



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Mark R. Herring
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071

MEMORANDUM

TO: W. Tucker Lemon,
Chair,
Board of Historic Resources

FROM: Andrew E. Tarne,
Assistant Attorney General,

DATE: October 29, 2021

RE: Board of Historic Resources ("BHR") – Promulgation of regulations governing contextualization of monuments or memorials for certain war veterans

We have reviewed the regulations made available to our office in the Virginia Regulatory Town Hall (<http://townhall.virginia.gov/>) concerning the proposed regulations governing contextualization of monuments or memorials for certain war veterans. Based on the review, we believe that BHR may adopt the regulations pursuant to (i) Va. Code § 10.1-2205, which provides in part that "[t]he Board shall promulgate regulations necessary to carry out its powers and duties" and (ii) the fourth enactment clauses of Chapters 1100 and 1101 of the 2020 Acts of Assembly, which both provide "[t]hat the Board of Historic Resources shall promulgate regulations governing the manner in which any monument or memorial may be contextualized pursuant to the provisions of this act."

If you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in blue ink that reads "Andrew E. Tarne".

Andrew E. Tarne,
Assistant Attorney General