

**SUPPORTING STATEMENT FOR VA FORM 40-1330 APPLICATION FOR
STANDARD HEADSTONE OR MARKER FOR INSTALLATION IN A PRIVATE OR
STATE VETERANS' CEMETERY**

A. JUSTIFICATION:

1. VA form 40-1330 is used by the public to apply for Government-provided headstones or markers for unmarked graves of eligible veterans in accordance with 38 USC 2306. It is the source of information used to evaluate the applicant's claim for the benefit. The information is requested under 38 CFR 1.632 and represents the minimum requirement by VA to properly determine the veteran's eligibility for, and entitlement to, this benefit.

H.R. 1291, the Veterans Education and Benefits Expansion Act of 2001, passed in the House on December 11, 2001 and in the Senate on December 13, 2001. On December 27, 2001, the President signed the Act into Public Law, becoming P.L. 107-103.

The Act, as passed, includes two Sections, 501 and 502, which affect current VA Burial Benefits. Section 501 increases the service-connected burial allowance from \$1,500 to \$2,000 and the plot allowance from \$150 to \$300.

Section 502, directly impacts Memorial Programs Service, and creates a five-year program requiring the VA Secretary to furnish an appropriate Government marker at the expense of the United States, to those families that request a government marker for the privately marked grave of a veteran at a private cemetery. The Act further stipulates that such a marker may be furnished only if the individual making the request certifies that the marker will be placed on the grave for which the marker was requested. The Effective Date in the Act applies to eligible individuals dying on or after September 11, 2001. The Act also stipulates that no later than February 1, 2006, the VA Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives, a report on the use of the authority under this Act; showing the rate of use of the benefit, an assessment as to the extent to which markers furnished under this Act are consistent with its provisions, and the VA Secretary's recommendation for extension or repeal of the expiration date of the Act.

2. Currently, information on the form is transcribed by a case manager to an ADP database and processed through a specially designed Automated Monument Application System by our Caseworkers. The application is evaluated for accuracy and validity, and a case master record is established. The application will result in the provision of a headstone or marker, or be cancelled.
3. The form is available via the One VA website, however, because of the various levels of signed certification required it is not feasible to submit it electronically at this time.
4. No duplication is involved. The information is not available from an alternate source.
5. The collection of information does not affect small businesses or other small entities.
6. Since this information is on a "one time" basis it is not possible to reduce the frequency of this request.

7. There are no special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.
8. Collection of data is consistent with guidelines in 5 CFR 1320.8(d). The only public contact made is with the next of kin, or person making final arrangements. Other public contact is unnecessary. Data collected is done solely by NCA to ensure that eligibility requirements are met. The Department notice was published in the Federal register on June 20,2007, pages 34071-34072 (Volume 72, Number 118). No comments were received during the 60-day Federal Register Notice.
9. There are no payments made or gifts given to respondents.
10. The information collection conforms to the Privacy Act of 1974 and is subject to the conditions of disclosure contained therein. The records are maintained in the system identified as 48VA40B, Veterans (Deceased) Headstone or Marker Records – VA, as published on August 26, 1975, as Federal Register citation 40FR38095.
11. There are no questions of a sensitive nature other than decedent social security number.
12. In 2006, approximately 334,000 respondents requested headstones or markers for an annual burden of 83,500 hours, a routine request for a headstone or marker averages 15 minutes unless there are complications. Estimating \$15.00 per hour for the time the respondents use to complete VA Form 40-1330, the estimated cost to the respondent is \$1,252,500. (ESTIMATED TIME IS 15 MINUTES X 334,000 RESPONDENTS DIVIDED BY 60 MINUTES = 83,500 HOURS X \$15.00 = \$1,252,500.)
13. Annual cost burdens are covered in Paragraphs 12 and 14. There are no capital or start-up costs. There are no operational or maintenance costs and no cost associated with the purchase of service or equipment.
14. The total obligations for the VA's headstone and marker program in FY 2006 were approximately \$37.2 million.
15. Requests for Government provided headstones or markers are unpredictable. However, if pending legislation is passed, VA may be required to provide headstones or grave markers to all eligible deceased veterans regardless of whether or not their grave is marked or unmarked, and regardless of the date of death of the veteran. This is likely to significantly increase the number of applications received.
16. The results of the information collection are not for publication or used as a statistical report.
17. Not applicable.
18. No exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This is a voluntary action initiated by next-of-kin or other responsible party. Statistical methods to obtain data are neither used nor required.