

**A Form 40-1330,
Claim for Standard Government Headstone or Marker and
VA Form 40-1330M,
Claim for Government Medallion for Placement in a Private Cemetery**

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 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 U.S.C. § 2306. It is the source of information used to evaluate the applicant's claim for the benefit. The information is requested under 38 CFR §§ 38.630, 38.631, and 38.632 represents the minimum requirement by VA to properly determine the veteran's eligibility for, and entitlement to, this benefit.

VA Form 40-1330M is used by the public to apply for Government-provided medallions to be affixed to privately purchased headstones or markers for deceased individuals who served in the armed Forces on or after April 6, 1917 interred in private cemeteries who are eligible for a headstone or marker under 38 U.S.C. § 2306(a)(2) or (5). It is the source of information used to evaluate the applicant's claim for the benefit. The requested information represents the minimum requirement by VA to properly determine the veteran's eligibility for, and entitlement to, this benefit.

The following changes would also be made to forms 40-1330 and 40-1330M. These changes will not result in any changes to the burden because they will not affect the number of individuals that will apply or affect the time needed to complete the forms:

- Information about the Presidential Memorial Certificate (PMC) Program and the option to receive a PMC in addition to the headstone, marker or medallion, consistent with 38 U.S.C. § 112.
- Changes in eligibility for a medallion, consistent with 38 U.S.C. § 2306(d)(4)(A).
- Addition of race, ethnicity, gender identify, and age demographic information for VA's statistical purposes (see item 11), consistent with PL 103-446, Section 509, Center for Minority Veterans and Center for Women Veterans.
- Addition of new emblems of belief consistent with 38 U.S.C. § 2306(c) and 38 CFR §§ 38.630(b) and 38.632(b)(2).
- Update General Information Sheet, section a. to include "permanent and durable headstone or marker" after "privately purchased"
- Update Block 4 parenthetical to (with privately purchased permanent and durable marker)
- Update parenthetical in Block 12 to (OPTIONAL, BUT IF INCLUDED, NO PAY GRADES)

- Update parenthetical in Block 14 to (OPTIONAL, BUT IF INCLUDED PROVIDE DOCUMENTATION)
- Update parenthetical in Block 16 to (OPTIONAL, BUT IF PROVIDED CHECK ALL APPLICABLE BOXES)
- Addition of statement in the Transportation and Delivery of Marker section for consignee to inspect the headstone or marker for accuracy prior to installation.
- Addition of information and picture of new small flat granite marker, consistent with 38 U.S.C. § 2306(c) and 38 CFR § 38.630(a).

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.

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 medallion or be cancelled.

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 forms will be available via the VA website; however, it is not feasible to submit them electronically at this time.

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.

No duplication is involved. The information is not available from an alternate 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.

Since this information is on a "one time" basis it is not possible to reduce the frequency of this request.

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 is no special circumstance requiring collection in a manner inconsistent with 5 CFR § 1320.6 guidelines.

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 Information Collection Activity, based on Proposed Rule 2900-AQ28, was published in the Federal Register on Wednesday, February 6, 2019 (84 FR 2093-2109), with a 60-day comment period that ended on April 8, 2019. During this 60-day timeframe, VA received one public comment regarding Form VA 40-1330.

The commenter is Mr. Phil Hokenson of Fairbanks, AK. He is a representative of the Alaska Veterans Advisory Council. The request is that a change to form VA40-1330 be adopted. The wish is to see box 4 be updated to indicate that currently marked graves must be marked with a permanent and durable marker (ex. stone or metal) to qualify as "currently marked."

As per the recommendation, NCA is making the following edits to the form to address a public comment to include the text "permanent and durable" to the "currently marked" check box, and the general information sheet. These changes are consistent with the definition of a privately-purchased headstone or marker and would be reflected in text edits to the form:

- Block 4: update parenthetical to (with privately purchased permanent and durable marker)
- General information sheet, section a. BURIAL HEADSTONE OR MARKER: after "privately purchased," insert "permanent and durable headstone or marker."

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

There are no payments made or gifts given to respondents.

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.

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. 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.

The personal information asked on these forms is necessary for statistical data gathering, targeted outreach and utilization trend analysis and to better serve the Veteran and for the effective delivery of burial and memorial benefits. The form collects the applicant's race, ethnicity, date of birth and death, and gender identity information to assist with obtaining demographics information in order to better serve Veterans who may not be aware of our benefits and services. The applicant is informed that the information will be used for statistical purposes only.

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

Approximately 166,135 respondents requested headstones, markers or medallions for an annual burden of 41,534 hours. Routine requests for headstone, marker or medallion average 15 minutes each unless there are complications. Estimating the time respondents use to complete both VA Forms 40-1330 and 40-1330M

According to the May 2020 Bureau of Labor Statistics National Occupational Employment and Wage Estimates, the respondent population is composed of All Occupations (Code 00-0000). The Mean Hourly Wage is \$27.07 per hour for the estimated cost to the respondent is \$1,124,325.38 (41,534 hours x \$27.07 = \$1,124,325.38).

Source: May 2020 Bureau of Labor Statistics, National Occupational Employment and Wage Estimates, Code 00-0000, All Occupations:
https://www.bls.gov/oes/current/oes_nat.htm#00-0000

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

This submission does not involve any recordkeeping costs. 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. 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.**

Estimated Costs to the Federal Government: \$1,240,180

- A. Workload and Employee cost ratio
1. Number of MPS Case Managers performing this function = 29
 2. Total annual salary of 29 Case Managers, GS 9/3 = \$1,425,495
 3. Percent of workday spent reviewing form = 87%
 4. Adjusted salary based on 87% = \$ 1,240,180
 5. Number of VA Forms 40-1330 and 40-1330M received annually = 166,135

Source: Office of Personnel Management 2021 General Schedule Salary Table:
<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/GS.pdf>

- A. Contract Support Functions (Oxford Government Services, mailroom receipt & scanning processes, printing and stuffing resolution letters)
1. Total annual contract cost:
 - i. Base year (10/1/2019 – 9/30/2020) \$443,117.52
 - ii. 1st Option (10/1/2020 – 9/30/2021) \$456,541.56
 - iii. 2nd Option (10/1/2021 – 9/30/2022) \$470,435.52
 - iv. 3rd Option (10/1/2022 – 9/30/2023) \$484,815.84
 - v. 4th Option (10/1/2023 – 9/30/2024) \$499,699.32
 2. Number of VA Form 40-1330 received by mail (25% by mail, 75% by toll free fax) = 42,229
 3. There are no contractors processing 40-1330; they only perform the duties stated above.

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

There is no change in the burden hours. The current forms estimate it will take approximately 15 minutes for the applicant to complete the form. The revised forms also estimate approximately 15 minutes for the applicant to complete the form.

- 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. The results of the information collection are not for publication or used as a statistical report.

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.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

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.