

**U.S House of Representatives**

**Committee on Ways and Means  
Subcommittee on Social Security**



**Statement for the Record**

**Hearing on Social Security's Death Records**

Submitted by

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Chairman Johnson, Ranking Member Becerra, and members of the Subcommittee.

Thank you for the invitation to submit this Statement for the Record on behalf of the Federation of Genealogical Societies to supplement the record of the hearing held by the Subcommittee on the 2<sup>nd</sup> of February 2012.

I serve as the President of the Federation of Genealogical Societies and as a member of the Records Preservation and Access Committee more fully described below.

The Federation of Genealogical Societies was founded in 1976 and represents the members of hundreds of genealogical societies. We have member societies in all 50 states, the District of Columbia, the Virgin Islands, Canada, Ireland, and the United Kingdom.

Be assured that the genealogical community shares the objective of protecting Americans against fraud and of addressing deficiencies in the current operation of the Social Security Administration's Death Master File. This hearing marks our first opportunity to express our views to Congress on this important subject and we commend the committee for adding it to their agenda.

### **Identity Thieves Have Long Targeted Infants**

We have all been outraged by reports of identity thieves filing fraudulent tax refund claims using the SSNs of recently deceased infants & adults. Although the specific techniques and technologies may have changed, having a scoundrel target deceased infants is not new.

In the 1970s and early 1980s, the technique followed by those with sinister intent employed this pattern:

- (1) The thief would visit the Babyland Section of a local cemetery and find the name and birth date of a deceased child roughly comparable with their own.
- (2) The thief would approach the vital records custodian to request a duplicate birth certificate using that name and birth date.
- (3) If issued, the duplicate birth certificate would then be used to apply for a driver's license and other purposes to create an identity in the deceased child's name that could then be used for purposes as benign as facilitating underage drinking but ranging to major thefts by making substantial credits purchases.

### **What Response Worked**

The most effective response developed by the vital records community to this abuse was to verify the appropriateness of the request for a duplicate birth certificate by first checking their files of death certificates to ensure that the subject of the requested birth certificate was not found

there. If found, the duplicate birth certificate would only be issued if prominently annotated to reflect the fact that the person was deceased.

Inter-state compacts with adjoining jurisdictions allowed the vital records custodians of the birth records to screen the death records of neighboring states before responding to a fraudulent request. Efforts continue to expand the ability to access the death records of a broader range of states to be used to thwart this form of abuse.

As a society, we did not choose to restrict access to cemeteries.

### **What Is the Problem?**

Death records have particular utility in the prevention of fraud or theft. Little judgment is required to decide not to extend credit to a person authoritatively reported to be dead.

That reality places a particular burden on those creating such a record to get it right and a requirement to correct any mistakes as quickly as possible.

Thieves may be abusing online access to the Master Death File or its commercial form, the Social Security Death Index.

The real problem is that the Internal Revenue Service and others, who should be using it for the purpose for which it was created are not!

### **About the Records Preservation and Access Committee**

The genealogical community works together through The Records Preservation and Access Committee (RPAC), a joint committee which today includes The National Genealogical Society (NGS), the Federation of Genealogical Societies (FGS) and the International Association of Jewish Genealogical Societies (IAJGS) as voting members. The Association of Professional Genealogists (APG), the Board for Certification of Genealogists (BCG), the American Society of Genealogists (ASG), and industry representatives also serve as participating members. RPAC meets monthly, and more often if needed, to advise the genealogical and historical communities, as well as other interested parties, on ensuring proper access to vital records, and on supporting strong records preservation policies and practices.

### **Summary**

The most effective response to identity thieves' abuse of vulnerabilities in the online tax refund system is to use the Master Death File for the purpose for which it was originally created, namely, fraud prevention.