

Death Gratuity
OWCP Forms, CA-40, CA-41, and CA-42
OMB Control Number: 1240-0017
OMB Expiration Date: 06/30/2026

SUPPORTING STATEMENT

DEATH GRATUITY (FORMS CA-40, CA-41 and CA-42) OMB CONTROL NO. 1240-0017

This ICR seeks to extend this information collection.

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collections. Attach a copy of the appropriate section of each statute and of each regulation mandating or authorizing the collection of information.

The National Defense Authorization Act for Fiscal Year 2008, Public Law (P.L.) 110-181, was enacted on January 28, 2008. Section 1105 of P.L. 110-181 amended the Federal Employees' Compensation Act (FECA) creating a new section, 5 U.S.C. § 8102a effective upon enactment. This section establishes a FECA death gratuity benefit of up to \$100,000 for eligible beneficiaries of federal employees and Non-Appropriated Fund Instrumentality (NAFI) employees who die from injuries incurred in connection with service with an Armed Force in a contingency operation. 5 U.S.C. § 8102a also permits agencies to authorize retroactive payment of the death gratuity for employees who died on or after October 7, 2001, in service with an Armed Force in the theater of operations of Operation Enduring Freedom and Operation Iraqi Freedom. 5 U.S.C. § 8102a also allows federal employees to vary the order of precedence of beneficiaries or to name alternate beneficiaries. 20 CFR 10.909 and 10.911 provide that the Forms CA-40, CA-41, and CA-42 are the forms to be used to designate beneficiaries and initiate the payment process for death gratuity benefits. Effective December 2011, employing agencies are required to notify a spouse if a federal employee has designated all or a portion of the death gratuity to someone other than a spouse. See 5 U.S.C. 8145 and 8149 and Section 1121 of Public Law 112-81.

See: <https://www.dol.gov/owcp/dfec/regs/statutes/feca.htm>

Form CA-40 is an optional form that requests the information necessary from the employee to accomplish this variance and to name alternate beneficiaries only if the employee wishes to do so. Form CA-41 provides the means for those named beneficiaries and possible recipients to file claims for those benefits and requests information from such claimants so that OWCP may determine their eligibility for payment. Further, the statute and regulations require agencies to notify OWCP immediately upon the death of a covered employee. Form CA-42 provides the means to accomplish this notification and requests information necessary to administer any claim for benefits resulting from such a death.

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2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection

The information collected through Forms CA-40, CA-41 and CA-42 is used by claims examiners in OWCP to determine a person's entitlement to any or all of the death gratuity payment provided by 5 U.S.C. §8102a.

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 forms are posted on the internet at <http://www.dol.gov/owcp/dfec/regs/compliance/forms.htm> for downloading. Also, OWCP has a web-based application known as the Employees' Compensation Operations and Management Portal (ECOMP) which allows a user to submit a completed form electronically into the claimant's case record. The use of this application is of no cost to the public.

See: <https://www.ecomp.dol.gov/>

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 A.2 above.

The information requested in these collections is not duplicative of any information available elsewhere in OWCP or in any other Federal executive agency. The beneficiary classes under this benefit program are different than under any other FECA benefit and also cover NAFI employees, who have previously never been covered under FECA. The respondents are the only source of all the required information.

5. If the collection information impacts small businesses or other small entities, describe any methods used to minimize burden

This information collection has been streamlined to obtain the necessary information while imposing the minimum burden on the respondent. This information collection does not have a significant economic impact on a substantial number of small entities.

6. Describe the consequence 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.

If this information were not collected, OWCP would be unable to administer and provide the death gratuity to the appropriate beneficiaries, as required by the statute.

7. Explain any special circumstance that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to 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;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances for the collection of this information.

8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency'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 agency in response to these comments. Specifically, address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping,

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disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

OWCP has been evaluating the death gratuity and has had sufficient experience with Forms CA-40, CA-41, and CA-42 to maximize its utility. OWCP has not received any complaints about the manner in which the form has been used. To comply with M-22-10, the individuals/organizations consulted about the information collection are listed in the table below. We have redacted their names and contact information.

Contact	Organization	Email	Phone
Renee XXXX	Dept of the Navy	XXX	XXX
Gary XXXX	Dept of Defense	XXX	XXX
Anthony XXXX	Dept of the Army	XXX	XXX

We did not receive comments in response to our request for feedback from the individuals/organizations listed above.

A Federal Register Notice inviting public comment, 91 FR 4967, was published on February 03, 2026. Comments were not received.

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

The decision to provide a payment to a respondent is a decision on entitlement to death gratuity benefits under the FECA by OWCP.

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

The information collected by these forms is maintained in OWCP claim files which are fully protected under the Privacy Act. The applicable Privacy Act System of Records are DOL/GOVT-1 and DOL/OWCP-3 and DOL/OWCP-4 [81 FR 47418 (July 21, 2016)]. See <https://www.dol.gov/agencies/sol/privacy>

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. This justification should include the reasons why the agency considers the questions necessary; the 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.

No questions regarding sexual behavior, religious beliefs, etc. are asked by the Forms CA-40, CA-41 or CA-42.

12. Provide estimates of the hour burden of the collection of information.

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. 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.**

Based upon experience with this form, it is estimated that 7 respondents will file 7 forms annually (on an as needed basis), and that it will require 15 minutes or .25 hours for each respondent to complete each form per response. This estimate is considered to be reasonable since the minimal identifying information is requested from OWCP.

The monetized value of burden costs for completion of the CA-40, CA-41, and CA-42 is calculated using a mean hourly wage of \$31.53 based on the Bureau of Labor Statistics, Average hourly and weekly earnings of production and nonsupervisory employees as of September 2025.

Calculated as follows: 1.75 Total burden hours *Hourly Wage Rate of \$31.53 = \$56.00 rounded

See: [Table B-8 Average hourly and weekly earnings of production and nonsupervisory employees on private nonfarm payrolls by industry sector, seasonally adjusted\(1\)](#)

The following chart shows the projected burden hours for the death gratuity forms. It is estimated that a total of 7 of these forms (1 CA-40, and 3 each of the CA-41 and CA-42 forms) will be completed by a respondent.

Estimated Annualized Respondent Cost and Hour Burden

Activity	No. of Respondents	No. of Responses per Respondent	Total Responses	Average Burden (Hours)	Total Burden (Hours)	Hourly Wage Rate	Monetized Value of Respondent Time
CA-40	1	1	1	.25	.25	\$31.53	\$8.00
CA-41	3	1	3	.25	.75	\$31.53	\$24.00
CA-42	3	1	3	.25	.75	\$31.53	\$24.00
Totals	7		7		1.75 (2 rounded)		\$56.00

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or**

contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

There are no capital/startup or ongoing operation/maintenance costs associated with this information collection.

There are no mailing costs associated with submission of these forms as all are submitted electronically via ECOMP.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), 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 into a single table.

Review of the forms averages about ½ hour. The request is reviewed by a Supervisor from a Program office who has grade of GS-13/Step 1, hourly wage of \$50.49.

See: [Salary Table 2025 RUS \(opm.gov\)](#)

The computations are as follows:

Review Cost: 7 x (.5) x \$50.49 = \$176.72 or \$177.00 rounded

Total Federal Costs:

Description	Cost
Review Cost	\$ 177.00
Annual ECOMP Track Pricing Hosting	\$8,143.00 ¹

¹The ECOMP cost is \$285,000.00 for FY 2021. There are 35 forms which require OMB approval which can be downloaded through ECOMP. These forms are CA-2a, CA-5, CA-5b, CA-7, CA-12, CA-15, CA-16, CA-17, CA-20, CA-40, CA-41, CA-42, CA-155, CA-278, CA-721, CA-722, CA-1027, CA-1031, CA-1032, CA-1074, CA-1087, CA-1090, CA-1108, CA-1122, CA-1143, CA-1305, CA-1331, CA-2231, OWCP-5a, OWCP-5b, OWCP-5c, OWCP-16, OWCP-17, OWCP-20, and OWCP-44. The ECOMP figure used was based on the average cost for each

TOTAL	= \$8,214.00
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15. Explain the reasons for any program changes or adjustments.

The number of respondents increased from 3 to 7. This increase in respondents was due to more forms received.

The number of responses increased from 3 to 7. This increase in responses was due to more forms received.

The total number of burden hours increased from 1 hours to 2 hours also due to the increase in respondents.

Item 13 costs to respondents remained unchanged at 0.

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 information, completion of report, publication dates, and other actions.

There are no plans to publish any data collected by Forms CA-40, CA-41 and CA-42.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

No exception to the display of the expiration date is sought.

18. Explain each exception to the certification statement in ROCIS.

This request is in compliance with 5 CFR 1320.9.

B. Collections of Information Employing Statistical Methods:

Statistical methods are not used in these collections of information.

of those collections, or 1/35 of \$285,000.00, which is \$8,142.86, or \$8,143.00 rounded.