

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Technical Information Service**  
**Limited Access Death Master File Subscriber Certification Form**  
**OMB Control No. 0692-0013**

**A. JUSTIFICATION**

This is a reinstatement without change request for a previously approved collection for which approval will expire prior to reapproval. The collection was approved on an emergency basis in March 2014 and will expire on September 30, 2014. The National Technical Information Service (NTIS) must continue to collect the information to determine whether persons seeking access to the Limited Access Death Master File satisfy the requirements of Section 203 of the Bipartisan Budget Act of 2013 (Pub. L. 113-67) (Act) and may receive the Limited Access Death Master File from NTIS.

**1. Explain the circumstances that make the collection of information necessary.**

The NTIS Limited Access Death Master File Subscriber Certification Form (Certification Form) is used by NTIS to collect information related to the implementation of Section 203 of the Act. NTIS issued an interim final rule on March 26, 2014, establishing a temporary certification program for persons who seek access to the Social Security Administration's Public Death Master File (DMF). Section 203 of the Act prohibits disclosure of DMF information during the three-calendar-year period following death unless the person requesting the information has been certified under a program established by the Secretary of Commerce. The Act directs the Secretary of Commerce to establish a certification program for such access to the DMF. The Secretary of Commerce has delegated the authority to carry out the DMF certification program to the Director, NTIS.

The Act required implementation of the certification program ninety (90) days after enactment. NTIS requested emergency clearance of this collection of information in order to implement the certification program on March 26, 2014, and the information collection was approved on an emergency basis through September 30, 2014. NTIS anticipates publishing a notice of proposed rulemaking by the end of calendar year 2014 and as part of that proposed rulemaking will seek clearance of a revised information collection. However, the revised information collection will not be used until a final rule is published. NTIS must continue to use the existing Certification Form until the final rule is published.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

All persons wishing to access the DMF, including information about deceased individuals at any time during the three-calendar-year period beginning on the date of the individual's death must complete and submit the Certification Form. NTIS intends to continue using the current version of the Certification Form until the final rule is published. During drafting of the proposed and final rules, change (or revision) to this PRA package will be submitted to ensure that the form is consistent with the final certification process. Each applicant will have to be re-certified annually along with the annual renewal of their subscription to access the DMF from NTIS, using the certification process in place at the time of their re-certification. NTIS will use the information collected to ensure that the DMF is disseminated consistent with the use and certification requirements of the interim final rule until the final rule is published. The information collected will not be disseminated to the public.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

NTIS will accept completed and executed Certification Forms via mail and fax. NTIS will also accept scanned completed and executed Certification Forms as email attachments.

**4. Describe efforts to identify duplication.**

The certifications contained in the Certification Form are unique to this program, as the requirements are set forth in the legislation are specific to this program.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

Small businesses or other small entities may submit Certification Forms. NTIS published a Request for Information to help inform the certification process. The burden of the form itself is minimal; the restrictions on use are determined by Section 203 of the Bipartisan Budget Act.

The DMF Certification Form collects only information necessary for NTIS to conduct the program.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Pursuant to Section 203 of the Act, NTIS may only disseminate the Limited Access DMF to Certified Persons, and NTIS cannot determine whether a person meets the requirements for

certification without collecting this information. NTIS requires all certified persons to re-certify annually to ensure their continued compliance with Section 203 of the Act.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

N/A

**8. Provide information of the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

On Friday, August 22, 2014, NTIS published a 60-day Federal Register notice seeking comments on the information collection. NTIS received one comment regarding the time estimated for completion of the DMF Certification Form. NTIS does not intend to change the form nor the estimated burden hours based on this comment because the additional time reported by the respondent was due to respondent error and NTIS received no other comment indicating that the estimate of burden hours was inaccurate.

NTIS also received one comment stating that the DMF Certification fee of \$200, while reasonable by itself, when added to other costs associated with the DMF make the total cost prohibitive for small businesses. Since Section 203 of the Act requires NTIS to achieve full cost recovery for the certification program, and since the commenter said that the DMF Certification fee by itself is reasonable, NTIS is making no change as a result of this comment.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

None.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

None.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

N/A

**12. Provide an estimate in hours of the burden of the collection of information.**

NTIS expects completion of the Certification Form to take about 2 hours per application and expects to receive approximately 700 Certification Forms, for a total of 1,400 hours.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

For NTIS to achieve full cost recovery for the DMF Certification Program, as required by Section 203 of the Bipartisan Budget Act of 2013 (Pub. L. 113-67), DMF Subscribers will be required to remit \$200 per Certification Form. The total annual cost burden is estimated to be \$200 x 700 certificates = \$140,000.

**14. Provide estimates of annualized cost to the Federal government.**

NTIS estimates expenses of \$140,000 in FY 2014 to recover costs associated with the rulemaking process, reviewing and processing the DMF Certification Forms under the interim final rule, and granting certifications. In future fiscal years, NTIS anticipates costs associated with other requirements of the Act, such as auditing. NTIS is working on estimates for those costs.

**15. Explain the reasons for any program changes or adjustments.**

N/A

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

N/A

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

N/A.

**18. Explain each exception to the certification statement.**

N/A.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

N/A.