



## DEPARTMENT OF COMMERCE

### National Technical Information Service

#### **Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Extension of Currently Approved Information Collection; Comment Request; Limited Access Death Master File Systems Safeguards Attestation Forms**

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on November 1, 2023, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

*Agency:* National Technical Information Service (NTIS), Commerce.

*Title:* NTIS Limited Access Death Master Files (LADMF) Systems Safeguards

#### Attestation Forms

*OMB Control Number:* 0692-0016.

*Form Number(s):* NTIS FM100A and NTIS FM100B

*Type of Request:* Extension of a currently approved information collection.

*Number of Respondents:* NTIS expects to receive approximately 260 applications and renewals for certification every three (3) years for access to the Limited Access Death Master File.

*Average Hours Per Response:* 3 hours.

*Burden Hours:* 780

*Needs and Uses:* NTIS issued a final rule establishing a program through which persons may become eligible to obtain access to Death Master File (DMF) information about an individual within three years of that individual's death. The final rule was promulgated under section 203 of the Bipartisan Budget Act of 2013, Public Law 113-67 (Act). The Act prohibits the Secretary of Commerce (Secretary) from disclosing DMF information during the three-year period following an individual's death (Limited Access DMF), unless the person requesting the information has been certified to access the Limited Access DMF pursuant to certain criteria in a program that the Secretary establishes. The Secretary delegated the authority to carry out section 203 to the Director of NTIS.

To accommodate the requirements of the final rule, NTIS is using both the ACAB Systems Safeguards Attestation Form and the AG or IG Systems Safeguards Attestation Form. The ACAB Systems Safeguards Attestation Form requires an "Accredited Conformity Assessment Body" (ACAB), as defined in the final rule, to attest that a Person seeking certification or a Certified Person seeking renewal of certification has information security systems, facilities and procedures in place to protect the security of the Limited Access DMF, as required under section 1110.102(a)(2) of the final rule. The ACAB Systems Safeguards Attestation Form collects information based on an assessment by the ACAB conducted within three years prior to the date of the Person or Certified Person's submission of a completed certification statement under section 1110.101(a) of the final rule. This collection includes specific requirements of the final rule, which the ACAB must certify are satisfied, and the provision of specific information by the ACAB, such as the date of the assessment and the auditing standard(s) used for the assessment.

Section 1110.501(a)(2) of the final rule provides that a State or local government office of AG or IG and a Person or Certified Person that is a department or agency of the same State or local government, respectively, are not considered to be owned by a common "parent" entity under section 1110.501(a)(1)(ii) for the purpose of determining independence, and attestation by

the AG or IG is possible. The AG or IG Systems Safeguards Attestation Form is for the use of a State or local government AG or IG to attest on behalf of a State or local government department or agency Person or Certified Person. The AG or IG Systems Safeguards Attestation Form requires the State or local government AG or IG to attest that a Person seeking certification or a Certified Person seeking renewal of certification has information security systems, facilities and procedures in place to protect the security of the Limited Access DMF, as required under section 1110.102(a)(2) of the final rule. The AG or IG Systems Safeguards Attestation Form collects information based on an assessment by the State or local government AG or IG conducted within three years prior to the date of the Person or Certified Person's submission of a completed certification statement under section 1110.101(a) of the final rule. This collection includes specific requirements of the final rule, which the State or local government AG or IG must certify are satisfied, and the provision of specific information by the State or local government AG or IG, such as the date of the assessment.

*Affected Public:* Accredited Conformity Assessment Bodies and State or local government Auditors General or Inspectors General attesting that a Person seeking certification or a Certified Person seeking renewal of certification under the final rule for the “Certification Program for Access to the Death Master File” has information security systems, facilities and procedures in place to protect the security of the Limited Access DMF, as required by the final rule.

*Frequency:* Every three (3) years.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* Section 203 of the Bipartisan Budget Act of 2013, Public Law 113-67.

This information collection request may be viewed at [reginfo.gov](http://reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice on the following website

[www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review – Open for Public Comments” or by using the search function and entering either the title of the collection or the OMB control number 0692-0016.

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