

## National Park Service, Interior

## § 12.9

(1) A list of the names of each person to be inscribed upon the private headstone or marker;

(2) The written approval of the next-of-kin and the person who directed the burial of each person whose name is to be inscribed; and

(3) A scale plan depicting the details of design, materials, finish, carving, lettering and arrangement of the inscription and the foundation of the proposed private headstone or marker.

(d) The Director's approval of a request is conditioned upon the applicant's granting to the National Park Service the substantive right to remove and dispose of the private headstone or marker if, after it is installed, the applicant fails to maintain the private headstone or marker in a condition specified by the Director.

(e) When a private headstone or marker has been erected at a veteran's grave in a national cemetery, and the next-of-kin desires to inscribe thereon the name and appropriate data pertaining to an eligible family member of the deceased whose remains will not be interred, such inscription may be accomplished with the prior approval of the superintendent. Appropriate commemorative data may be inscribed when space permits. The words "In Memoriam" or "In Memory Of" are mandatory elements of such an inscription.

(f) Except as may be authorized by the Director or by Federal statutory law for making a group burial, the erection of a mausoleum, an over-ground vault or a headstone or marker determined by the superintendent not to be in keeping with the historic character of the national cemetery is prohibited. An underground vault may be placed at the time of interment at no expense to the National Park Service.

### § 12.8 Memorial headstones and markers.

(a) *Who may be memorialized.* (1) A person's eligibility for memorialization in a national cemetery is determined in accordance with the provisions of Federal statutory law.

(2) The superintendent may authorize the installation of a memorial headstone or marker of an eligible person provided that no more than one individual memorial headstone or marker

is authorized for each eligible person. The erection of an individual memorial marker to a person is not allowed in the same national cemetery in which the decedent's name is inscribed on a group burial headstone or marker.

(b) *Application.* (1) The person eligible to submit an application requesting a memorial headstone or marker is the next-of-kin of the decedent to be memorialized. An application received from a close relative will be honored if it is submitted on behalf of the next-of-kin or if the next-of-kin is deceased.

(2) An applicant for a memorial headstone or marker shall submit such a request to the superintendent.

### § 12.9 Commemorative monuments.

(a) *Application.* (1) A person requesting authorization to erect a commemorative monument shall submit such a request to the Director. The Director's approval should be obtained prior to fabrication of the commemorative marker since approval for installation is conditioned upon compliance with other specifications found in this section and all applicable provisions of this part.

(2) An applicant for authorization to erect a commemorative monument shall include the following information in the application:

(i) A list of the persons to be memorialized and the other data desired to be inscribed on the commemorative monument; and

(ii) A scale plan depicting the details of the design, materials, finish, carving, lettering and the arrangement of the inscription proposed for the commemorative monument.

(b) *Specifications.* (1) The Director may only authorize a commemorative monument that conforms to the type, size, materials, design, and specifications prescribed for the historic design of the individual cemetery section in which it is proposed for installation.

(2) The Director may not approve a commemorative monument that bears an inscription that includes the name of the person(s) responsible for its purchase or installation.

(c) *Expense.* A commemorative monument approved by the Director may be installed only under the conditions

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that there be no expense or liability incurred by the National Park Service in connection with its purchase, fabrication, transportation, delivery and erection.

(d) Title to a commemorative monument vests in the National Park Service upon its acceptance by an official representative of the Director.

### § 12.10 Floral and commemorative tributes.

The placement on a grave of fresh cut or artificial flowers in or on a metal or other non-breakable rod or container designated by the superintendent is allowed at times designated by the superintendent. The placement of a statue, vigil light, or other commemorative object on a grave, or the securing or attaching of any object to a headstone, marker or commemorative monument is prohibited.

### § 12.11 Recreational activities.

Engaging in a recreational activity is prohibited.

### § 12.12 Information collection.

The information collection requirements contained in §§ 12.6, 12.7, 12.8 and 12.9 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*, and assigned clearance number 1024-0026. The information is being collected to obtain information necessary to issue permits and will be used to grant administrative benefits. The obligation to respond is required in order to obtain a benefit.

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AUTHORITY: 16 U.S.C. 1, 3, 462(k), 3101 *et seq.*; Sec. 13.65 also issued under 16 U.S.C. 1a-2(h), 20, 1361, 1531, 3197; Pub. L. 105-277, 112 Stat. 2681-259, October 21, 1998; Pub. L. 106-31,