

Supporting Statement for VA Form 21-530
Application for Burial Benefits
(2900-0003)

A. Justification

1. The Department of Veterans Affairs (VA), through its Veterans Benefits Administration (VBA), administers an integrated program of benefits and services established by law for veterans, service personnel, and their dependents and/or beneficiaries. Information is requested by this form under the authority of 38 U.S.C. 2302 and 2303.
2. VA Form 21-530 is used to gather the necessary information from a veteran's relative or estate to determine if the veteran had appropriate service and/or disability, and the claimant has made appropriate payment for burial or has contracted to make appropriate payment. This form solicits information necessary to determine eligibility to burial benefits.
3. VA Form 21-530 is available on the VBA website for downloading by claimants. Claimants may print and submit applications non-electronically. VA Form 21-530 is also available in Veterans Online Applications (VONAPP). VONAPP allows applicants to view, print, and submit applications electronically to VBA. No data is available yet as to percentage of VA Forms 21-530 which will be received electronically.
4. Program reviews were conducted to identify potential areas of duplication; however, none were found to exist. There is no known Department or Agency which maintains the necessary information, nor is it available from other sources within our Department.
5. Since the collection of information involves funeral businesses, specific instructions have been provided in reference to the statement of accounts required to accompany the claims.
6. The VA compensation and pension programs require current information to determine eligibility for benefits. Without the information provided on this form, it would not be possible to obtain the information needed to make a determination and reimburse a claimant.
7. There is no special circumstance requiring collection in a manner inconsistent with 5 CFR 1320.6 guidelines.
8. The Department notice was published in the Federal Register on April 25, 2007, Volume 72, Number 79, page 20581. No outside consultations were solicited as no major changes are being made to the form. Field stations have not reported any difficulty on the part of respondents in using the form. No comments were received.
9. No payments or gifts to respondents have been made under this collection of information.

10. The records are maintained in the appropriate Privacy Act System of Records identified as 58VA21/22, "Compensation, Pension, Education and Rehabilitation Records - VA" as set forth in Privacy Act Issuances, 1993 compilation found in 42 Fed. Reg. 49726 (9/27/1977).

11. There are no questions of a sensitive nature.

12. Estimate of Information Collection Burden.

a. Number of Respondents is estimated at 300,000 per year.

b. Frequency of Response is on occasion for most beneficiaries.

c. Annual burden is 100,000 hours.

d. The estimated completion time of 20 minutes is based on review by staff personnel and previous usage of this form.

e. The total estimated cost to respondents is \$1,500,000 (100,000 hours x \$15 per hour).

13. This submission does not involve any recordkeeping costs.

14. Estimated Costs to the Federal Government:

a. Processing/Analyzing costs \$8,017,108

(GS-12/5 @ \$36.26 x 300,000 x 2/60 minutes = \$ 362,599)

(GS- 5/5 @ \$16.50 x 300,000 x 45/60 minutes = \$3,712,500)

(GS- 3/5 @ \$13.14 x 300,000 x 45/60 minutes = \$3,942,009)

b. Printing and production cost \$7,500

c. Total cost to government \$8,024,608

15. There is no change in the reporting burden.

16. The information collection is not for publication or tabulation use.

17. The collection instrument, VA Form 21-530, may be reproduced and/or stocked by the respondents and veterans service organizations. This VA form does not display an expiration date, and if required to do so would result in unnecessary waste of existing stocks of this form. This form is submitted to OMB every 3 years. As such, this date requirement would also result in an unnecessary burden on the respondents and would delay Department action on the benefit being sought. VA also seeks to minimize its cost to itself of collecting, processing and using the information by not displaying the expiration

date. For the reasons stated, VA continues to seek an exemption that waives the displaying of the expiration date on VA Form 21-530.

18. This submission does not contain any exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

1. The Veterans Benefits Administration does not collect information employing statistical methods.

TITLE [38](#) > PART II > CHAPTER 23 > Sec. 2302.

Sec. 2302. - Funeral expenses

(a) In the case of a deceased veteran -

(1) who at the time of death was in receipt of compensation (or but for the receipt of retirement pay would have been entitled to compensation) or was in receipt of pension, or

(2) who was a veteran of any war or was discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, whose body is held by a State (or a political subdivision of a State), and with respect to whom the Secretary determines -

(A) that there is no next of kin or other person claiming the body of the deceased veteran, and

(B) that there are not available sufficient resources to cover burial and funeral expenses, the Secretary, in the Secretary's discretion, having due regard to the circumstances in each case, may pay a sum not exceeding \$300 to such person as the Secretary prescribes to cover the burial and funeral expenses of the deceased veteran and the expense of preparing the body and transporting it to the place of burial. For the purpose of this subsection, the term "veteran" includes a person who died during a period deemed to be active military, naval, or air service under section [106](#)(c) of this title.

(b) Except as hereafter provided in this subsection, no deduction shall be made from the burial allowance because of the veteran's net assets at the time of the death of such veteran, or because of any contribution from any source toward the burial and funeral expenses (including transportation) unless the amount of expenses incurred is covered by the amount actually paid therefor by the United States, a State, any agency or political subdivision of the United States or of a State, or the employer of the deceased veteran. No claim shall be allowed

(1) for more than the difference between the entire amount of the expenses incurred and the amount paid by any or all of the foregoing, or

(2) when the burial allowance would revert to the funds of a public or private organization or would discharge such an organization's obligation without payment. The burial allowance or any part thereof shall not be paid in any case where specific provision is otherwise made for payment of expenses of funeral, transportation, and interment under any other Act

TITLE [38](#) > PART II > CHAPTER 23 > Sec. 2303.

Sec. 2303. - Death in Department facility; plot allowance

(a)

(1) When a veteran dies in a facility described in paragraph (2), the Secretary shall -

(A) pay the actual cost (not to exceed \$300) of the burial and funeral or, within such limits, may make contracts for such services without regard to the laws requiring advertisement for proposals for supplies and services for the Department; and

(B) when such a death occurs in a State, transport the body to the place of burial in the same or any other State.

(2) A facility described in this paragraph is -

(A) a facility of the Department (as defined in section [1701](#)(3) of this title) to which the deceased was properly admitted for hospital, nursing home, or domiciliary care under section [1710](#) or [1711](#)(a) of this title; or

(B) an institution at which the deceased veteran was, at the time of death, receiving -

(i) hospital care in accordance with section [1703](#) of this title;

(ii) nursing home care under section [1720](#) of this title; or

(iii) nursing home care for which payments are made under section [1741](#) of this title.

(b) In addition to the benefits provided for under section [2302](#) of this title and subsection (a) of this section, in the case of a veteran who is eligible for a burial allowance under such section 2302, or under such subsection, who was discharged from the active military, naval, or air service for a disability incurred or aggravated in line of duty, or who is a veteran of any war and who is not buried in a national cemetery or other cemetery under the jurisdiction of the United States -

(1) if such veteran is buried (without charge for the cost of a plot or interment) in a cemetery, or a section of a cemetery, that

(A) is used solely for the interment of persons eligible for burial in a national cemetery, and

(B) is owned by a State or by an agency or political subdivision of a State, the Secretary shall pay to such State, agency, or political subdivision the sum of \$150 as a plot or interment allowance for such veteran; and

(2) if such veteran (other than a veteran whose eligibility for benefits under this subsection is based on being a veteran of any war) is buried in a cemetery, or a section of a cemetery, other than as described in clause (1) of this subsection, the Secretary shall pay a sum not exceeding

\$150 as a plot or interment allowance to such person as the Secretary prescribes, except that if any part of the plot or interment costs of a burial to which this clause applies has been paid or assumed by a State, an agency or political subdivision of a State, or a former employer of the deceased veteran, no claim for such allowance shall be allowed for more than the difference between the entire amount of the expenses incurred and the amount paid or assumed by any or all of the foregoing entities.