

NIH Policy Manual

1450 - Policy for Accepting Donated Commemorative Trees

Issuing Office: OD/OM/ORFDO/DFS **Phone:** [\(240\) 975-0216](tel:2409750216)

Release Date: 11/07/2023 ?

Transmittal Notice

1. **Explanation of Material Transmitted:** This chapter is being revised to comply with the National Institutes of Health (NIH) Manual 1710 requirement to update manual issuances every 5 years. Revisions also reflect name changes to the divisions and sections that have responsibilities associated with this chapter which establishes policy for the coordination and placement of donated commemorative trees on the NIH Bethesda enclave. This revision modified the **Issuing Office** phone number; noted the care of trees and the highest priority trees would be planted in prominent areas under the **Policy** statement; and others as shown in **Appendix 1**.
2. **Filing Instructions:**

Remove: Manual Issuance 1450, dated 12/07/2017

Insert: Manual Issuance 1450, dated 11/07/2023

PLEASE NOTE For information on:

- Content of this chapter, contact the issuing office listed above.
- NIH Manual System, contact the Division of Management Support, OMA on 301-496-4606, or enter this URL <https://oma.od.nih.gov/DMS/Pages/Manual-Chapters.aspx>

A. Purpose

This chapter establishes the policy that is used by the Office of Research Facilities Development and Operations (ORFDO) to coordinate and direct the placement of trees donated to the National Institutes of Health (NIH) for planting on the NIH Bethesda enclave. These trees memorialize individuals or commemorate NIH Institutes that have contributed substantially to enhancing the health of the Nation or provided other significant assistance to further activities of the Department of Health and Human Services (HHS) or NIH.

B. Scope

The objectives and responsibilities set forth in this policy are applicable to all NIH employees and provide direction to individuals or groups intending to donate memorial or commemorative trees for planting on the NIH Bethesda enclave.

C. Background

The Division of Facilities Stewardship (DFS), ORFDO, periodically receives requests to plant donated trees on the NIH Bethesda enclave to recognize persons or Institutes significant to the development of HHS, NIH or their activities related to the care, prevention, and treatment of disease and disability. This policy outlines the requirements and conditions to accept these trees.

D. Policy

It is the NIH's policy to accept the donation of trees as: 1) memorials to deceased individuals who have contributed substantially to the health of the Nation or provided valuable assistance to further activities of HHS or NIH related to health, provided that requests are submitted and approved; and 2) commemoratives signify an NIH institute, office or department milestone or achievement.

1. Donated trees memorializing an individual will be prioritized for the purpose of determining appropriate planting locations: *Highest priority* will be given to those individuals whose contribution, to enhancing the Nation's health, has been judged to be of historical or lasting significance to the United States, HHS, or NIH and whose work was performed at the NIH. *Second highest priority* will be given to those individuals who contributed substantially to enhancing the Nation's health through bio-medical research supported by NIH. *Third highest priority* will be given to individuals who have otherwise contributed substantially to the Nation's health as determined by the NIH. *Fourth highest priority* will be given to individuals within NIH institutes, offices, or departments. The DFS Landscape Architect will prioritize donated trees using the criteria above and determine appropriate planting locations based on their priority level. The highest priority trees will be installed in more prominent campus locations than lower priority trees.
2. Commemorative trees signifying an NIH Institute, office or department milestone or achievement will be prioritized for the purpose of determining appropriate planting locations. Priority levels will be determined according to an organization's contributions to enhancing the Nation's health and whether they have been judged to be of historical or lasting significance to the United States, HHS, or NIH. The DFS Landscape Architect will prioritize donated trees using the criteria above and determine appropriate planting locations based on their priority level. The highest priority trees will be planted in more prominent campus locations than lower priority trees.

3. Tree donations are limited to small ornamental or shade trees between 2" caliper minimum and 4" caliper maximum. The costs for the tree and the installation are the responsibility of the donating party. A date and time for planting should be coordinated in advance with the DFS Landscape Architect. Tree installation should be scheduled during normal office hours, Monday through Friday. Trees must be staked, mulched, and watered immediately after planting. Deer protection should be installed on the tree trunks. Immediately after planting, all materials and tools used for tree planting shall be removed from the Bethesda enclave.
4. Memorial plaques are allowed to acknowledge the efforts of deceased individuals who have contributed substantially to the health of the Nation, the NIH organizational accomplishments, or provided gifts in support of HHS or NIH activities related to health. Brass plaques not exceeding 6" x 8" or stone slabs (marble, limestone, or granite) not exceeding 9" x 12" x 3" may be placed next to the tree within the mulched tree well. Brass plaques height cannot exceed 12" from the base of the tree. Stone plaques will be placed at ground level within the mulched tree well. The exact wording on the brass or stone plaque must be approved in advance by the Director, ORFDO. No statues, sculptures, benches, fountains, or physical objects, other than those described in this paragraph, will be approved for personal or institutional memorials. NIH will not replace stolen plaques or repair damaged plaques.
5. Donated trees with memorial plaques will only be placed in designated areas on the Bethesda enclave. A map, showing the locations of the designated areas, may be requested from DFS by calling 240-975-0216. Donated trees without plaques may be placed in other locations on the Bethesda enclave, as approved by the DFS Landscape Architect.

E. Responsibilities

1. The Delegated Authorities referenced in Section G. 1 and G.2 identify the funding constraints and organizations which can accept donated trees and memorials respectively.
2. The Director, ORFDO, is responsible for approving requests to plant donated trees on the Bethesda enclave.
3. The DFS Landscape Architect is responsible for receiving requests for donations, determining appropriate planting locations, coordinating the review and approval process, and observing the installation of the tree.

F. Procedures

1. Potential donors should contact DFS at 240-975-0216 and ask to speak with the designated Landscape Architect. The Landscape Architect will work with the potential donor to develop a tree donation proposal to be submitted for approval (See E.2).
2. As part of this process, the Landscape Architect will work with the donor to:
 - a. make field visits to determine the exact location or alternative locations for installation;

- b. suggest plant species best suited to flourish and to harmonize with the surrounding landscape;
 - c. provide delivery and planting instructions; and
 - d. coordinate logistics through final installation.
3. Once the proposal is approved by the Director, ORFDO, the DFS Landscape Architect will notify the donor to make final arrangements for tree procurement and planting.

G. References

1. NIH Delegations of Authority, Finance No. 05, 01/02/01, entitled "*Accept Gifts Under Section 231 of the PHS Act*" <https://delegations.nih.gov/DOADetails?id=1531>
2. NIH Delegations of Authority, Finance No. 06, dated 01/02/01, entitled "*Memorials and Other Acknowledgments*":
<https://delegations.nih.gov/DOADetails.aspx?DOA=1532>
3. NIH Policy Manual, Chapter 1135 - Gifts Administration:
<https://policymanual.nih.gov/1135>
4. Sections 231 and 240 of the Public Health Service (PHS) Act, as amended (42 U.S.C. 238, 238i): <https://www.gpo.gov/fdsys/pkg/USCODE-2010-title42/pdf/USCODE-2010-title42-chap6AsubchapI.pdf>
5. Title 45 of the Code of Federal Regulations (CFR), Public Welfare, Subtitle A- Department of Health and Human Services, Part 3 Conduct of Persons and Traffic on the National Institutes of Health, Subpart A. General, Sec. 3.1 Definitions:
<https://www.gpo.gov/fdsys/pkg/CFR-2011-title45-vol1/pdf/CFR-2011-title45-vol1.pdf>
6. NIH Policy Manual, Chapter 1743 - Keeping and Destroying Records:
<https://policymanual.nih.gov/1743>

Appendix 1: Descriptions of Changes to the NIH Policy Manual

1. **Issuing Office:** phone number was revised
2. **A. Purpose** – revised to indicate that the policy is used by ORFDO to coordinate and direct placement of trees donated to the NIH.
3. **C. Background** – revised to note that the care of donated trees would be considered and to replace “under which such trees will be accepted” in the last sentence to read: “to accept these trees”.
4. **D. Policy** – revised as follows:
 - a. Items 1. and 2. - the last sentence of Items 1 and 2 were revised to note that the highest priority trees *will be* planted in the most prominent campus locations.
 - b. Item 5.- revised DFS phone number.

5. **F. Procedures** – revised DFS phone number
6. Changed “**H. Definitions** to **Appendix 2**.”
7. Revised the definition of “Caliper”.
8. Previous Sections **I. Internal Controls** and **J. Records Retention and Disposal** were removed.

Appendix 2: Definitions

1. **Bethesda Enclave** - For the purposes of this policy, the Bethesda enclave, as described in [45 CFR 3.1](#), is limited to the legal boundaries of the NIH Bethesda campus in Bethesda, Maryland and does not include off-campus owned or leased sites.
2. **Commemorative Tree** - A tree donated to NIH by an individual or group for perpetuating in a lasting manner the memory of an individual of significant importance to HHS, NIH, or their activities or for commemorating a significant achievement of an NIH Institute, office, or department.
3. **Donated Tree** - A tree that is given to the NIH for planting on the Bethesda enclave and for which NIH did not bear the cost of purchase, delivery, or planting.
4. **Landscape Architect** - A person with knowledge of landscape design, construction, land-use planning, and environmental issues that support development of a landscape project.
5. **Caliper** - Tree trunk diameter as measured 12" above the root ball