

**Supporting Statement for
Application for Pre-Need Determination of Eligibility for
Burial in a VA National Cemetery
OMB Control Number: 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, 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 using 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 can 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".

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 U.S. 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. NCA 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. 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 because 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.a. 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.

In accordance with 5 CFR 1320.8(d), NCA published a 60-day notice in the *Federal Register* on December 2, 2022 (Volume 87, Number 231, Pages 74213-74214). NCA received no comments in response to this notice.

NCA published the 30-day notice of Agency Information Collection Activity Under OMB review in the *Federal Register* on February 3, 2023 (Volume 88, Number 23, Page 7554). NCA received no comments.

8.b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

Outside consultation is conducted with the public through the 60- and 30-day Federal Register notices.

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

No payment or gift is 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.

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

a. The number of respondents, frequency of responses, and annual hour burden is reported as follows:

NCA estimates that it will take each of the 47,400 respondents approximately twenty (20) minutes to complete 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 × 20 minutes ÷ 60 minutes = 15,800 hours).

	Number of Respondents	Number of Responses	Number of Minutes/Response	Total Minutes	Total Number of Hours
Pre-Need Form	47,400	1	20	948,000	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.

This request covers only one form, the Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery. 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.

VA cannot make assumptions about the population of respondents because of the variability of factors, such as the educational background and wage potential of respondents. Therefore, NCA uses 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, assuming a forty (40) hour work week, the mean hourly wage is \$28.01 based on the BLS wage code – “00-0000 All Occupations.”¹

¹ The mean hourly wage rate for All Occupations is \$28.01. BLS. May 2021 National Occupational Employment and Wage Estimates. Occupational Code 00-0000 All Occupations. Last Modified Date: 3/31/2022 (accessed

NCA estimates the annual cost to all respondents to be \$442,558.00 (15,800 annual burden hours × \$28.01 mean hourly wage).

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).

There are no annualized costs to respondents other than the labor burden costs addressed in Item 12 of this document to complete this collection.

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.

NCA estimates the Federal Government cost by estimating NCA costs for this information collection.² The estimated cost for permanent full-time equivalent (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 employee will take 3 minutes to review a Pre-Need application. \$34.92 GS 10 Step 5 hourly wage × 0.05 hours = \$1.75. Next, NCA multiplies the 0.05 hours by the 47,400 application forms to calculate 2,370 burden hours. Then, NCA multiplies the \$1.75 by the 47,400 application forms to calculate the \$82,760.40 cost. Next, NCA multiplies the \$82,760.40 cost by 8 National Cemetery Scheduling Office employees to calculate the \$662,083.20 analyst cost.

A GS 11 Step 1 supervisor will take 3 minutes to review a Pre-Need application. \$33.85 GS 11 Step 1 hourly wage × 0.05 hours = \$1.69. Next, NCA multiplies the 0.05 hours by the 47,400 application forms to calculate 2,370 burden hours. Then, NCA multiplies the \$1.69 by the 47,400 application forms to calculate the \$80,224.50 supervisor cost.

NCA sums the \$662,083.20 analyst cost and the \$80,224.50 supervisor cost to calculate \$742,307.70 annual cost to the Federal Government.

These figures are based on the FY 2023 General Schedule Pay Table for the Locality Pay Area of St. Louis-St. Charles-Farmington, MO-IL Effective January 2023:

https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/SL_h.pdf

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14.

11/17/2022). https://www.bls.gov/oes/2021/may/oes_nat.htm#00-0000.

² This information collection does not place a burden on any other Federal entity.

NCA adjusted the burden estimates (such as mean hourly wage, total cost to respondents, hourly wage for supervisor, hourly wage for analysts who work at the National Cemetery Scheduling Office, and annual cost to the Federal Government) since the previously submitted information collection.

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 results of this information collection will not be published.

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

NCA is not seeking approval to omit the expiration date for OMB approval of this information collection.

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.