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Paul Lachine NewsArt.com

Retail data breaches need action from Legislature

By DIANA DYKSTRA
Special to The Bee

There is little doubt that 2014 has been the year of the data breach. The latest currently under investigation is the breach of consumer payment data at Home Depot. Initial reports suggest the breach may be larger in scope than the one at Target. This is a scary thought considering Target lost upward of 110 million consumer records.



Golden 1 Credit Union estimates that 10 percent of its members were affected by that particular breach. Home Depot, plus the Goodwill breach reported in July, all add to a shockingly long list of retail breaches this year including names like Neiman Marcus, PF Chang's and Michaels. The prominence of retail establishments on this list should be alarming to consumers and lawmakers. Why? Because data security requirements for retailers are lenient and inconsistent across the board. Consumers and lawmakers should be appalled at the laissez-faire approach retailers take when it comes to protecting consumers' sensitive payment information.

Credit unions and other financial institutions go to great lengths to ensure protection of consumers' sensitive payment information. Credit unions are subject to the highest standards of consumer data protection standards under the Gramm-Leach-Bliley Act. Retailers, on the other hand, have no true

comparable California or federal data security requirement to protect consumer data. This represents a weak link in the chain, and it needs to be addressed to provide a standard for businesses to protect consumer information.

Retailers should have some accountability to enhance what they do to prevent data breaches. The latest Home Depot breach is another PR embarrassment retailers will have to spin before returning to business as usual and ignoring the issue of protecting consumer payment information. Credit unions have little confidence that retailers will shoulder the responsibility they've typically passed on to consumers, credit unions and everyone else in the payments ecosystem.

While the payments world develops technologies such as EMV, tokenization and mobile payments, which will innovate the way consumers pay for goods and services, California lawmakers should address how retailers protect consumer data when they accept payment. Clearly, the list of high-profile data breaches this year is indicative that the problem is, and will likely continue to be, with the retailers.

Consumers need transparency and the requisite knowledge to understand where their data has been put at risk. Retailers must do a better job of immediately notifying the public that they have experienced a breach. The fact that months go by before retailers publicly admit to having a security breach of consumers' sensitive payment information should be unacceptable to lawmakers.

If consumers had more timely information about when and where their personal information was lost, they could direct frustrations and concerns to responsible parties, and retailers would have an incentive to protect their own reputations and secure data properly. The breaches at high-profile retailers are known to the public only because the merchants came forward, likely because the size and scope of payment cards affected, not because the law requires this type of consumer notification.

The cost implications for retail data breaches are far-reaching. The Target breach cost credit unions nationwide more than \$30 million. For not-for-profit credit unions these costs make a significant difference in our ability to offer services to members. Card-replacement costs alone translate to \$5 to \$10 apiece to reissue and deliver. Credit unions increase staffing at call centers and enhance account monitoring, detracting from other potential member services.

Current law at the state and federal level is structured in such a way that retailers are able to abdicate their responsibility. Free credit-monitoring services and other passive assurances by retailers are not the answer. Untold millions of consumers this year have had to experience a great deal of uncertainty and worry over losing their hard-earned money as a result of a retail data breach.

California lawmakers must act to ensure that 2015 is not also known as the year of the retail data breach.

Diana Dykstra is president and CEO of the California Credit Union League.

'If': A fruitless word, a fruitless war

By LEONARD PITTS JR.
The Miami Herald

If. Two letters long, it is arguably the most fruitless word in the English language, an evocation of paths not taken, possibilities foreclosed, regrets stacked high – and it lies like a pall of smoke over President Barack Obama's Wednesday night announcement that this country is returning to war, albeit with airstrikes only, in a place we just left behind in 2011 after spending almost nine years, over a trillion dollars and 4,425 lives.



If. As in, if President George W. Bush had concentrated on toppling the Taliban in Afghanistan, which harbored the authors of the terrorist strike we suffered 13 years ago last week, if he had not rushed to judgment, convincing himself Iraqi dictator Saddam Hussein was behind the attack, if his administration had not used suspect intelligence to claim Hussein possessed weapons of mass destruction, if we had not bought into the fantasy that we could impose a Jeffersonian democracy on another nation and have them thank us for it, if we had not destabilized the region, if we had never kicked this hornet's nest, would we now find ourselves obliged to confront the criminal gang that calls itself the Islamic State?

It's doubtful, to say the least. And one imagines that as he



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wrestled with Wednesday's decision, this president who came to office vowing to end the Iraq War felt not unlike Michael Corleone in Godfather Part III: "Just when I thought I was out, they pull me back in!"

Granted, Obama's predicament is hardly unique. Lincoln had to fight the war Buchanan's dithering made inevitable. Roosevelt had to fix the economy whose collapse Hoover had placidly watched. Washington was probably the last president who didn't have to clean up his predecessor's mess.

So once more unto the breach. What other choice do we have? With stunning speed that has alarmed the world, the Islamic

State has seized large swaths of Iraq and its civil war-wracked neighbor, Syria, marching toward its stated goal of establishing a caliphate. In the process, it has committed acts of genocide and atrocity, including the beheading of two brave American journalists. We can hardly stand by and do nothing. In opting for airstrikes, the president has probably chosen the least bad from a palette of unattractive options.

Yet as we go again to war, there is one last "if" we ought to heed, for it concerns not the failings of a president but those of the people. So many of us bought into the Bush administration's false conflation of Iraq

and the Sept. 11 attacks, even when it became clear there was no connection. And so many of us echoed the administration's shrug of indifference when the weapons of mass destruction turned out to be mirages of mass delusion.

Shorn of his two major rationales for going to war, you may recall, Bush said that, even knowing what he now knew, he still would have invaded Iraq. And the American people echoed this bizarre nonchalance, 56 percent telling Gallup in 2003 that they supported the war whether weapons were found or not. Thus, we enabled a long and unnecessary war.

Had we the people not been so morally craven, we might have saved much treasure and blood. Had we had not been so panicked and credulous, America might not have created the vacuum into which this new threat now rushes.

The lesson has resonance not simply for the past, which is unalterable, but also for the future, which is unwritten. As a free people, it is our job to apply a brake, when necessary, to the excesses – particularly the military excesses – of our government. We owe that to the men and women who fly into harm's way on our behalf, because we ought to be able to justify their sacrifice with more than fantasy, delusion, mirage and regret.

And, because "if" is about the most useless word there is.

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Make Net access for poor a must for Comcast

By DELAINE EASTIN
Special to The Bee

The digital divide remains as wide as the Central Valley for the poorest California children, but not because of a lack of interest among our low-income families. After a short news item aired on Spanish-language TV recently about an affordable home Internet offer, 2,700 calls jammed the call center – on a Friday night.

As a lifelong educator, I know access to affordable technology at school and at home is the great equalizer. Yet, with 25 percent of Californians lacking high-speed Internet access at home, we are a long way from granting equality to low-income Californians who remain stuck on the wrong side of the digital divide.

Now is the time to act. Affordable access to the Internet is vital to our children's educational achievement and to our nation's prosperity. It is an investment in the common good, and it must be provided for when a merger of the scale of Time Warner Cable and Comcast is to occur. We must not leave access to this new information highway to chance, especially for our poorest children.



Delaine Eastin

The nations with which we compete will hope we do not make this highway accessible to our next generation because it will signal America has lost its will to be an economic leader in the long term. And we will severely diminish one of the nation's founding principles that all are created equal. This is a propitious moment.

If Comcast is to be granted access to the first (New York City) and second (Los Angeles) largest metropolitan areas in the nation, regulators are compelled by law to identify a tangible public benefit. That benefit must include an affordable broadband rate available to all low-income households in the new Comcast footprint, especially students who live in low-income neighborhoods and attend low-performing schools.

As State Superintendent of Public Instruction in 1996, I provided the backbone and blueprints for the first NetDay – an electronic barn-raising that brought out more than 30,000 volunteers, including the U.S. president and vice president, to California – which was then copied in 40 states and more than 40 countries. Today, if we expect our students to apply technology in the learning process and thrive in the digital world, we must provide them and their families an affordable way to obtain broadband at home.

The most immediate opportunity to make that quest a reality is to enlist the Federal Communications Commission to set and enforce acceptable performance standards by Comcast on the implementation of their Internet Essentials program, which was proposed in order to secure regulatory approval of their purchase of NBC Universal in 2010.

Although the program, which is currently offered to families in Comcast service areas with at least one student eligible for free-or-reduced lunch, has a laudatory price-point at \$9.95 a month, there is ample evidence of numerous problems that have plagued the subscription process. The evidence is that just 11 percent of the eligible households in California have been signed up during the last three years – a mere 35,200 households.

I am joining with California leaders, including Los Angeles Mayor Eric Garcetti and Los Angeles County officials, to ask the FCC to closely review Comcast's performance in implementing Internet Essentials. If regulators are inclined to approve the merger, they should require:

■ Internet Essentials include all low-income households.

■ Comcast be held accountable to meet specific subscription goals.

■ Comcast capitalize an independently managed fund to support nonprofit broadband adoption programs and coordinate with states.

■ The FCC establish an advisory oversight committee.

■ Comcast offer Internet Essentials as a stand-alone service, not bundled with other services.

The California Public Utilities Commission in its filing to the FCC also recommends the FCC closely review Comcast's implementation and administration of Internet Essentials to ensure if the program has met the company's commitments as to the public benefit of the transaction.

I share the growing recognition that Comcast-TWC-Charter corporate consolidation may be the "ballgame" for California when it comes to securing equitable access for all children and families: The new Comcast service area will include 87 percent of all California students on free-or-reduced lunch. Bold action is an imperative so these families and other low-income Californians can get connected to affordable broadband. Call center operators stand by ... the future of California will be on the line.

Delaine Eastin was California's Superintendent of Public Instruction from 1995-2003.