

**Supporting Statement for
Application for Pre-Need Determination of Eligibility for
Burial in a VA National 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 is revising the information collection, OMB 2900-0784 and associated form, VA Form 40-10007, to reflect an increase of the annual number of responses, now estimated to be 36,000 respondents. VA intends to use the information and the form as a means to review and make determinations of eligibility for burial in a VA national cemetery in advance of a need. Under the program, VA offers individuals and those filing on their behalf the opportunity to obtain decisions about an individual's burial eligibility. These decisions will help Veterans and their loved ones better plan for end of life decisions. The purpose of the VA pre-need burial eligibility program is consistent with the MyVA plan to streamline access to VA benefits and to continue to improve customer service and the Veterans experience with pre-need burial services through the use of innovative technologies.

VA will record an individual's pre-need information in a recallable system for use at the time of death and upon receipt of a burial request. Based on this information, Veterans and their family members will be able to communicate their burial wishes to loved ones, authorized representatives, and funeral service providers. To request a pre-need eligibility decision, individuals may submit supporting documentation along with a completed VA Form 40-10007, which VA has renamed "Application For Pre-Need Burial Determination of Eligibility for Burial in a VA National Cemetery".

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 responding to a growing interest from Veterans and their family members to plan for their burial needs prior to death. VA will collect pre-need burial request information through a hardcopy form, VA 40-10007, expiration date November 30, 2018. VA plans to implement an online form in the near future. Information such as personal identifying information, military service records, and other supporting documents will be entered by VA into an electronic database and reviewed for accuracy and completeness. The collected information will provide the basis for an eligibility determination in advance of a need for burial in a VA national cemetery.

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 public may access VA Form 40-10007, Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery, online and submit completed forms along with

supporting documents through US mail, or fax. The form can be made available in a hardcopy version for those who do not have access to the online form.

VA intends to convert the hardcopy form to an electronic version that will allow claimants to submit online requests. This functionality would significantly reduce the paperwork burden on Veterans and their family members and will reduce processing time and errors for time of need burial determinations.

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.

There is no duplication. VA's pre-need program is new and the information VA will collect for these decisions cannot otherwise be obtained or utilized from existing information collections. We revised the previously approved pre-need form that was intended for burial planning for use in determining eligibility as of the date of the pre-need claim.

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 affect small businesses or entities in any known way. Submission of the pre-need application is voluntary. VA anticipates receiving applications from potential claimants and those interested in burial planning.

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.

The information collection for pre-need burial eligibility decisions is significant to VA's success in meeting the growing needs of Veterans and their family members to plan for end of life decisions. Without the form and ability to collect information reflected on the form, VA will miss an opportunity to respond to this important need and to improve access to benefits to Veterans, Servicemembers and their family members who want to plan for a critical life event. There are no known technical or legal obstacles associated with reducing the burden on families at their time of need by collecting information from individuals who voluntarily seek VA's assistance in preparing for burial in a national cemetery.

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.

None of the special circumstances described above will occur as a result of collecting pre-need burial eligibility information. Submission of the pre-need application is voluntary and should take potential respondents an average of 20 minutes to complete the form.

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's 60 day notice was published on May 11, 2016, FR 81, No. 91, pages 29330 - 29331. VA received one public comment on the pre-need form or proposed information collection received on June 27, 2016, Doc. #2016-11055. The commenter was Mr. Charles Barr, affiliated with the National Park Service and representing organization, which is the Andersonville National Cemetery.

Mr. Barr provided a simple comment:

This eligibility form applies to more than just VA National Cemeteries ie. National Park Service, State Cemeteries, US Army, Tribal cemeteries. Please modify form accordingly.

NCA offered the following response:

The National Cemetery Administration (NCA) appreciates the comment it received concerning the Pre-Need Determination of Eligibility for Burial in response to the OMB Public Notice 0784; FR Doc. #2016-11055.

NCA only has authority to make burial eligibility determinations for VA national cemeteries. However, we will look at expanding this authority in the future to state and tribal cemeteries that follow NCA eligibility criteria. NCA, in collaboration with the stakeholder agencies, will study the feasibility and develop a way ahead to use pre-need eligibility form more broadly in hopes of improving the Veterans experience.

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

No payments or gifts will be provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

An individual's personal information will be kept confidential and strict accordance with VA privacy policies and applicable legal authorities. Social Security numbers and military service numbers are requested solely to ensure accurate identification of records for the purpose of determining pre-need burial eligibility for those who request this information. All respondents will be informed that all submitted material and information falls within the purview of the Privacy Act of 1974, and will be safeguarded in accordance with the applicable System of

Records Notice (SORN). The SORN is 175VA41A, which covers the scope and routine uses for Pre Need.

11. Provide additional justification for any questions of a sensitive nature, 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.

VA will not be collecting information described above. Use of VA Form 40-10007 is voluntary and VA will only collect, review, and when authorized, disclose information relevant to establishing eligibility for burial in a VA national cemetery.

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

We estimate that it will take each of the 36,000 respondents approximately twenty (20) minutes to complete a VA Form 40-10007 and submit it along with supporting documents. The burden hours will be 12,000 (36,000 respondents x 20 minutes / 60 minutes = 12,000 hours).

We estimate that the typical pre-need stakeholder will take approximately five (5) minutes to complete the form and an additional 15 additional minutes to gather and submit supporting documents. Use of VA Form 40-10007 is voluntary and should only be submitted once.

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.

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.

The estimated cost includes adding four employees (three GS-7 Program Analysts and one GS-11 Supervisor) who will work at the National Cemetery Scheduling Office (NCSO). This staff will provide timely review of the pre-need workload, estimated in Item 12 at 36,000 respondents. A GS-7 Program Analyst equates to approximately \$40,000/year and a GS-11 Supervisor is \$59,000/year. Total annual estimated personnel cost with benefits is \$250,000.

15. Explain the reason for any program changes or adjustments reported in Items 13 or 14 of OMB 83-I

VA is responding to the emerging needs of Veterans and their family members to plan for burial in a VA national cemetery. We are moving from a mere planning tool to providing

determinations of eligibility in advance of a time of need. This change supports the Secretary's MyVA plan to streamline access to benefits and meets the core values of integrity, commitment, advocacy, respect, and excellence (ICARE). VA revised the justification for VA Form 40-10007 to reflect an update of the annual number of responses, now estimated to be 36,000 respondents. On December 18, 2015, OMB approved a non-substantive change to VA form 40-10007, which will not be affected by this submission.

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.

Implementation of the project is expected by late calendar year 2016. VA will collect information on an ongoing basis.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We do not seek approval to omit the expiration date.

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

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are used in this data collection.