

THE SENATE
STATE OF NEW YORK



TIMOTHY M. KENNEDY
SENATOR, 63RD DISTRICT

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December 20, 2013

Benjamin M. Lawsky
Superintendent of Financial Services
New York State Department of Financial Services
One State Street
New York, New York 10004-1511

Dear Superintendent Lawsky:

I write to request your assistance in uncovering the true scope of the growing problem of consumer data theft in New York State, and to help provide businesses with guidelines to help them protect their customers' information. Recently, over 40 million customers of a national retail chain had their credit data illegally accessed. While this will likely prove to be one of the largest security breaches in history, news reports suggest that smaller breaches of this nature happen all the time.

I believe that a comprehensive study by the Department of Financial Services would help to reveal specific information about what types of businesses are targeted most frequently, where are businesses most vulnerable and what methods are most common among cyber criminals who illegally access consumers' data. This would shed light on the prevalence of credit card data theft across New York State. Until we have precise data and hard numbers, it will be difficult to create specific guidelines or legislation that can effectively protect consumer data.

In addition to this study, it is my hope that DFS can use the results to assemble a set of guidelines recommending decisive actions for businesses operating in New York State to take in order to help protect their customers' credit card information. Credit card breaches affect companies of all sizes, from large multi-nationals to small mom-and-pop stores. However, while larger corporations are able to hire expensive consultants to assist them in this regard, guidance from DFS would be a great help to smaller companies operating in Western New York and throughout the state.

There are many actions consumers can take to protect their credit card data, from regularly checking their statements to ensuring their computer is geared with virus-protection software. These sorts of suggestions are very helpful for consumers, and I believe that guidance for businesses would provide even greater protection for customers' credit card information. Thank you for your attention to this important matter. I hope to work closely with your office on this issue.

If you have any questions or concerns, please contact me in my district at [716.826.2683](tel:716.826.2683).

Sincerely,

Handwritten signature of Timothy M. Kennedy in blue ink.

Timothy M. Kennedy
New York State Senator, 63rd District