DEPARTMENT OF LABOR

Office of the Workers’ Compensation Programs

Agency Information Collection Activities; Comment Request; Certification of Funeral Expenses

AGENCY: OWCP/DLHWC.

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, “Certification of Funeral Expenses.” This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by [INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free by contacting Anjanette Suggs by telephone at 202-354-9660 or by email at suggs.anjanette@dol.gov.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Office of Workers’ Compensation Programs, Room S3323, 200 Constitution Avenue, N.W., Washington, D.C. 20210; by email: suggs.anjanette@dol.gov.
FOR FURTHER INFORMATION: Contact Anjanette Suggs by telephone at 202-354-9660 or by email at suggs.anjanette@dol.gov.

SUPPLEMENTARY INFORMATION: The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The Office of Workers' Compensation Programs administers the Longshore and Harbor Workers' Compensation Act. The Act provides benefits to workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel. In addition, several acts extend Longshore Act coverage to certain other employees.

Section 9(a) of the Act provides that reasonable funeral expenses not to exceed $3,000 shall be paid in all compensable death cases. Form LS-265 has been provided for use in submitting the funeral expenses for payment. See 33 U.S.C. 909(a). Section 13 generally provides for the filing of claims under the Act, and section 39 provides authorization for the Department to administer the Act, including promulgating rules and regulations. See 33 U.S.C. 913 and 939. Regulations 20 CFR 702.121 provides that the OWCP may prescribe forms and require their use to report of any required information. See 20 CFR 702.121.
This information collection is subject to the PRA. A Federal agency generally cannot
conduct or sponsor a collection of information, and the public is generally not required to
respond to an information collection, unless the OMB under the PRA approves it and
displays a currently valid OMB Control Number. In addition, notwithstanding any other
provisions of law, no person shall generally be subject to penalty for failing to comply
with a collection of information that does not display a valid Control Number. See 5 CFR
1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the
ADDRESSES section. Written comments will receive consideration, and summarized
and included in the request for OMB approval of the final ICR. In order to help ensure
appropriate consideration, comments should mention OMB No. 1240-0040.

Submitted comments will also be a matter of public record for this ICR and posted on
the Internet, without redaction. The DOL encourages commenters not to include
personally identifiable information, confidential business data, or other sensitive
statements/information in any comments.

The DOL is particularly interested in comments that:

● Evaluate whether the proposed collection of information is necessary for the
proper performance of the functions of the agency, including whether the information
will have practical utility.

● Evaluate the accuracy of the agency’s estimate of the burden of the proposed
collection of information, including the validity of the methodology and assumptions
used.

● Enhance the quality, utility, and clarity of the information to be collected; and
Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Agency:** DOL-Office of Workers’ Compensation Programs

**Type of Review:** Revision

**Title of Collection:** Certification of Funeral Expenses

**Form:** LS-265.

**OMB Control Number:** 1240-0040

**Affected Public:** Private Sector

**Estimated Number of Respondents:** 75

**Frequency:** On occasion

**Total Estimated Annual Responses:** 75

**Estimated Average Time per Response:** 15 minutes

**Estimated Total Annual Burden Hours:** 19 hours.

**Total Estimated Annual Other Cost Burden:** $22.00

(Authority: 44 U.S.C. 3506(c)(2)(A))

Anjanette Suggs, 

Agency Clearance Officer.

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