January 17, 2014

The Honorable Max Baucus  
Chairman  
Senate Finance Committee  
219 Dirksen Senate Office Building  
Washington, DC  20510

Dear Senator Baucus,

We are writing in response to your request for public comments on the tax administration staff discussion draft recently posted on the Senate Finance Committee’s website. Specifically, we are writing to offer our views on Subtitle B - Prevention of Identity Theft and Tax Fraud, Section 11 of the draft, which restricts access to data from the Social Security Administration’s Death Master File (DMF).

We are the presidents of the Population Association of America/Association of Population Centers (PAA/APC), which together represent over 4,000 behavioral and social scientists and over 40 population research centers nationwide. Our members are population scientists, primarily demographers, economists, sociologists, and statisticians, who conduct research on the implications of population change. Federally-funded population scientists, whether they are grantees or contractors, access DMF data for many legitimate research purposes, adhering to very strict standards for data security and privacy protection. For example, two well-respected longitudinal surveys, the Health and Retirement Study (HRS) and the Panel Study of Income Dynamics (PSID), (both of which are funded by the National Institutes of Health and National Science Foundation) rely on SSA data to confirm the death of study participants. Other federal grantees rely on DMF data to conduct research on a number of topics, including the causes and effects of mortality and the impact of advance care planning on end-of-life care. There is no alternative source of up-to-date reliable information on mortality available to researchers. Further, it should be noted that no behavioral or social science researcher has ever been accused of misusing DMF data. In fact, behavioral and social scientists are recognized for developing innovative approaches, such as secure data enclaves, to protect sensitive data sets.

Section 11 establishes a certification process that would enable only those with “a legitimate fraud prevention or a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty” to qualify for earlier access to DMF data. In the discussion draft, any other interested party could not acquire DMF data until a 3-calendar-year period beginning on the date of the individual’s death had occurred. Such a lengthy waiting period would hamper the ability of scientists to conduct timely, relevant research and force them to expend resources and time pursuing the status of study participants rather than focusing on potentially life-saving research. These problems could be avoided if Section 11 were modified to clarify that federal scientists, grantees and contractors alike, are also eligible for the certification process provided they meet strict standards for safeguarding DMF data described in the draft bill.

Thank you for this opportunity to comment on the draft legislation. Please do not hesitate to contact us if you have any questions.

Respectfully,

Pamela J. Smock, Ph.D., APC President  
Robert A. Moffit, 2014 PAA President