

**Supporting Statement for
Application for Pre-Need Determination of Eligibility for
Burial in a VA National Cemetery
OMB 2900-0784**

A. JUSTIFICATION

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

Title 38 U.S.C. 2402 grants the authority for the solicitation of this information. VA uses the Application for Pre-Need Determination of Eligibility for Burial information, , 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 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 records 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 are 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 Determination of Eligibility for Burial in a VA National Cemetery".

Public Law 103-446 Section 509 Subsection 317(a)(5) requires the VA Center for Minority Veterans to "conduct and sponsor appropriate social and demographic research on the needs of veterans who are minorities and the extent to which programs authorized under this title meet the needs of those veterans, without regard to any law concerning the collection of information from the public." VA proposes to collect such social and demographic data on this form, to include the applicant's race and ethnicity, for the purpose of fulfilling this legal requirement.

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 has responded to a growing interest from Veterans and their family members to plan for their burial needs prior to death. VA collects pre-need burial request information through a hardcopy form, VA 40-10007. VA implemented an online form in November 2018. Information such as personal identifying information, military service records, and other supporting documents are entered by VA into an electronic database and reviewed for accuracy and completeness. The collected information provides 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, available through Vets.gov, 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.

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 unique from other VA programs and the information VA collects for these decisions cannot otherwise be obtained or utilized from other 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 receives 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 misses 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 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 Federal Register Notice was published on Monday, August 12, 2019, FR 84, No. 155, pages 39893 - 39894. No public comments were received.

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 is kept confidential and in 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 are informed that all submitted material and information falls within the purview of the Privacy Act of 1974, 5 USC 552a(e), and is safeguarded in accordance with the applicable System of Records Notice (SORN). The SORN is 175VA41A, VA National Cemetery Pre-Need Eligibility Determination Records, 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.

Use of VA Form 40-10007 is voluntary and VA only collects, reviews, and when authorized, discloses information relevant to establishing eligibility for burial in a VA national cemetery. The NCA program office includes check boxes for Race/Ethnicity. This is purely for statistical purposes. The VA Office for Minority Veterans has engaged NCA leadership on capturing this

information on the pre-need eligibility form. NCA anticipates that this will be part of a larger effort to collect this information on all NCA forms. Presumably the Center for Minority Veterans will use this information to ensure that veterans from minority groups are receiving information about this NCA program and possibly to perform outreach to ensure the word gets out to these potentially underserved communities.

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

a. Estimate the number of respondents, frequency of responses, annual hour burden

We estimate that it will take each of the 47,400 respondents approximately twenty (20) minutes to complete a VA Form 40-10007 and submit it along with supporting documents. 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. The burden hours will be 15,800 (47,400 respondents x 20 minutes / 60 minutes = 15,800 hours).

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB 83-I.

This request covers one form. Use of VA Form 40-10007 is voluntary and should only be submitted once.

c. Provide estimates of annual cost to respondents for the hour burdens for collections of information. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the annual cost to respondents is estimated at \$394,684.00. Assuming a forty (40) hour work week, the mean hourly wage is \$24.98 based on the BLS wage code – “00-0000 All Occupations” (15,800 burden hours x \$24.98). This information source website is: (https://www.bls.gov/oes/current/oes_nat.htm#00-0000), May 2018.

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 for permanent FTE for the Pre-Need section is 1 GS-11 Supervisor and 8 GS-9/10 Analysts who work at the National Cemetery Scheduling Office. A GS-10 Step 5 analyst equates to \$64,964/year and a GS-11 Step 1 Supervisor is \$62,979/year. Total annual estimated personnel cost with benefits is \$582,691.

These figures are based on the FY 2019 General Schedule Pay Table for the Locality Pay Area of St. Louis-St. Charles-Farmington, MO-IL Effective January 2019:

<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/SL.pdf>

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 have moved from a mere planning tool to providing determinations of eligibility in advance of a time of need. This change supports the Secretary's priority focusing on VA Business Systems Transformation by deploying one of the largest information technology (IT) systems innovations in Federal Government. VA revised the justification for VA Form 40-10007 to reflect an update of the annual number of responses, now estimated to be 47,400 respondents.

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.

Not applicable.

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.