



Established by Congress 1923

THE AMERICAN BATTLE MONUMENTS COMMISSION

Courthouse Plaza II, Suite 500
2300 Clarendon Boulevard
Arlington, VA 22201

AGREEMENT BETWEEN THE AMERICAN BATTLE MONUMENTS COMMISSION AND THE VIETNAM VETERANS MEMORIAL FUND, INC.

This Agreement ("Agreement") is made and entered into as of the 2nd day of AUGUST, 2000, by and between the American Battle Monuments Commission, an executive agency of the United States Government ("ABMC"), and the Vietnam Veterans Memorial Fund, Inc. ("VVMF"), having its principal office at 1023 Fifteenth Street, NW, Second Floor, Washington, D.C. 20005-2602.

WHEREAS, the United States Congress enacted Public Law 106-214 authorizing ABMC to place a suitable plaque within the Vietnam Veterans Memorial containing an inscription intended to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service, and whose names are not otherwise eligible for placement on the memorial Wall ("the Plaque"); and

WHEREAS, Public Law 106-214 precludes ABMC, with certain exceptions, from using federal funds to design, procure or install the Plaque; and

WHEREAS, Public Law 106-214 requires ABMC to solicit and accept private donations for the design, procurement, and installation of the Plaque; and

WHEREAS, Public Law 106-214 requires ABMC to consult with VVMF's architect in designing, preparing the inscription and selecting the specific location for the Plaque; and

WHEREAS, VVMF has expressed a desire to support and assist ABMC in designing, procuring and installing the Plaque; and

WHEREAS, VVMF is prepared to donate services and provide support for purposes of designing, procuring and installing the Plaque.

NOW THEREFORE, ABMC and VVMF agree as follows.

A. VVMF agrees to donate and ABMC agrees to accept services and support to design, procure and install the Plaque. These donations may include, but are not limited to, design and design-related services, project and general management services, fabrication and installation of the Plaque, and ceremonial activities.

B. ABMC agrees that any design proposal submitted by VVMF or resulting from donated services or support will be evaluated in good faith by ABMC for consideration leading to submission to the authorities designated by the Commemorative Works Act for approval.

VVMF recognizes that ABMC is obligated by the terms of Public Law 106-214 to consult with the architect of the Vietnam Women's Memorial, Inc. in the course of establishing the Plaque.

C. VVMF agrees that all intellectual property interests in any proposed design donated or resulting from donated services will be transferred to the United States and acknowledges that the process of design approval may result in changes to the proposed design.

D. Both parties agree to work together in a spirit of partnership towards the common purpose of fulfilling the letter and spirit of Public Law 106-214.

E. Either party may terminate this agreement by written notice to the other; however, any donation of services, or other support, by VVMF to ABMC prior to termination will not be affected by any such termination.

IN WITNESS WHEREOF ABMC and VVMF have executed this Agreement as of the date above first written:

American Battle Monuments Commission:

By: John P. Hensley

Title: Secretary, ABMC

Dated: 8-3-00

Vietnam Veterans Memorial Fund, Inc.:

By: John P. Hensley

Title: President

Dated: 8-3-00