

**MEMO# 27874**

January 31, 2014

# **ICI Letter to Department of Commerce Regarding Continuous Death Master File Access**

[27874]

January 31, 2014

TO: PENSION MEMBERS No. 3-14  
BANK, TRUST AND RETIREMENT ADVISORY COMMITTEE No. 7-14  
OPERATIONS COMMITTEE No. 5-14 RE: ICI LETTER TO DEPARTMENT OF COMMERCE  
REGARDING CONTINUOUS DEATH MASTER FILE ACCESS

The Institute joined 14 other trade organizations in submitting the attached letter to Secretary of Commerce Pritzker urging open and continued access to the Death Master File (DMF). The DMF is a list, updated weekly, containing information regarding deceased individuals (including name, social security number, date of birth and date of death) maintained by the Social Security Administration and distributed through the Department of Commerce. Section 203 of the Bipartisan Budget Act of 2013 [\[1\]](#) directs the Secretary of Commerce to restrict access to an individual's DMF file information for a three-year period from the individual's death, except to persons who are certified under a fee-based program to be established by the Secretary of Commerce. Only those parties having a "legitimate fraud prevention interest" or a "legitimate business purpose pursuant to a law, government rule, or fiduciary duty" and who agree to maintain the information under certain safeguards may obtain such certification. The provision is scheduled to take effect in March, 2014.

The Department of Commerce issued guidance clarifying that user access to the DMF will continue uninterrupted pending the establishment of the certification program. [\[2\]](#) However, the guidance does not address continued DMF access during the certification process. The joint letter seeks further clarification regarding such continued access and asks that the certification program not include burdens that could limit retirement plans' needed access to the DMF.

Howard Bard  
Associate Counsel

[Attachment](#)

## endnotes

[1] A copy of the Bipartisan Budget Act of 2013 is available here:  
<http://www.gpo.gov/fdsys/pkg/BILLS-113hjres59enr/pdf/BILLS-113hjres59enr.pdf>.

[2] See National Technical Information Service Notice, available here:  
<http://www.ntis.gov/products/ssa-dmf.aspx>.

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