



MASSACHUSETTS
GENEALOGICAL
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U.S. Congressman Sam Johnson (R-TX)
Chairman, House Committee on Ways and Means Subcommittee on Social Security
Hearing on Accuracy and Uses of the Social Security Administration's Death Master File
2 February 2012

The **Massachusetts Genealogical Council** (MGC) is an umbrella organization representing more than 36,000 members of genealogical and historical societies who utilize current and historical records to determine kinship. Whether residents of the Commonwealth or descendants of early Massachusetts settlers now living in all fifty states, all wish the Social Security Death Master File (DMF) to remain un-redacted and accessible to the public.

While we are in agreement that there are significant problems within the Social Security Administration's implementation of the DMF, we want to assure that legislation proposed to rectify this problem not have dangerous, if unintended, consequences.

As a tool for research in the genealogical field, the Death Master File is used to determine kinship in a myriad of ways, just a few of which follow.

- As a result of a congressional mandate, the US military hires genealogists to help locate next of kin of servicemen lost in previous wars. In addition, genealogists find DNA donors in each serviceman's family to aid in identification of repatriated remains. The Death Master File is absolutely critical to this research.
- Attorneys and financial institutions employ the services of genealogists in probate, tax and heir-search cases. Again, the DMF is critical to this research.
- Physicians and families use the DMF to locate family members who can supply necessary information to help with diagnoses. Many lives have been saved through donations of blood and bone marrow possible only from family members.

Any bill that attempts to curb identify theft and correct errors within the SSA must not contravene the original reason for the creation of the DMF: to provide a check on identities and assure that the numbers of deceased individuals are not being used fraudulently. The fact that the SSA incorrectly reports deaths of living individuals is a cause for correction of those practices within the SSA, not a complete removal of the DMF.



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We must do everything we can to stop criminals from profiting from the DMF, but we should not prohibit public access to it. If we are to solve this problem it is essential to first critically examine several points.

1. Countless professions and industries across the nation are **heavily** reliant on the DMF: health care providers, the military, financial institutions, attorneys, insurance agencies, universities, funeral directors, credit agencies, and especially state and federal agencies. While exemptions would probably be made for governmental entities, the use of the DMF is now inextricably linked to business practices across the country. Closure of these public records could have severe consequences on the economy as businesses scramble to gather information in other, much less efficient, ways.
2. Tax fraud involving the use of the social security numbers of deceased children results from a lack of communication between governmental agencies. The number of such cases is extremely small, but even those could be eliminated if the IRS were to incorporate use of the DMF themselves. The Death Master File was created, after all, for the purpose of preventing fraud, waste, abuse and identity theft. There really is no excuse for the IRS failing to do the same simple fraud checks the rest of us do. It is extraordinary that victims of this kind of identity theft should be treated as criminals and forced to prove their identities when it is easily within the ability of the IRS to check back a year or two to confirm the correct filings.
3. Rather than enact legislation that is guaranteed to hamper commercial practices across the country, it is preferable to look to within the Social Security Administration itself to correct sloppy procedures that have led to improperly reporting the deaths of living individuals. Improper functioning within the SSA is not a reason to close off access to this tool. First let us correct the mistakes.
4. The Death Master File is **overwhelmingly** used a means to verify identity, not steal it. It is an essential tool for maintaining an open society. In a democratic nation it is our duty to safeguard the right of all individuals to have access to public records, even when there is the chance that those records could be abused. When the records remain open, the fraud is easier to expose.



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Millions of genealogists would be greatly impacted if legislation restricting access to the DMF were to be enacted. While the Massachusetts Genealogical Council would have preferred to give live testimony at the invitation-only panel at the February 2nd hearing, we submit this written testimony in the hope that our members' voices will be heard.

We offer the assistance of our organization to the House Ways and Means Subcommittee on Social Security in safeguarding the security of all Americans with Social Security numbers while promoting open access to public records.

Sincerely,

Polly FitzGerald Kimmitt, CGSM
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