

# NCNE Guidance on Responding to a Data Breach

## Introduction

Data breaches are an unfortunate reality that users of the Internet have to deal with on a more frequent basis than ever before. The feeling of helplessness can be overwhelming, especially when the breach occurred at another company.

## Nebraska Laws Regarding Data Breaches and Credit Reports

According to Nebraska Financial Data Protection and Consumer Notification of Data Security Breach Act of 2006 (Neb. Rev. Stat. § 87-801), companies are required to notify impacted residents of Nebraska when a data breach occurs if personally identifiable information is involved. The Financial Data Protection and Consumer Notification of Data Security Breach Act, however, does not require the company to provide any credit monitoring services to impacted individuals, although a company may choose to offer the services outside of the requirements of the law.

The Credit Report Protection Act (Neb. Rev. Stat. § 8-2601) grants residents of Nebraska the ability to place a security freeze on their credit report at no cost and at any time for any reason.

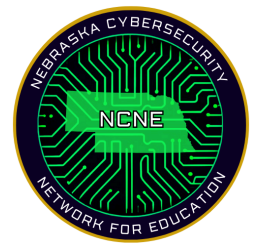
## How to Protect Yourself Following a Breach

### Freeze Your Credit Report

According to the Nebraska Attorney General's website:

*“When a security freeze is placed on a consumer’s credit report, the credit reporting agency will generally not release a credit report or any other information derived from the file to a third party without the prior express authorization of the consumer or unless disclosure is permitted under the statute. Most businesses will not open credit accounts without first checking a consumer’s credit history. Even if a thief has your name and Social Security number, the thief should not be able to obtain any new credit in your name once a security freeze is placed. A security freeze will NOT lower your credit score.”*

To initiate a security freeze on your credit report, you will need to contact each of the three major credit reporting agencies independently to start the process.



The contact information for each of credit reporting agencies is as follows:

Experian Security Freeze

P.O. Box 9554

Allen, TX 75013

<https://www.experian.com/freeze/center.html>

Equifax Security Freeze

P.O. Box 105788

Atlanta, GA 30348

<https://www.equifax.com/personal/credit-report-services/>

TransUnion LLC

P.O. Box 160

Woodlyn, PA 19094

<https://www.transunion.com/credit-freeze>

## How to Protect Your Child Following a Breach

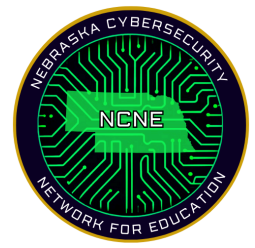
Children typically do not have credit reports until a credit account is opened in their name. But since a child may be years away from opening their first credit account, an attacker may assume it is an unmonitored account and open unauthorized accounts years before it is discovered.

### Freeze A Child's Credit Report

A minor child may have their credit report frozen as well, even if no credit report exists. This provides the same level of protections as freezing an adult's credit report. Only legal guardians have the ability to request or freeze a minor's credit report. Therefore, when contacting the companies to request a freeze of a minor's credit, you will not only need to prove your own identity, but your child's identity and your legal authority to act on their behalf. At no point may a school or other organization engage in a minor's credit freeze on behalf of the parents.

Experian

Visit <https://www.experian.com/help/minor-request.html>. Here you can check to see if your minor has a credit report, add a fraud alert for a minor, or add a security freeze for a minor. You will need to mail in copies of documentation of proof. Parents may request a freeze for minors age 13 and younger. For minors age 14 and above, they will need to follow the same procedure as an adult.



Equifax  
Visit

<https://www.equifax.com/personal/education/identity-theft/articles/-/learn/freezing-your-childs-credit-report-faq/> to learn more about their process. You will need to mail in copies of documentation of proof. Parents may request a freeze for minors age 15 and younger. Minors age 16 or 17 will need to submit their security freeze by phone or mail. You must be 18 years old to create an online account with Equifax.

TransUnion

Visit <https://www.transunion.com/credit-freeze> and scroll down to the section on how to freeze a minor. You will need to mail in copies of documentation of proof. Parents may request a freeze for minors age 15 and younger. Minors age 16 or 17 will need to submit their security freeze by mail.

## Additional Resources

### **Nebraska Attorney General Identity Theft Website**

<https://protectthegoodlife.nebraska.gov/identity-theft>

This is a great resource that provides information that is unique specifically for Nebraska residents.

### **Federal Trade Commission Identity Theft Website**

<https://www.identitytheft.gov>

This website walks you through a series of questions that results in providing you the ability to submit the information of the breach and identity theft (if applicable) to the appropriate agencies. You are also provided with a Recovery Plan that will help you to fix the problems caused by the identity theft. This resource is also applicable if the data breach includes medical records or banking information.

### **Federal Trade Commission Consumer Advice Website**

<https://consumer.ftc.gov/articles/how-protect-your-child-identity-theft>

This is a single-source of information that is specific to identity theft of a minor child.

<https://consumer.ftc.gov/articles/what-know-about-identity-theft>

This is a single-source of information that covers all aspects of identity theft for an adult.

### **U.S. Department of Education Protecting Student Privacy Parent Guide**

<https://studentprivacy.ed.gov/resources/parents-guide-understanding-k-12-school-data-breaches>

This guide provides parents of K-12 students information to help understand what it means when your school has a data breach, as well as tools and best practices related to protecting your children's data in the event of a breach.