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RECEIVED  
CONSUMER PROTECTION DIV.

August 3, 2018

Bruce A. Radke  
312-463-6211  
312-819-1910  
bradke@polsinelli.com

**VIA E-MAIL (CONSUMER@AG.IOWA.GOV) AND FEDERAL EXPRESS**

Consumer Protection Division  
Security Breach Notifications  
Office of the Attorney General of Iowa  
1305 E. Walnut Street  
Des Moines, Iowa 50319-0106

**Re: Notification of Potential Data Security Incident**

Dear Attorney General Miller:

We represent TCM Bank, N.A. ("TCM Bank") in connection with a recent incident that may have impacted the personal information of eight hundred twenty-eight (828) Iowa residents. TCM Bank is reporting a potential unauthorized access of unencrypted computerized data containing personal information of the eight hundred twenty-eight (828) Iowa residents pursuant to IOWA CODE CHAPTER 715C. This notice will be supplemented, if necessary, with any new significant facts discovered subsequent to its submission. While TCM Bank is notifying you of this incident, TCM Bank does not waive any rights or defenses relating to the incident or this notice, or the applicability of Iowa law on personal jurisdiction.

**BACKGROUND OF THE INCIDENT**

TCM Bank, headquartered in Tampa, Florida, provides various services to financial institutions including processing credit card applications. On July 16, 2018, TCM Bank became aware that, due to a misconfiguration of its website hosted and maintained by a third party vendor, certain information within TCM Bank's on-line credit card application was potentially accessible.

Upon learning of the access, TCM Bank promptly alerted the third-party vendor, and the bank worked with the vendor to determine how the incident occurred and whose personal information may have been accessible during the relevant time period. The third-party vendor has advised TCM Bank that the misconfiguration began on approximately March 5, 2017 and was remediated by the vendor on July 17, 2018. The information maintained on the website hosted

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Atlanta Boston Chicago Dallas Denver Houston Kansas City Los Angeles Nashville New York Phoenix  
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Polsinelli PC, Polsinelli LLP in California



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and maintained by the third party vendor during the relevant time period included individuals' first and last names, addresses, Social Security numbers and dates of birth.

#### **NOTICE TO IOWA RESIDENTS**

On August 3, 2018, TCM Bank will be notifying the eight hundred twenty-eight (828) affected Iowa residents of the incident. Attached is a sample of the notification letter that is being sent to the affected Iowa residents via first-class United States mail.

In addition, TCM Bank has arranged to offer one (1) year of complimentary credit monitoring and identity theft protection services through Experian to the affected Iowa residents. TCM Bank has also established a confidential telephone inquiry line to assist the affected Iowa residents with any questions they may have regarding the incident. The confidential inquiry line is available between 8 a.m. and 6 p.m., Eastern Time, Monday through Friday at 1-844-535-5016.

#### **STEPS TAKEN RELATED TO THE INCIDENT**

TCM Bank has obtained confirmation from the third-party vendor that the issue with the website has been corrected. In addition, TCM Bank has required that the third party-vendor employ technologies, procedures and controls to detect and prevent similar issues with the website from occurring in the future. TCM Bank also has required that the vendor provide its employees with enhanced security awareness training.

#### **CONTACT INFORMATION**

Please contact me if you have any questions or if I can provide you with any further information concerning this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bruce A. Radke".

Bruce A. Radke

Enclosure

cc: Damon Moorer, President and Chief Executive Officer, TCM Bank, N.A.

TCM Bank, N.A.  
Mail Handling Services  
777 E Park Dr  
Harrisburg, PA 17111



August 3, 2018

«Full\_Name» «ID»  
«Address\_1»  
«Address\_2»  
«City», «State» «Zip»

Dear «Full\_Name»:

TCM Bank, N.A. ("TCM Bank") values and respects your privacy, which is why we are writing to make you aware of a recent incident that may affect your personal information. Although we have no reason to believe that your personal information has been misused for the purpose of committing fraud or identity theft, we are writing to advise you about the steps that we have taken to address the incident and provide you with guidance on what you can do to protect yourself.

For purposes of background, you may have recently applied to your local financial institution or affinity group for a credit card and as part of that process TCM Bank processed your personal information via its on-line application website. The website is hosted and maintained by a third-party vendor. On July 16, 2018, TCM Bank became aware that your personal information may have been accessible due to misconfiguration to the website caused by the third-party vendor.

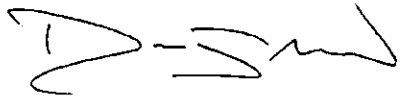
Upon learning of the access, we promptly alerted the third-party vendor, and we have been working with the vendor to determine how the incident occurred and whose personal information may have been accessible during the relevant time period. The third-party vendor has advised us the misconfiguration began on approximately March 5, 2017 and was remediated on July 17, 2018. The information maintained on the website during the relevant time period included your first and last name, address, Social Security number ("SSN") and date of birth.

The third-party vendor has confirmed that the issue with the website has been corrected. We also have required that the third-party vendor employ technologies, procedures and controls to detect and prevent future similar issues with the website and provide employee awareness training.

We apologize for any inconvenience or concern that this incident might cause you, and we want to encourage you to take advantage of the complimentary one-year membership in Experian IdentityWorks<sup>SM</sup> Credit 3B that we are offering to you. This service helps detect possible misuse of your personal information and provides you with identity protection services focused on immediate identification and resolution of identity theft. IdentityWorks Credit 3B is completely free to you and enrolling in this program will not hurt your credit score. For more information on identity theft prevention and IdentityWorks Credit 3B, including instructions on how to activate your complimentary one-year membership, please see the additional information attached to this letter.

We have established a direct telephone inquiry line to assist you with any questions you might have regarding this incident. This inquiry line is available at no cost to you between 8 a.m. and 6 p.m., Eastern Time, Monday through Friday, at 1-844-535-5016.

Sincerely,

A handwritten signature in black ink, appearing to read 'Damon Moorer', with a stylized flourish at the end.

Damon Moorer  
President and Chief Executive Officer

## Activating Your Complimentary Credit Monitoring

To help protect your identity, we are offering a complimentary one-year membership of Experian IdentityWorks<sup>SM</sup> Credit 3B. This product helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft.

### Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. ENROLL by: **November 4, 2018** (Your code will not work after this date.)
2. VISIT the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the Activation Code: **«Credit\_Monitoring»**

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877-288-8057. Be prepared to provide engagement number **DB08010** as proof of eligibility for the identity restoration services by Experian.

### ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian Identity Works, you will have access to the following additional features:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Experian IdentityWorks ExtendCARE<sup>TM</sup>:** You receive the same high level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance<sup>\*\*</sup>:** Provides coverage for certain costs and unauthorized electronic fund transfers.

**Activate your membership today at <https://www.experianidworks.com/3bcredit> or call 877-288-8057 to register with the Activation Code listed above.**

**What you can do to protect your information:** There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration) for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at 877-288-8057.

\* Offline members will be eligible to call for additional reports quarterly after enrolling. \*\*Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of AIG. The description herein is a summary and is intended for informational purposes only, and it does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions and exclusions of coverage. Coverage may not be available in all jurisdictions.

### Additional Important Information

As a precautionary measure, we recommend that you remain vigilant to protect against potential fraud and/or identity theft by, among other things, reviewing your credit card account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You should also promptly report any fraudulent activity or any suspected incidents of identity theft to proper law enforcement authorities, including the police and your state's attorney general, as well as the Federal Trade Commission ("FTC").

You may wish to review the tips provided by the FTC on fraud alerts, security/credit freezes and steps you can take to avoid identity theft. For more information and to contact the FTC, please visit [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or call 1-877-ID-THEFT (1-877-438-4338). You may also contact the FTC at Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

**Credit Reports:** You may obtain a free copy of your credit report once every 12 months from each of the three national credit reporting agencies by visiting [www.annualcreditreport.com](http://www.annualcreditreport.com), by calling toll-free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can print a copy of the request form at [www.annualcreditreport.com/cra/requestformfinal.pdf](http://www.annualcreditreport.com/cra/requestformfinal.pdf).

Alternatively, you may elect to purchase a copy of your credit report by contacting one of the three national credit reporting agencies. Contact information for the three national credit reporting agencies for the purpose of requesting a copy of your credit report or for general inquiries, including obtaining information about fraud alerts and placing a security freeze on your credit files, is as follows:

Equifax  
1-800-349-9960  
[www.equifax.com](http://www.equifax.com)  
P.O. Box 105788  
Atlanta, GA 30348

Experian  
1-888-397-3742  
[www.experian.com](http://www.experian.com)  
P.O. Box 9554  
Allen, TX 75013

TransUnion  
1-888-909-8872  
[www.transunion.com](http://www.transunion.com)  
P.O. Box 2000  
Chester, PA 19022

**Fraud Alerts:** You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least ninety (90) days. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any new accounts in your name. To place a fraud alert on your credit report, contact any of the three national credit reporting agencies using the contact information listed above. Additional information is available at [www.annualcreditreport.com](http://www.annualcreditreport.com).

**Credit and Security Freezes:** You may have the right to place a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting and removing a credit freeze also varies by state, generally \$5 to \$20 per action at each credit reporting company. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

Equifax Security Freeze  
P.O. Box 105788  
Atlanta, GA 30348

Experian Security Freeze  
P.O. Box 9554  
Allen, TX 75013

TransUnion Security Freeze  
Fraud Victim Assistance Department  
P.O. Box 2000  
Chester, PA 19022

You can obtain more information about fraud alerts and credit freezes by contacting the FTC or one of the national credit reporting agencies listed above.

**Vermont Residents:** If you do not have internet access but would like to learn more about how to place a security freeze on your credit report, contact the Vermont Attorney General's Office at 802-656-3183 (800-649-2424 toll free in Vermont only).

**Iowa Residents:** Iowa residents can contact the Office of the Attorney general to obtain information about steps to take to avoid identity theft from the Iowa Attorney General's office at:

Office of the Attorney General of Iowa  
Hoover State Office Building  
1305 E. Walnut Street  
Des Moines, IA 50319  
(515) 281-5164

**Maryland Residents:** Maryland residents can contact the Office of the Attorney General to obtain information about steps you can take to avoid identity theft from the Maryland Attorney General's office at:

Office of the Attorney General  
220 St. Paul Place  
Baltimore, MD 21202  
(888) 743-0023

**For New Mexico Residents:** For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you receive based on information in your credit report; and you may seek damages from violators. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active-duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf), or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. NW, Washington, DC 20580.

**North Carolina Residents:** North Carolina residents can obtain information about preventing identity theft from the North Carolina Attorney General's Office at:

North Carolina Attorney General's Office  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
(877) 566-7226

**Rhode Island Residents:** We believe that this incident affected ten (10) Rhode Island residents. Rhode Island residents can contact the Office of the Attorney general at:

Rhode Island Office of the Attorney General  
150 South Main Street  
Providence, RI 02903  
(401) 274-4400