

From: Tom Davis <TomDavis@scsenate.gov>
To: Veldran, KatherineKatherineVeldran@gov.sc.gov
Date: 11/5/2012 11:41:54 AM
Subject: FW: Website email from Joe Compton to ALL Senate Members

fyi

From: pdinc@hargray.com [mailto:pdinc@hargray.com]
Sent: Monday, November 05, 2012 11:25 AM
To: Tom Davis
Subject: Re: Website email from Joe Compton to ALL Senate Members

Senator Davis,

I was surprised by Gov. Haley's comments last week that businesses are not concerned by the security breach because we expect it and that she has not received any notice of concern from businesses. Please let her know that the businesses I have talked with about this breach are very concerned. Also it appears that individual tax payer in S.C. are afforded one (1) year ID thief protection, but businesses are only provided credit monitoring with no protection. The citizens and businesses in S.C. are waiting to see how the legislature responds to this situation which the Governor seems to minimize.

Best Regards,

Joe Compton

From: Tom Davis
Sent: Thursday, November 01, 2012 12:08 PM
To: pdinc@hargray.com
Subject: RE: Website email from Joe Compton to ALL Senate Members

Dear Joe,

Like you, I was shocked last Friday to learn that computer systems at the S.C. Department of Revenue had been breached on numerous occasions, and that 3.6 million Social Security numbers and nearly 400,000 credit and debit card numbers had been obtained by what the governor's office has called "an international hacker." And I was stunned again yesterday when the governor announced the data of more than 650,000 businesses was also part of the hack.

For the past several days, I have communicated with the offices of Gov. Nikki Haley, SLED Chief Mark Keel, State Department of Revenue Director Jim Etter and others to learn more about this security breach. Obviously, state government has failed the people of South Carolina, and I pledge to you that an exhaustive inquiry will be conducted, that those guilty of malfeasance will be identified, and that appropriate steps will be taken to ensure that such sensitive information provided by citizens to their government is better protected in the future.

Tough questions will be asked and answers demanded. Questions such as: Why wasn't the credit card data kept in an unencrypted format? Was the breach the result of human error or inadequate security procedures? Why was data kept in a way that was accessible to the internet? What is the security audit process and how often is it conducted? What was the reason for the delay in advising the public of the security breach?

At this point, though, it is more productive to focus on how taxpayers can protect themselves, and to answer the most frequently asked questions. The information listed below in Q&A format has been provided by the governor's office, by Experian (the credit-protection agency retained by the governor's office), or by state newspapers who have assigned their best investigative reporters to uncover the facts. (In that latter regard, particular thanks are owed to The Greenville News; much of what is listed below can be found on its website.)

The governor's office provides regular updates on this situation, as do newspapers and other news outlets, and I post that information on my Facebook page and website as it becomes available. I invite you to visit

<https://www.facebook.com/senatortomdavis> and/or www.senatortomdavis.com for that additional information.

Q: What steps do I need to take to protect my identity?

A: The governor and SLED chief said they do not know exactly what information was stolen, but they are urging anyone who filed a South Carolina tax return since 1998 to sign up for Experian's ProtectMyID service by calling 1-866-578-5422 or visiting the web site at protectmyid.com/scdor and using the activation code SCDOR123. The governor has said that the state will provide those affected with one year of credit monitoring and identify-theft protection.

Q: Are young adults that previously filed in SC covered by the consumer protection service?

A: If a tax return was filed from 1998 until present and a person's social security number was listed on the return as the filer or a dependent, they can sign up for the protection. Individuals currently 18 and older must enroll themselves. Individuals currently 17 and younger must be added on the family plan by their parent or legal guardian.

Q: Do South Carolina residents need to do anything other than sign up with Experian to be fully protected?

A: In addition to the Experian product, state officials urge individuals to consider additional steps to protect their identity and financial information, including:

- Regularly review credit reports;
- Place fraud alerts with the three credit bureaus;
- Place a security freeze on financial and credit information with the three credit bureaus.

If credit card information is compromised, the best protection is to have the bank reissue the card.

Q: If a South Carolina resident called and got a user name and password before the SCDOR123 code was announced, are they protected?

A: Yes.

Q: Do people have to call or can they do sign up online without calling?

A: If people have the signup code, they can go directly online to enroll. People are not required to call first. There are still people unaware of the online registration option and the call serves as the best means to inform them of that option.

Q: What about other credit reporting agencies? Do people need to sign up with them, or is that purely redundant?

A: Experian's ProtectMyID Alert is designed to detect, protect and resolve potential identity theft, and includes daily monitoring of all three credit bureaus.

Q: What's the process for enrolling minor children in ProtectMyID?

A: Those individuals that already enrolled in ProtectMyID will get an email alerting them to the availability of Family Secure and how to register their minors who were listed on tax paperwork as dependents. Those that have not registered yet with the ProtectMyID product will be sent an email with Family Secure registration directions upon completing the ProtectMyID registration.

Q: What are the requirements for getting my child covered under Family Secure?

A: Individuals must sign up for ProtectMyID first. Once they are registered, notification and a registration code (different from the one used for ProtectMyID) will be sent to them, with directions what to do to register minors with Family Secure. Those who registered online will receive this notification via email. Those who registered over the phone will receive the notification in the mail. This process will take two to three weeks. If you do not have minors listed as dependents, you can ignore the notice if you receive it. As with ProtectMyID,

the Family Secure registration process may be completed via the phone with a live representative or online. Parents register their children as part of Family Secure.

Q: What are the benefits of Family Secure?

A: The primary benefit that Family Secure brings to bear in this situation is that it monitors the identity (primarily the SSN) of the minor who has no credit report – thus no alerts. Once registered, in the event a child does have a credit file, if any credit, loan or similar account is opened with that information, the parents are alerted to call customer care. (Detail of the alert on minors is not released unless or until the Parent authenticates themselves with customer care as the parent or guardian of the minor.)

Family Secure coverage is for one adult and any number of minors. (Five minors can be enrolled via the website. For more than five, the customer must call Customer Care). The adult coverage includes a \$2 million product guarantee covering the whole family, Score Tracker and Fraud Resolution.

Minors receive monthly monitoring for existence of a minor's credit report, and if a credit report is found, then we monitor for any changes to that report.

Q: How do I enroll my children in the identity theft protection plan?

A: The governor said during Tuesday morning's update that once you are signed up with Experian you will be notified by the company about enrolling minors in your family who have been associated to your Social Security number. According to the governor, if you are eligible to receive a family plan, the notification will arrive via e-mail if you signed up for the service online or a mailed letter if you signed up by calling the toll-free line.

Q: What period of time will this protection cover?

A: The governor said that those who sign up will be covered retroactively and they have until the end of January to get enrolled. Under a deal negotiated with Experian, South Carolina citizens whose tax returns were hacked will be eligible for credit fraud resolution for life, according to officials.

Q: What if I don't own a computer or have Internet access? Can I still enroll in the identity protection program?

A: Yes. Call 1-866-578-5422 to get assistance with enrollment over the phone. The governor said Tuesday that wait times averaged 10 minutes and that it took about nine minutes to get signed up once you get through.

Q: Why do I have to sign myself up? Why doesn't the state automatically sign the 3.6 million individuals potentially affected by the cyber hacking incident up for identity protection services?

A: The governor said that the state is not legally permitted to sign individuals up for a service in which they may not desire to participate.

Q: How much is this costing the state?

A: The governor said Tuesday morning that the state and Experian have agreed to cap security costs to the state at \$12 million.

Q: Has the cyber hacker been identified or apprehended?

A: The SLED chief said no arrests have been made. Law enforcement officials have declined to answer specific questions about the investigation, describing it as "sensitive" and "complex."

Q: What exactly was taken?

A: The governor and SLED chief have said 3.6 million social security numbers and 387,000 mostly encrypted credit and debit card numbers were exposed, and that the data of more than 650,000 businesses was also part of the hack. Officials said they don't yet know how many of the numbers were actually taken, but said the scope of the breach includes anyone who has filed a South Carolina tax return since 1998.

Q: When did it happen?

A: The breach, the result of four intrusions into Revenue Department computers that began August 27 and continued until September 13, was discovered October 10. A Secret Service agent said the agency's computer crimes office first uncovered the intrusion and notified state authorities. The attack was not disclosed to the public until last Friday (September 26).

Q: Why wasn't the stolen information encrypted?

A: The governor said that leaving Social Security numbers unencrypted is a common industry practice due to the complicated nature of the encryption process. Some in the credit-security industry say encryption technology is readily available for data stores and is not cumbersome. Regardless, going forward, such data in South Carolina will be encrypted.

Q: Are other state agencies vulnerable to cyber hacking? Does other personal information remain at risk?

A: The governor asserted in a press conference that any agency, state or federal, can be hacked.

Tom Davis

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District EMAIL: tom@senatortomdavis.com

From: pdinc@hargray.com [mailto:pdinc@hargray.com]

Sent: Monday, October 29, 2012 10:06 AM

Subject: Website email from Joe Compton to ALL Senate Members

I am a small business owner that has been mandated by the S. C. Dept of Revenue to perform all sales and employee tax submissions electronically. It is not realistic that they would require such a mandate without first placing the proper safe gaurds in place. I request that an investigatiion into this matter be initiated immediately and that proper safe guards be instituted as soon as possible. Thank You, Joe Compton

Joe Compton

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