

Supporting Statement
Certification Requirements for non-DoD Funeral Honors Providers

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.**

VA requires this information to ensure that funeral honors activities performed on VA property maintain the honor and dignity of the national cemetery and do not negatively impact the safety of cemetery visitors. This collection is authorized by 38 U.S.C. 2402 and 38 U.S.C. 2404, Title 38, Veterans Benefits.

- 2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.**

VA is responsible for the safety of cemetery visitors and maintaining the honor and dignity of VA national cemeteries. Therefore, VA proposes certain requirements regarding conduct in the national cemeteries that all funeral honors providers will certify compliance with. Funeral honors providers would be required to designate and provide contact information for a representative of their organization accountable for funeral honors activities. The designation of a funeral honors provider's single point of contact would facilitate VA's resource planning and cemetery administration and ensure that cemetery staff can quickly communicate information to, or obtain information from, an accountable representative from the organization.

All funeral honors providers be required to certify compliance with VA security, safety, and law enforcement regulations, published at 38 CFR 1.218, to ensure the protection of decedents' families and other cemetery visitors. This certification is to raise awareness of VA standards and to increase the accountability of these organizations performing activities on VA property. VA also would require certification that equipment used by the all funeral honors details during a committal or memorial service be maintained and operated in a safe manner consistent with relevant VA policies and regulations, as well as DoD policy, if applicable.

In addition, all funeral honors providers would be required to certify that they will not solicit or accept donations on VA property, except as authorized under 38 CFR 1.218(a) (8). Funeral honors providers are prohibited from soliciting contributions, commercial solicitation, vending of all kinds, displaying or distributing commercial advertising, or collecting private debts in or on VA property. Restricting solicitation by all individuals, including all funeral honors providers, helps maintain the dignity and solemnity of the national cemeteries, and protects families from disturbances.

In addition to the requirements above, VA would require non-DoD funeral honors providers certify that they are conducting activities on federal property as an independent entity, not as an agent or employee of VA, unless they are registered as a VA volunteer. This certification is to ensure that non-DoD funeral honors providers understand that they may be liable for any injuries or damages that could occur while providing funeral honors on VA-property. In addition, non-DoD funeral honors providers are required to certify that members of the funeral honors detail have completed training on assigned funeral honors tasks and the safe use of equipment. Funeral honors

providers' equipment and activities are capable of causing harm to the user as well as people in close proximity and therefore anyone who uses such equipment or performs such tasks must be trained to safely use the equipment and perform assigned tasks correctly.

VA requires that non-DoD funeral honors providers certify that they will provide funeral honors services in accordance with the agreement between the provider and the personal representative. This certification is to ensure deference to the wishes of the personal representative in planning the content of a committal or memorial service.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The certification from funeral honors providers will consist of a fillable form, that is available for download. The form can be electronically completed and printed, but requires a written signature. The form cannot be submitted electronically. The further use of information technology would not the reduce burden.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information is not contained in any other VA record nor is it available from any other source.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The collection of information does not involve small businesses or entities.

- 6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.**

VA would be unable to ensure the safe conduct of funeral honors activities in a national cemetery without this collection of information. The information is collected on an ad hoc basis, and, therefore cannot be collected less frequently.

- 7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.**

There are no special circumstances that would cause this information collection to be conducted more often than quarterly.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.**

The Department Notice of Proposed Rule Making (NPRM) was published in the Federal Register on Monday, March 25, 2019, Volume 84, No. 57, pages 11041-11042.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No payments or gifts to respondents will be made under this collection of information.

- 10. Describe any assurance of privacy, to the extent permitted by law, provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

All respondents will be informed that if the submitted material and information falls within the purview of the Privacy Act of 1974, it will be safeguarded in accordance with the applicable authorities.

- 11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature.

- 12. Estimate of the hour burden of the collection of information:**

We estimate that it will take each of the 380 respondents approximately five (5) minutes to submit the information and submit it along with any supporting documents. The burden hours will be $(380 \text{ respondents} \times 5 \text{ minutes} / 60 \text{ minutes}) = 31.7 \text{ hours}$. Estimate of Information Collection Burden

- a. Number of Respondents: 380
- b. Frequency of Response: 1
- c. Annual Burden Hours: 31.7
- d. Estimated Completion Time: 5 min
- e. Total Cost to Respondents: \$771.58

The respondent population for the Funeral Honors Providers Certification is composed of individuals representing organizations who provide funeral honors duties for VA national cemetery visitors during committal or memorial services. The funeral honors providers may represent a component of DoD or may represent a non-profit Veteran Service Organization (VSO). The individuals representing VSOs are volunteers and are not paid for performing funeral honors services. Since funeral honors providers consist of unpaid volunteers, the hourly equivalent wage is the value of the volunteers' time, based on the mean hourly wage of all workers, so the volunteers will incur the costs as an opportunity cost, rather than having the non-profits incur the cost. NCA cannot make further assumptions about the population of respondents because of the variability of factors such as the educational background and wage potential of respondents. Therefore, NCA used general wage data to estimate the respondents' costs associated with completing the information collection.

The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the mean weekly earnings of full-time wage and salary workers are \$973.60. Assuming a forty (40) hour work week, the mean hourly wage is \$24.34 based on the BLS wage code – "00-0000 All Occupations." This information was taken from the following website: (https://www.bls.gov/oes/current/oes_nat.htm, May 2017).

Legally, respondents may not pay a person or business for assistance in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. NCA estimates the total cost to all respondents to be \$771.58 (31.7 burden hours x \$24.34 per hour).

13. Provide an estimate of the total annual cost burden to respondents or record-keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

The respondent bears no costs and this submission does not involve any recordkeeping costs.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

There will be no costs to the government beyond the normal labor costs for staff. The estimated labor costs for staff include the salary for 1 administrative staff employee from a national cemetery taking no longer than 1 minute to receive and store the certification. The workload is estimated in item 12 at 380 respondents. In each year it is estimated that VA would receive approximately 380 certifications per year.

The average annual hourly salary for a national cemetery administrative staff employee is approximately \$17.18. This average was calculated by using the average hourly pay for one cemetery administrative staff GS-7 federal employee (\$17.18) multiplied by 6.3 hours or 380 minutes. The total estimated annual personnel cost is \$108.23 (\$17.18 x 6.3 hours). The printing cost to government is \$.05 (per copy) x 380 = \$19. The total estimated cost to the government is \$127.23.

Estimated Costs to the Federal Government:

- a. Processing/Analyzing costs - \$108.23
- b. Printing and production cost - \$19.00
- c. Total cost to government - \$127.23

15. Explain the reason for any burden hour changes since the last submission.

This is a new regulatory requirement. There are no burden hour changes.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The information collection is not for publication or tabulation use.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We are not seeking approval to omit the expiration date for OMB approval.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-I.

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

B. Collection of Information Employing Statistical Methods

This collection of information does not employ statistical methods.