establishing overall communications priorities for NCA and setting the tone and message for all communications, and

(2) Designating NCA spokespersons to address queries and requests for information from the media.

b. **Principal Deputy Under Secretary for Memorial Affairs** is responsible for approving the annual Communications and Outreach Plan of Action and Milestones (POA&M).

c. **NCA Chief of Staff** is responsible for facilitating and coordination of media responses and statements across the NCA staff and securing concurrence from the Under Secretary for Memorial Affairs as needed.

d. **Deputy Under Secretaries, managers, and other key NCA officials** are responsible for:

(1) Providing timely and accurate support to 44A to include access to program directors, managers, and subject matter experts in responding to queries from the news media. This may include fulfilling requests for interviews with media outlets;

(2) Informing 44A in advance of all major public policy announcements and planning (such as policy changes to memorial benefits or planning initiatives such as a cemetery expansion). This ensures public releases and response to queries include the correct information and messaging, are timely within VA protocols, and support VA and NCA communication objectives; and

(3) Reporting national media queries and queries on sensitive issues likely to rise to national attention to 44A for evaluation and staffing before response(s) back to the

media.

e. **District Executive Directors** are responsible for:

(1) Ensuring Community Relations and Outreach programs are in place and being conducted as appropriate to individual field locations. Consideration should be given to VA Guidelines for Community Relations Programs found in VA Public Affairs Guidelines for Facility Public Affairs Practitioners (August 28, 2018). The VA Public Affairs Guidelines for Facility Public Affairs Practitioners is a good resource for best practices in managing PA and community relations programs at the facility level;

(2) Immediately informing 44A of significant (not routine) media queries, and advising on proposed responses for NCACOS or other approvals; and

(3) Providing necessary support to national or major regional outreach events occurring in their district as outlined in the annual Communications and Outreach Plan POA&M.

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

(1) Returning news media calls promptly. (Generally, within one business day). When calling back a news media outlet, Directors should, at a minimum, request:

- (i) full name and contact information of the reporter;
- (ii) name of the news outlet;
- (iii) questions requiring response;
- (iv) focus of the story (if possible); and
- (v) reporter deadline (See Appendix A of this Directive).

(2) Reporting any events or incidents that may result in media attention using the FNOE process to ensure timely actions (such events might include positive human-interest stories, natural disasters, crimes committed on cemetery property, public protests, etc.). See NCA Directive 0322 – National Cemetery Administration First Notice of Event (FNOE);

(3) Informing and advising 44A of routine media queries and supporting OPIA Regional Offices of media queries for awareness and timely staffing. These activities may include assisting OEMI and OPIA Regional Offices in developing appropriate responses to media queries and conducting media escort on cemetery grounds in accordance with PA “best practices” and VA policy (VA Directive and Handbook 8500). Note: See Appendix A for OPIA Regional Offices.

(4) In cases where media wish to speak to family members conducting an interment or memorial service or who already have someone interred or memorialized at a

cemetery, Cemetery Directors will immediately inform family members of media interest and scope of coverage, so that they can be prepared for possible media queries, interview requests, and/or photography (See Appendix A for specific guidance regarding media and family interactions);

(5) Establishing and conducting cemetery community relations, volunteer, and outreach programs appropriate to specific cemetery circumstances, including resources and operational workflow. (See Appendix B);

(6) Approving or disapproving requests for special events and filming or photography in accordance with the filming and photography guidance in this Directive (See Appendix B);

(i) For family requests for photography and videos for their personal use, the Cemetery Directors have the authority to approve a request to film or photograph services, interments, or gravesites of a family member without seeking higher level concurrence or approval. Directors may disapprove, restrict, or halt any filming (the term filming includes all forms of recording moving images inclusive of online platforms and techniques such as “live-streaming” or visual commentary) or photographic activities which interfere with cemetery operations, disrupt the solemnity of the cemetery, or interfere with the privacy of other cemetery guests.

(ii) All other requests for photography and videos will be evaluated and approved or disapproved by the 44A and the Cemetery Director.

(7) Maintaining a contact list of local news media organizations including email addresses and phone numbers. When possible, Cemetery Directors should establish a rapport with media who cover events at their locations;

(8) Forwarding any published articles to 44A concerning the cemetery (e.g., send the story or URL by email with the name and date of the publication, city and state, and the sender’s cemetery and phone number clearly identified, to the local OPIA Regional Office, District office, and OEMI);

(9) Submitting photographs of newsworthy events via email to ncanews@va.gov for use in NCA News, on social media sites, and for NCA awareness; and

(10) As resources allow, and in coordination with 44A, maintain a cemetery social media platform (e.g., Facebook).

**g. Executive Director, OEMI (44)** is responsible for:

(1) Serving as the USMA’s primary public affairs and outreach advisor;

(2) Conveying the USMA’s public engagement and communication objectives to NCA program offices and field facilities;

(3) Informing the USMA and other NCA Central Office management staff of NCA-

related media activities in the field or VACO;

(4) Securing OEMI funding, staffing and equipment;

(5) Coordinating public affairs and outreach policy matters within NCA, the Department and the other Administrations;

(6) Assisting cemeteries in developing their own social media platforms through field guidance and training;

(7) Developing coordinated communication campaigns with organizations outside of NCA to enhance outreach efforts and build greater public awareness of NCA and the Veterans we honor;

(8) Providing guidance and assistance to District Executive Directors, Cemetery Directors, and NCA program offices in staging special events, such as preparing media products for new cemetery dedication ceremonies and coordinating requests for VACO speakers at Memorial Day, Veterans Day, and programs coordinated with VA Partners; and

(9) Setting program goals for NCA public affairs and outreach activities and establishing overall policy to attain those goals.

h. **Chief, Public Affairs and Outreach Division (44A)** is responsible for:

(1) Serving as NCA's primary senior PA officer;

(2) Providing functional oversight for daily NCA PA operations for media relations and social media engagement planning purposes, consistent with OPIA guidance;

(3) Managing the NCA Editorial and Outreach Calendar and ensuring annual outreach events communication goals are in the Public Affairs and Outreach POA&M;

(4) Coordinating with NCA staff, the OPIA Press Secretary, or Office of Media Relations on response to queries from news media or media queries referred to OEMI by OPIA;

(5) Coordinating with District Directors on field dissemination of requested national or local news releases or other media products;

(6) Advising Cemetery Directors of NCA and VA national PA policies and any recurring updates;

(7) Developing Field Support Packages for distribution to cemeteries in support of major events and activities taking place across NCA (e.g., Memorial Day and Veterans Day);

(8) Maintaining and operating NCA social media sites, which includes but is not

limited to: developing social media content, providing consistent messaging to NCA leadership across all platforms, monitoring social media metrics, and responding to comments left on NCA social media platforms;

(9) Producing video products for outreach activities and information campaigns;

(10) Planning for and coordinating for necessary District level support for national or regional-level outreach events;

(11) Supporting and advising Cemetery Directors with:

(i) Community relations and local outreach programs when outreach activities in their district are planned and conducted; and,

(ii) Requests for photography and videos from the media and other external entities (excluding requests from families).

(12) Developing public information, media relations, social media governance, external print, and external video policy guidance, plans, and programs to support NCA objectives in coordination with program offices; and

(13) Coordinating proposed responses with the appropriate cemetery or program office, Office of General Counsel (OGC), Office of Congressional and Legislative Affairs (OCLA), and other VA offices.

i. **Chief, Digital Services (44B)** is responsible for:

(1) Managing the NCA portion of the VA public websites (including individual National Cemetery Web Pages) and the NCA internal-facing intranet;

(2) Publishing and maintaining publicly accessible web and social media sites in accordance with VA's Web Governance procedures in VA Directive and Handbook 6102; and

(3) Managing the Veterans Legacy Memorial (VLM) Program and contributing to OEMI communication campaigns and programs to honor Veterans, raise awareness of NCA's digital memorialization efforts, NCA memorial benefits, and VA.

j. **Chief, Veterans Legacy Program (VLP, 44C)** is responsible for:

(1) Managing the Veterans Legacy Grants program to fund cemetery research and produce educational materials outreach that promote public engagement by telling the stories of the histories of Veterans interred in VA national cemeteries and VA grant-funded Veterans cemeteries;

(2) Seeking opportunities to synchronize other OEMI activities such as Public Affairs and History with VLM activities through production of original content and deploying modes of digital engagement and memorialization to create new methods of interface

with the public;

(3) Leveraging interagency and intergovernmental partnerships to extend NCA's reach into new sectors of the public, raising awareness of NCA, our cemeteries, memorial benefits, and VA; and

(4) Providing relevant content to 44A to illustrate VLP's engagement with educators, students, and the public to demonstrate NCA's commitment to preserving the legacy of America's Veterans.

k. **NCA Historians (44D)** are responsible for:

(1) Supporting NCA communication campaigns with well-researched historical content on NCA history;

(2). Drafting articles and stories of a historical nature that raise public interest in VA, NCA benefits, or honor Veterans; and

(3) Serving as the subject matter expert for media queries on the history of NCA, the history of NCA's policies and programs, and other history related subjects.

#### 4. REFERENCES

- a. Freedom of Information Act (FOIA) as amended (5 U.S.C. § 55).
- b. 29 U.S.C. § 794, Nondiscrimination under Federal grants and programs.
- c. 38 U.S.C. § 5107, Confidential nature of claims.
- d. 38 CFR § 1.218, Security and Law Enforcement at Department of Veterans Affairs Facilities.
- e. VHA Handbook 1605.01 – Privacy and Release of Information (August 31, 2016).
- f. VA Directive and Handbook 6102 – Internet/Intranet Services (August 5, 2019).
- g. VA Directive 8500, Public Affairs, (October 28, 2019)
- h. VA Handbook 8500 – Public Affairs (October 28, 2019).
- i. VA Public Affairs Guidelines for Facility Public Affairs Practitioners (August 28, 2018).
- j. NCA Directive 3005 – NCA Mobile Outreach Vehicle (December 10, 2020).
- k. NCA Directive 0322 – NCA First Notice of Event (October 29, 2019).
- l. NCA Directive 8100 – NCA Congressional Relations Activities (March 6, 2012).

**APPENDIX A – NCA MEDIA RELATIONS CONSIDERATIONS**

## 1. Guidance for Responding to Media Queries

When a news media representative submits an inquiry, NCA is obligated to keep the public informed by responding accurately and in a timely manner. The level at which the response is approved, and the person delivering the response will vary based on the media outlet and the issue the media outlet is inquiring about. In each instance, the appropriate individual must respond in a manner compliant with FOIA and all other relevant privacy laws. Examples are:

- Local News Media and Local Issue: Inquiry Examples – How many are interred at your cemetery? When will Memorial Day ceremonies take place at your cemetery? How can a family schedule an interment?.

Appropriate response: Cemetery Director or Assistant Director may respond to local news media asking about local issues without prior approval, so long as they confine information to their facility's activities. If required by NCA Directive 0322, report the media engagement afterward using NCA's FNOE procedures. Note: If some of the questions fall outside of the local scope, tell the reporter that you will have to check on the response, then follow the steps below for Sensitive/National issue (see next bullet).

- Local News Media and Sensitive / National Issue Inquiry Examples – How has COVID impacted VA cemeteries overall?; When will NCA remove limits on attendees at committal services?; or Why do you care for the graves of Confederates / Enemy POWs in your cemetery?

Appropriate Response: Ask reporter to send the questions to you in writing, as the issue is beyond the scope of your duties. Realizing the importance of Cemetery Directors maintaining a positive relationship with local media, in most cases the Cemetery Director will be allowed to respond to a local reporter after consultation with 44A or the regional OPIA team. The media query should be submitted using the email format below to 44A, with the OPIA regional office on the CC: line. In most cases, 44A will have to clear the response with NCA leadership and then OPIA leadership before the response can be given to the reporter. Note: Since the information required in order to respond to the reporter is more detailed and more time-sensitive than the information needed to submit an FNOE about the media query; the FNOE should not be written until AFTER 44A has been provided the specific questions by the cemetery director.

- National News Media (for definition of what constitutes national news media, see excerpt from VA Public Affairs guidelines that follows): The reporter should be referred to 44A. Provide the reporter the 44A email address (email media queries are simpler and more efficient in staffing with NCA and OPIA leadership). The response will usually come from either the 44A or a member of the regional OPIA team. Cemetery staff should first submit the questions to the

44A for staffing and response using the format prescribed below, then and CC: the regional OPIA office for their awareness. The NCA process described in NCA Directive 0322 – National Cemetery Administration First Notice of Event (FNOE) can be followed to submit an FNOE.

Note: Please contact 44A by phone call, email, or Microsoft Teams message if you have ANY question whether a media outlet or an issue is local, or national, or particularly sensitive. NCA's Chief of Public Affairs and Outreach Division is the primary point of contact, and the Deputy Director of OEMI is the alternate. Remember when speaking with media, speak only to your area of responsibility and do not speculate about issues outside your area of expertise. Avoid giving personal opinions, but it is always acceptable and encouraged to express your pride in the work you do, the team you lead, and the Veterans and families you serve.

## 2. Media Requests to Speak with Families or Cover Services

- NCA's guiding principle for media requests to interview family members or record committal services is that the family's wishes should be respected. If family wants media present, NCA officials should facilitate it. However, NCA officials should inform families that they are under no obligation to admit media to services they are holding or to answer media questions.
- In cases where media wishes to speak to family members conducting an interment or who already have someone interred at a cemetery, cemetery staff will ensure family members are aware of the media interest. Staff should provide media contact information to the family representative. NCA employees should not become the intermediary for the media and the family, or advocate either for or against media access. For high-profile interments where media coverage has been authorized by the family, if resources and time allow the Cemetery Director or designee should create a data sheet with information about the service, including the sequence of events, unit providing military honors, chaplain, and who is presenting and receiving the flag is also helpful for reporters covering a service.
- Cemetery staff should honor family requests insofar as practicable. For example, if the family permits media but does not want them at the committal shelter or interment site, cemetery staff should provide a location at an appropriate distance from the site for news media to cover the event without interfering with the ceremony. Cemetery staff should consult with 44A when assistance is needed to determine the appropriate location/distance for the media holding/filming area.
- If members of the media inform cemetery staff that they have been invited onto cemetery grounds by a family, a cemetery staff member should independently confirm this with the family before permitting access. For example, discussing the family's desired degree of privacy and informing the District Director of any

guidelines agreed to by the family regarding media access and coverage (interviews, camera locations, etc.) is recommended.

- It is strongly recommended that when media visits a cemetery, they be instructed to report to the administration building or other easily located point before the scheduled service time. If resources are available, a cemetery employee should escort media to the proper location and remain for the duration of the media's stay to ensure that coverage does not interfere with the ceremony and interviews are limited to those attending the particular service being covered. Other guests and family members expect a degree of privacy when they visit our cemeteries; media should not be given free access to roam about the cemetery, speak with or photograph whomever they wish.

### 3. Media Reporting Format

When reporting a media contact to 44A or an OPIA Regional Office, use **email** and follow the format (OPIA requirement) example below in order to capture all the key elements of the request. This will expedite getting the proposed response approved by NCA and OPIA leadership. In addition, if you received the media query by email, attach the original request to your email. Do NOT include the reporter on your email correspondence to 44A. See the following format example:

**NATURE OF REQUEST / STORY PREMISE:** For example, interviewing Cemetery Director on existing space for new interments, requests for comment about complaints made about cemetery staff, etc.

**OUTLET:** WXIA-TV (NBC-Atlanta)

**JOURNALIST:** Justin Time

**CONTACT PHONE / E-MAIL:** 404-000-0000; justintime@xia.com

**DEADLINE:** Time, Month, Day

**BROADCAST / PUBLICATION DATE:** Month, Day, Year (if known)

**RECOMMENDATION:** Conduct interview / Decline interview; provide written response; etc. (Please include proposed statement, talking points, etc.)

### 4. VA Public Affairs Guidelines and Definitions (As set in VA Directive 8500)

#### National Media

As a government agency with an annual budget in the hundreds of billions and more than 300,000 employees whose salaries are paid by American taxpayers, VA's programs, services and occasional problems sometimes attract national media attention at the facility level. So, what do you do when CBS News calls?

#### Definition of National Media

For VA purposes, national news media are those with a national readership or audience. For example, *Time* magazine, *The Wall Street Journal*, Associated Press (AP), and programs such as *CBS Evening News* and *60 Minutes* are all national media. Print media such as *The Los Angeles Times*, *The New York Times* and *The Washington Post* are considered national because of their distribution, editorial scope, and impact. There is also a growing number of nationally oriented online and digital media, particularly in the area of health news. If in doubt about whether a medium is local or national, contact your regional Office of Public Affairs.

### VA National Media Policy

VA's policy is that, in the absence of directives to the contrary, no liaison involving national subjects or national media will be conducted by any VA employee without the initial involvement of an OPIA representative. Contacting your regional OPIA after the media contact and response process does not comply with this policy.

### Rationale

Why do we have this national media policy? It is not because local facilities cannot adequately handle national media queries. We need to monitor national media interest in VA activities; ensure that all VA officials are "speaking with one voice" on major or breaking issues; ensure that national media outlets are provided the best possible spokesperson for their needs; and, if a national media outlet has called you, it may have called other facilities as well. If there is a pattern, it allows OPIA to alert other facilities that a national media outlet is contacting VA facilities. We realize that national media outlets sometimes contact members of your facility's staff directly, and they may even agree to an interview before alerting you. But please make every effort to ensure that all employees at your facility are aware of and comply with VA's national media policy.

### National and Regional Issues

For VA purposes, a national issue is one that involves either VA facilities or programs throughout much of the nation or has the special attention of VA officials in Central Office. Examples of national issues include Agent Orange policy and physician credentialing. Regional issues involve facilities or programs in two or more states, or involve two or more VA organizational elements, without national implications.

## 5. Key Points of Contact

Primary Contact: Chief, NCA Public Affairs and Outreach, (44A)

Secondary Contact: Deputy Director, OEMI

## 6. OPIA Regional Offices

### New York OPA - 212-807-3429

VA Office of Public Affairs (80E1), 245 W. Houston St., Suite 213, New York, NY 10014  
States: CT, ME, MA, NH, NJ, NY, RI, VT, DE, MD, PA, VA, NC, DC, WV (VISNs 1, 2, 4, 5, 6)

### Atlanta OPA - 404.929.5880

VA Office of Public Affairs (80E3), 1700 Clairmont Road, Decatur, GA 30033-4032  
States: AL (except Mobile), FL, GA, KY, SC, TN; Puerto Rico, USVI (VISNs 7, 8, 9)

Chicago OPA - 312.980.4235

VA Office of Public Affairs (80E4), 2122 West Taylor St., Ste. 320, Chicago, IL 60612  
States: IL (except E. Moline, Marion, Mound City), IN (except Evansville), MI, OH, WI  
(except Superior) (VISNs 10, 11, 12)

Denver OPA - 303.914.5855

Office of Public Affairs (80E5), Department of Veterans Affairs, 155 Van Gordon Street,  
Suite 500, Lakewood, CO 80228, (PO Box 25126, Denver, CO 80225)  
States: CO, IA, KS, MN, MT, MO, NE, ND, SD, UT, WY; Pocatello, Idaho; E. Moline,  
Marion and Mound City, IL; Evansville, IN; Superior, WI (VISNs 15, 19, 23)

Los Angeles OPA - 310.268.4207

VA Office of Public Affairs (80E6), C/O VA Greater Los Angeles Health Care System,  
11301 Wilshire Blvd. (B-506), Los Angeles, CA 90073  
States: AK, CA, HI, ID (except Pocatello), NV, OR, WA; Philippines (VISNs 20, 21, 22)

Dallas OPA - 817.385.3720

VA Office of Public Affairs (80E7), 2301 E. Lamar Blvd., Suite 410, Arlington, TX  
States: 76006 AZ, AR, LA, NM, OK, TX, MS; Mobile, AL; Pensacola, FL (VISNs 16, 17,  
18)

**APPENDIX B – FILMING AND DOCUMENTATION IN NATIONAL CEMETERIES**

1. Primary Considerations and Regulatory Guidance.

a. This appendix is a guideline for use by NCA employees acting on requests by internal and external parties to film and photograph in VA national cemeteries.

b. These guidelines are based on federal regulations pertaining to actions and conduct on property of the United States government, and considerations of families of Veterans being interred or already at rest in NCA cemeteries. Regulations governing security and law enforcement at VA facilities that affect public conduct are codified in section 1.218 of title 38, Code of Federal Regulations (CFR).

c. Specific requirements pertaining to filming or taking photographs are included in 38 C.F.R. § 1.218(a)(5) Disturbances, (10) Photographs for news, advertising, or commercial purposes, and (14) Demonstrations.

d. Decisions to permit or deny filming, photography, and similar documentation in VA national cemeteries must be consistent with the dignity and solemnity of NCA's mission to memorialize and honor the sacrifices of all Veterans in cemeteries that serve as national shrines to their service.

e. For family requests to conduct filming (the term filming includes all forms of recording moving images inclusive of online platforms and techniques such as "live-streaming" or visual commentary) of a family member's service, interment or gravesite for their personal use, Cemetery Directors are authorized and encouraged to approve these requests without requiring higher level approval. Cemetery Directors have the authority to disapprove, restrict, or halt any filming or photographic activities which interfere with cemetery operations, disrupt the solemnity of the cemetery, or interfere with the privacy of other cemetery guests.

f. All other requests for photography and videos will be evaluated and approved or disapproved by the 44A and the Cemetery Director. Primary considerations are based on:

(1) The potential disruption to family members and other visitors paying respects to Veterans, i.e., will the filming project have a large footprint or be disruptive to the peace and serenity of the grounds?

(2) The feasibility to support on location with cemetery staff and impact on ongoing interments or committal services (Cemetery Director determination).

(3) Whether the content will reflect propriety (e.g., language and activity) commensurate with the honor and sacrifices of those who are interred in a national cemetery (shrine)?

(4) Whether the cemetery's status as a Veteran's cemetery is a necessary and

intrinsic part of the script, shot, or performance, or is it simply being used as a backdrop? Could the shot be done in a private cemetery?

(5) Whether there is clear commercial, advertising, political, or partisan intent behind the filming?

(6) NCA will consider drone use requests on a case-by-case basis in consultation with OPIA. In all cases, the pilot must be FAA licensed, insured, and all local, state, and federal requirements met.

2. Supporting Visual Information Requests by Scope and Purpose Photographic and film requests will require different levels of support, additional documentation, and permissions.

a. Requests by family members to photograph or film committal services, interments, or other activities related to their interred family member should be approved by the Cemetery Director so long as they do not violate the guidelines outlined in Paragraph 1 above. Other requests, e.g., commercial filming projects, media coverage of news stories, documentary filmmakers, and requests from local, state and federal government agencies should be analyzed by considering purpose and use of the products; liability coverage; capability to support; and impact to normal national cemetery operations.

b. Although 44A should be consulted if there are questions regarding the level of approval required for a particular request, the following guidance should be followed:

- 1) Verbal approval is sufficient to approve a family videotaping a loved one's committal service.
- 2) An NCO Waiver of Release of Responsibility (Hold Harmless Agreement) will usually suffice for a brief filming at a cemetery with minimal crew and equipment that is shot during normal cemetery operating hours.
- 3) A formal support agreement requiring OPIA approval, legal review, and government reimbursement will be needed for multi-day commercial film shoot. (See Support Analysis Checklist in Paragraph 3).
- 4) Cemetery Directors will conduct an evaluation of the request based on the following factors and provide a recommendation to their District Executive Director and OEMI staff regarding whether it is feasible and advisable to support the photography or filming request at their cemetery. The recommendation of the Cemetery Director is the most important factor for 44A to use in making the final determination on whether to approve or disapprove a filming or photography request.

- (a) Purpose of Request – What is the product desired by the requestor? Does it appropriately memorialize Veterans and enhance NCA’s commitment to Veterans and their families? Would the Veteran’s family be supportive of the product?
- (b) Support Requirements – What are the support requirements to successfully support this request? Does this product require substantial NCA support and resources from the site or resources not organic to the site? For example, additional personnel or special filming requirements such as equipment, staging, and low visitation hour support? If substantial support/resources are required, the PDUSMA or USMA is the approval authority to ensure that supporting these requirements is in the best interest of the Department.
- (c) Personnel on Site – How many non-NCA personnel will be present during operations? Will additional vehicles and parking be required? Does this request require the presence of production company personnel or location services such as trailers or catering which may diminish from the dignified and peaceful appearance of the cemetery?
- (d) Length of Support – Does this requirement require multiple days of on-site support?
- (e) Impact to Normal Cemetery Operations – Cemetery Directors are best positioned to determine level of support required when considering items within the Support Analysis Checklist. Larger requests for support such as those whose products will be exposed nationally or internationally will require notification of, approval, and support of OPIA. In these cases, notify 44A.

#### 4. Sample Requests

- a. Local, Low-Impact Requests for filming or photography – Generally these are requests involving no more than three (3) crew (videographer, photographer, producer or other production crew), either on-site or in support, are generally “not for profit,” and involve one day of presence in the national cemetery. (In accordance with Tab 1, VA Public Affairs Directive 8500)
- b. Larger Requests – These requests may require external support, involve a production company, operate over several days of filming, and may require several VA personnel for support. These generate a requirement for film agreement signature and possible legal review. (See, Tab 2, VA Public Affairs Directive 8500)

SAMPLE – Location Filming Agreement for National Cemeteries (NC)

(VA National Cemetery Facility) (Address)  
(Phone/Fax)

Subject to the limitations necessarily arising out of the considerations set forth in NCA Directive 8500, Appendix B, Paragraph 1, and the limitations stated in this agreement, permission is granted for the purpose of photographing and recording scenes (Interior/Exterior) and in making sound recordings for use in accordance with the purpose stated in COMPANY's request. Permission shall include the right to bring personnel and equipment (including props and temporary sets) onto VANC property, and to remove same on the mutually agreed-to days. Such permission shall not include photographs, films, or recordings of any commercial or partisan political activity on NCA property, or any use of such property resulting in a photograph, film, or recording which implies that the VA endorses any private product, service or enterprise.

The COMPANY shall defend, indemnify and hold harmless NCA and NCA employees for all liabilities, claims, actions and suits for personal injury, property damage or death arising from the activities performed under this agreement, except to the extent such injury, damage or death arises from the negligence of NCA. The liability, if any, of NCA for damage to or loss of property, or personal injury or death shall be governed exclusively by the provisions of the Federal Tort Claims Act (28 U.S.C. Sections 2671-2680).

Permission is granted to (\_\_\_\_\_), hereinafter referred to as "COMPANY," to use the (Name of NC Facility) property, hereinafter referred to as the "VANC," including the following areas and/or buildings and dates: Date(s) of Film Prep: Area/Buildings: Date(s) of Film Shoot: Area/Buildings: Date(s) of Film Strike: Area/Buildings:

Permission is granted for the purpose of photographing and recording scenes (Interior/Exterior) and in making sound recordings for use in any and all media, in any manner whatsoever, whether now known or hereafter known, including motion pictures and television, with the irrevocable right to exploit, distribute and license others to exhibit all or part of said scenes in motion pictures and in connection with publicity and advertising thereof throughout the world in perpetuity.

As determined under and to the extent permitted by the provisions of the Federal Tort Claim Act (28 U.S.C. Sections 2671-2680), **the undersigned shall be liable for and hold harmless the VANC from any and all claims, suits, losses, damages or expenses for injuries to any and all persons whomsoever, and any and all property damage arising or growing out of activities performed under the agreement. Provided, however, COMPANY will only be responsible for its own acts of negligence in performance under this agreement.**

COMPANY also agrees and shall abide by the following conditions:

1. COMPANY will deliver Certificate of Insurance or other proof of insurance.
2. COMPANY will replace or repair damaged property or reimburse the VA (deposited in the General Fund of the Treasury as miscellaneous receipts) on an actual cost basis for all damage to the premises and agrees to hold the national cemetery harmless of and from any and all liability and loss which may occur by reason of accidents or other damages to the said premises or to any person caused by any of the Producer's crew or equipment.
3. COMPANY understands that they may not place any props, equipment or any other materials on headstones or on gravesites.
4. COMPANY will not in any manner interfere with any funeral service, with any cemetery operations or with anyone visiting a grave.
5. COMPANY certifies that the photography and dialogue taken in the VANC will not detract from the dignity and reverential atmosphere of the VANC and that all members of the COMPANY will behave in a manner respectful of the cemetery as a national shrine.
6. COMPANY will remove all equipment, props and any other materials brought into the VANC immediately upon completion of the filming. COMPANY understands that filming may only take place during the agreed upon times and that they must vacate the premises with all personnel and material no later than (Time), unless authorized by the Director of the VANC.
7. No explosives, explosive devices, firearms, smoke screens or any other such devices will be permitted on VANC property without prior approval from the Director of the VANC.

Date:

BY (Producer/POC Signature) \_/\_(Producer/POC Printed Name)

(Company/Organization Name/Address/Phone) Date:

BY (VANC Director's Signature)