

**INTERIM POLICY UPDATE
REGARDING CONTROLLED MILITARY INSIGNIA ON DONATED ITEMS**

1. PURPOSE AND SCOPE: This notice provides interim guidance on the acceptance of donations to Department of Veterans Affairs (VA) national cemeteries. This policy applies to all proposals to donate standardized memorial monuments, non-standardized commemorative works, or other gift or donation items that would include controlled military insignia as part of its design.

2. BACKGROUND:

a. The U.S. Department of Defense (DoD) and the military service branches each maintain a trademark and licensing program that controls the use of certain seals, emblems, logos, and wordmarks (“service marks”). Additionally, the Institute of Heraldry (TIOH), which is administered by the Department of the Army, and the other military service branches control the use of certain military decorations, awards, medals and their ribbons, as well as badges, patches, and campaign streamers (“heraldic insignia”). Examples of controlled heraldic insignia include the Medal of Honor and the Purple Heart medal.

b. Pursuant to federal law and in accordance with DoD policy, non-federal entities (NFEs) are required to obtain permission from DoD, TIOH, and any applicable service branches to use the various service marks and heraldic insignia these entities control. For the purposes of this requirement, NFEs include, but are not limited to, organizations such as cemetery support committees, Veterans Service Organizations, and military service affinity groups that routinely proffer donations of memorial monuments, commemorative works, and goods or other items of personal property to NCA.

c. Interim guidance is needed to add an explicit requirement for donor organizations to furnish to NCA proof of licensing and permission to use controlled service marks and heraldic insignia. This requirement will be incorporated into NCA policy and procedures established by NCA Directive 3160 Gifts and Donations to VA National Cemeteries, and related NCA Handbooks 3160.01, 3160.02, and 3160.03.

3. POLICY:

a. Any donor that proposes to donate any item that incorporates in its design the use of controlled military service marks, wordmarks, decorations, awards, medals, badges, patches or campaign streamers must:

(1) Obtain licensing and approval from the appropriate office of the DoD, U.S. Armed Forces, or TIOH to use the service marks and/or heraldic insignia in the design; and

(2) Provide proof of such licensing and approval to NCA as part of the donation proposal required under NCA Directive 3160, Gifts and Donations to VA National Cemeteries and its associated Handbooks.

b. NCA officials will not approve any conceptual or final design proposed by a donor organization for a standardized memorial monument, non-standardized commemorative work, or other item of personal property that includes one or more service marks or heraldic insignia until the donor organization has provided NCA with proof of licensing and approval from the applicable DoD, TIOH, and/or controlling military service branch office to use them.

4. RESPONSIBLE OFFICE: NCA Policy and Regulatory Service (42E), 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the content of this notice.

5. RESCISSION: None.

6. EXPIRATION: This notice will remain in effect until incorporated into an official NCA policy document.

/s/

Matthew T. Quinn

Under Secretary for Memorial Affairs

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