Death Master File Addendum

Experian Statement: Client acknowledges that many services containing Experian information also contain information from Death Master File as issued by the Social Security Administration ("DMF"); certify pursuant to Section 203 of the Bipartisan Budget Act of 2013 and 15 C.F.R. § 1110.102 that, consistent with its applicable FCRA or GLB use of Experian information, the client's use of deceased flags or other indicia within the Experian information is restricted to legitimate fraud prevention or business purpose in compliance with applicable laws, rules, regulations, or fiduciary duty, as such business purposes are interpreted under C.F.R. § 1110.102 (a)(1); and certify that the client will not take any adverse action against any consumer without further investigation to verify the information from the deceased flags or other indicia within the Experian information.

TransUnion Statement: End User certifies that it meets the qualifications of Certified Person under 15 CFR Part 1110.2 and that its access to the DMF is appropriate because: A.) **Certified Person:** End User has a legitimate fraud prevention interest, or has a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty, and shall specify the basis for so certifying. B.) **Security:** End User has systems, facilities, and procedures in place to safeguard accessed information; experience in maintaining the confidentiality, security, and appropriate use of the accessed information, pursuant to requirements similar to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986; and agrees to satisfy the requirements of such section 6103(p)(4) as if such section applied to End User. C.) End User shall not disclose information derived from the DMF to the consumer or any third party, unless clearly required by law. D.) **Penalties:** End User acknowledges that failure to comply with the provision above may subject Credit Information Systems to penalties under 15 C.F.R 1110.200 of $1,000 for each disclosure or use, up to maximum of $250,000 in penalties per calendar year. E.) **Indemnification and Hold Harmless:** End User shall indemnify and hold harmless the TransUnion and the US Government/NTIS (National Tech Information Services – Agency within US Dept of Commerce) from all claims, demands, damages, expenses, and losses, whether sounding in tort, contract or otherwise, arising from or in connection with End User's, or End User's employees, contractors, or subcontractors, use of the DMF. This provision shall survive termination of the Agreement and will include any and all claims or liabilities arising from intellectual property rights. F.) **Liability:** a) Neither TransUnion nor the US Government/NTIS 1)make warranty, express or implied, with respect to information provided under this Section of the Policy, including, but not limited to, implied warranties of merchantability and fitness for any particular use; 2) assume any liability for any direct, indirect or consequential damages flowing from any use of any part of the DMF, including infringement of third party intellectual property rights; and 3) assume any liability for any errors or omissions in the DMF. The DMF does have inaccuracies and NTIS and the Social Security Administration (SSA), which provides the DMF to NTIS, does not guarantee accuracy of the DMF. SSA does not have a death record for all deceased persons. Therefore, the absence of a particular person on the DMF is not proof that the individual is alive. Further, in rare instances, it is possible for the records of a person who is not deceased to be included erroneously in the DMF. b) If an individual claims that SSA has incorrectly listed someone as deceased (or has incorrect dates/data on the DMF), the individual should be told to contact their local Social Security office (with proof) to have the error corrected. The local Social Security office will: i) Make the correction to the main NUMIDENT file (Record of application for Social Security Card) at SSA and give the individual a verification document of SSA's current records to use to show any company, recipient/purchaser of the DMF that has the error; OR, ii) Find that the SSA has the correct information on the main NUMIDENT file and DMF (probably corrected sometime prior), and give the individual a verification document of SSA's records to use to show to any company subscriber/purchaser of the DMF that had the error.