

# Follow-up on Personally Identifiable Information Made Available to the Public Via the Death Master File

## A-06-18-50708



June 2021

Office of Audit Report Summary

### Objective

To determine whether actions the Social Security Administration (SSA) has taken since our March 2011 report, *Follow-up: Personally Identifiable Information Made Available to the Public Via the Death Master File (A-06-10-20173)*, effectively mitigated PII breaches.

### Background

In 2008 and 2011, we reported that, from January 2004 through April 2010, SSA deleted approximately 83,000 numberholders' death entries from the Death Master File (DMF); publication of the public DMF resulted in the erroneous disclosure of at least 35,000 living individuals' personally identifiable information (PII); and SSA's attempts to mitigate these PII breaches did not always remove the PII from the public domain.

We recommended SSA implement a risk-based approach for distributing public DMF information by delaying the release of file updates for public customers by a number of months to give itself time to correct erroneous death entries. We also recommended SSA limit information included in the public file to the minimum required. SSA disagreed with our recommendations.

To accomplish this review, we obtained data that identified 63,910 instances where SSA removed death entries from the DMF between January 2013 and December 2019.

### Findings

Although SSA disagreed with our recommendations, we found that subsequent events, including actions taken by SSA, have mitigated the risk that publication of the public DMF could result in a breach of living individuals' PII.

- In November 2011, SSA interpreted provisions of section 205(r) of the *Social Security Act* to prohibit disclosure of State death information, including the fact of an individual's death, if SSA's only source of death information is a State. Since that time, SSA has excluded approximately 25 million death records from the public DMF provided to the Department of Commerce's National Technical Information Service (NTIS) and sold to its DMF subscribers.
- The *Bipartisan Budget Act of 2013* prohibited the Secretary of Commerce from disclosing DMF information during the 3-calendar-year period following an individual's death, unless the requestor was certified to access that information, prohibited subscribers from posting public DMF information on the Internet, and prescribed penalties for unauthorized disclosure. Since NTIS implemented the certification program, the number of public DMF subscribers has plummeted from approximately 1,500 in 2013 to 207 in January 2020. We also identified a reduction in the percentage of sampled living numberholders whose PII remained available on public Websites after SSA removed their information from the DMF.
- Expanded use of the Electronic Death Registration (EDR) has increased the accuracy of SSA's death information and reduced death-reporting errors. Since October 2011, the number of States reporting death information to SSA via EDR has increased from 31 to 46. During approximately the same time, the number of erroneous death entries SSA removed from the DMF declined by approximately 45 percent. As the number of States using EDR and the volume of death reports those States process through EDR increase, the corresponding number of erroneous death reports should continue to decline.

Because SSA does not have oversight authority of EDR in the States, we made no recommendations.