

**Supporting Statement for VA Form 40-1330, Application for Standard Headstone or Marker for Installation in a Private or State Veterans' Cemetery and VA Form 40-1330M, Claim for Government Medallion for Installation in a Private 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.

VA Form 40-1330M will be used by the public to apply for Government-provided medallions to be affixed to privately purchased headstones or markers of veterans that died on or after November 1, 1990. It is the source of information used to evaluate the applicant's claim for the benefit. The information is requested under 38 CFR 38.632 and represents the minimum requirement by VA to properly determine the veteran's eligibility for, and entitlement to, this benefit.

On December 26, 2007, the President signed the Blinded Veterans Paired Organs Act of 2007. Section 201 of Public Law 110-157 mandates the VA to provide a Government medallion to be affixed to the privately purchased headstone or a marker of a deceased eligible veteran buried in a private cemetery, which is in lieu of a Government-furnished headstone or marker

2. Currently, information on the forms 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 forms will be available via the VA website; however, it is not feasible to submit them electronically at this time. NCA is working on a solution to accept headstone, marker and medallion applications electronically in the future.
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 March 29, 2010, pages 15493-15494. No comments were received in response to this 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. Approximately  $334,000 + 40,000 = 374,000$  respondents requested headstones, markers or medallions for an annual burden of 93,500 hours, routine requests for headstone, marker or medallion averages 15 minutes unless there are complications. Estimating \$15.00 per hour for the time the respondents use to complete both VA Forms 40-1330 and 40-1330, the estimated cost to the respondent is \$1,402,500. (93,500 HOURS X \$15.00 = \$1,402,500.)
13. 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 obligation for the VA's headstone, marker and medallion program is approximately \$38,823,000.
15. Program change is due to the inclusion of VA Form 40-1330M.

16. The results of the information collection are not for publication or used as a statistical report.
17. VA is request an exemption not display an expiration date on the forms. If VA is require to display the date it will result in unnecessary waste of existing stock of the forms.
18. There are no exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

Statistical methods will not be employed.