

SUPPORTING STATEMENT FOR FORM SSA-723
STATEMENT REGARDING THE INFERRED DEATH OF AN INDIVIDUAL BY REASON
OF CONTINUED AND UNEXPLAINED ABSENCE
20 CFR 404.720-.721
OMB No. 0960-0002

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 202(d)-(i) of the *Social Security Act (Act)* mandates that when insured workers pass away, their surviving family members are entitled to a lump-sum death payment and monthly survivor benefits from the Social Security Administration (SSA). Policies for establishing the date of death for a person who has been absent from home for at least seven years, when there is no evidence the individual is alive are set forth in 20 CFR 404.720 and 20 CFR 404.721 of the *Code of Federal Regulations*.

2. Description of Collection

Before SSA can declare a missing individual deceased, we must ensure there is no evidence indicating the individual is still alive. SSA uses form SSA-723, the Statement Regarding the Inferred Death of an Individual by Reason of Continued and Unexpected Absence, to collect the information needed to make that determination. In cases where insured wage earners have been absent from their homes for at least seven years, and there is no evidence these individuals are alive, SSA may presume they are deceased and will pay their survivors the appropriate benefits. SSA uses the information from Form SSA-723 to determine if we may presume a missing wage earner is deceased and if so, to establish a date of presumed death. The respondents are relatives, friends, neighbors, or acquaintances of the presumed deceased wage earner or the person who is filing for survivor's benefits.

3. Use of Information Technology to Collect the Information

The respondent completes Form SSA-723 at SSA's field office when the applicant files for benefits. SSA did not create an electronic version of form SSA-723 under the agency's Government Paperwork Elimination Act (GPEA) plan because only 1,500 respondents complete the form. This is less than the GPEA cut-off of 50,000.

4. Why We Cannot Use Duplicate Information

The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to obtain similar data.

5. Minimizing Burden on Small Respondents

This collection does not affect small businesses or other small entities

6. Consequence of Not Collecting Information or Collecting it Less Frequently

If we did not use form SSA-723, we would have no means of presuming death for missing and presumed-dead wage earners, which would deprive their survivors of rightful Social Security benefits. Because we only collect this information once, we cannot collect it less frequently.

There are no technical or legal obstacles to burden reduction.

7. Special Circumstances

There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 CFR 1320.5.

8. Solicitation of Public Comment and Other Consultations with the Public

The 60-day advance Federal Register Notice published on January 28, 2011, at 76 FR 5233, and we received no public comments. SSA published the second Notice on April 06, 2011, at 76 FR 19175. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public on the revision of this form.

9. Payment or Gifts to Respondents

SSA does not provide payments or gifts to the respondents.

10. Assurances of Confidentiality

SSA protects and holds confidential the information it collects in accordance with 42 U.S.C. 1306, 20 CFR 401 and 402, 5 U.S.C. 552 (Freedom of Information Act), 5 U.S.C. 552a (Privacy Act of 1974), and OMB Circular No. A-130.

11. Justification for Sensitive Questions

The information collection does not contain any questions of a sensitive nature.

12. Estimates of Public Reporting Burden

Approximately 3,000 respondents take 30 minutes each to complete form SSA-723 each year. Accordingly, the burden is 1,500 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

13. Annual Cost to the Respondents (Other)

This collection does not impose a known cost burden on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$5,000. This estimate is a projection of the costs for printing and distributing the collection instrument, and for collecting the information.

15. Program Changes or Adjustments to the Information Collection Request

There are no changes to the public reporting burden.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

OMB granted SSA an exemption from the requirement to print the OMB expiration date on its program forms. SSA produces millions of public-use forms with life cycles exceeding those of an OMB approval. Since SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis), OMB granted this exemption so SSA would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.

18. Exceptions to Certification Statement

SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR 1320.8(b)(3).

B. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.