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AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
NATIONAL OFFICE
125 BROAD STREET, 18TH FLOOR
NEW YORK, NY 10004-2400
WWW.ACLU.ORG

July 21, 2023

<<FirstName>> <<Middle Initial>> <<LastName>>
<<Address1>>
<<Address2>>
<<City>>, <<State>> <<Zip Code>>

Re: NOTICE OF DATA SECURITY INCIDENT

Dear <<FirstName>> <<Middle Initial>> <<LastName>>,

We are writing to inform you about a data security incident involving your personal information. On June 22, 2023, the ACLU Foundation ("ACLUF" or the "Foundation") was notified by TIAA Kaspick, LLC ("TIAA Kaspick"), the third-party service provider that administers our life income gifts program, about a data security incident experienced by one of its vendors involved in this program, Pension Benefit Information, LLC ("PBI"). Specifically, PBI provides audit and address research services to TIAA Kaspick related to beneficiaries or annuitants in our planned giving program.

PBI has communicated to and through TIAA Kaspick that they currently have no indication of data obtained by the unauthorized third party in this incident being used to commit identity theft or fraud. But ACLUF is taking this matter very seriously and providing this notice to you to explain what happened and how you can protect yourself going forward.

Below, we outline what steps TIAA Kaspick and the ACLU will undertake to safeguard your privacy, as well as what steps you may wish to take in response.

What We Are Doing

We take the privacy and security of your personal information very seriously. Since learning of this incident on June 22, 2023, we have been working closely with TIAA Kaspick to ensure that all necessary steps were being taken by PBI and/or TIAA Kaspick to investigate the incident, prevent future incidents involving ACLUF supporters' information, and to help us identify and notify affected donors and beneficiaries directly. In addition, ACLU Foundation and TIAA Kaspick have each reviewed our own systems and determined that they are not impacted by the MOVEit vulnerability. ACLUF will continue to assess and update our security practices in order to help prevent this type of incident from occurring again.

Working with TIAA Kaspick, we have confirmed that PBI will be offering to provide you twenty-four (24) months of credit monitoring services at no cost to you. PBI will provide you with instructions to enroll in the free credit monitoring service they are offering to individuals affected by this incident

in the notice they sent you directly about this. There is more guidance, including information about legal rights you may have, in Attachment 1 to this letter.

What You Can Do

As always, please be cautious of any unsolicited communications that ask you to provide your personal information electronically and avoid clicking on links or downloading attachments from suspicious emails.

It is a good practice to monitor your accounts and any credit reports you receive for any signs of suspicious activity. As noted above, PBI will arrange for you to obtain 24 months of credit monitoring services at no cost to you. Details should be in the notice you receive directly from PBI. Please contact us at the number below if you do not receive that information.

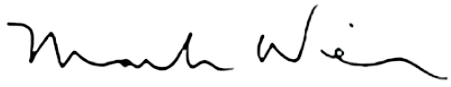
Other guidance, including how to obtain a free credit report, and rights or resources you may have and want to take advantage of, is provided in the enclosed Attachment 1, which we encourage you to review.

For More Information

If you have questions or concerns that are not addressed in this notice letter or want to reach the ACLU Foundation's Planned Giving team for any other reason, please call us between 9:00 AM and 5:00 PM Eastern Time at 877-867-1025.

Sincerely,

Terence Dougherty
Deputy Executive Director & General Counsel
American Civil Liberties Union Foundation, Inc.



Mark Wier
Chief Development Officer
American Civil Liberties Union Foundation, Inc.

ATTACHMENT 1
ADDITIONAL INFORMATION

You should be cautious about using email to provide sensitive personal information, whether sending it yourself or in response to email requests. You should also be cautious when opening attachments and clicking on links in emails. Scammers sometimes use fraudulent emails or other communications to deploy malicious software on your devices or to trick you into sharing valuable personal information, such as account numbers, Social Security numbers, or usernames and passwords. The Federal Trade Commission (FTC) has provided guidance at https://consumer.ftc.gov/articles/how-recognize-and-avoid-phishing-scams.

You should review your financial statements and accounts for signs of suspicious transactions and activities. If you find any indication of unauthorized accounts or transactions, you should report the possible threat to local law enforcement, your State's Attorney General's office, or the FTC. You will find contact information for some of those entities below. If you discover unauthorized charges, promptly inform the relevant payment card companies and financial institutions.

Fraud Alert Information
Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. Should you wish to place a fraud alert, please contact any one of the agencies listed below. The agency you contact will then contact the other two credit agencies.

Whether or not you enroll in the credit monitoring product offered, you also have the right to place an initial fraud alert on your file at no cost. An initial fraud alert lasts one (1) year and is placed on a consumer's credit file. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven (7) years. Fraud alert messages notify potential credit grantors to verify your identification before extending credit in your name in case someone is using your information without your consent. A fraud alert can make it more difficult for someone to get credit in your name; however, please be aware that it also may delay your ability to obtain credit.

Should you wish to place a fraud alert, please contact any one of the agencies listed below. The agency you contact will then contact the other two credit agencies. You may also contact any of the consumer reporting agencies or the FTC for more information regarding fraud alerts. The contact information for the three nationwide credit reporting agencies is:

Equifax
P.O. Box 105788
Atlanta, GA 30348-5788
1-888-766-0008
www.equifax.com/personal/credit-report-services

Experian
P.O. Box 9554
Allen, TX 75013-9554
1-888-397-3742
www.experian.com/fraud/center.html

TransUnion
P.O. Box 2000
Chester, PA 19016-2000
1-800-680-7289
www.transunion.com/fraud-victim-resource/place-fraud-alert

Free Credit Report Information
You have rights under the federal Fair Credit Reporting Act. These include, among others, the right to know what is in your credit file; the right to dispute incomplete or inaccurate information; and the right to ask for a credit score. Under federal law, you are also entitled to one free credit report once every 12 months from each of the above three major nationwide credit reporting companies. Call 1-877-322-8228 or make a request online at www.annualcreditreport.com.

Even if you do not find any suspicious activity on your initial credit reports, we recommend that you check your account statements and credit reports periodically. You should remain vigilant for incidents of fraud and identity theft. Victim information sometimes is held for use or shared among a group of thieves at different times. Checking your credit reports periodically can help you spot problems and address them quickly.

If you find suspicious activity on your credit reports or have reason to believe your information is being misused, call your local law enforcement agency or state attorney general and file a police report. Under Massachusetts law, you have the right to obtain any police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it. A copy of a police report may be required by creditors to clear up your records. You also should file a complaint with the FTC using the contact information below. Your complaint will be added to the FTC's Consumer Sentinel database, where it will be accessible to law enforcement for their investigations. In addition, you may request that the Internal Revenue Service (IRS) mark your account to identify any questionable activity by submitting Form 14039, "Identity Theft Affidavit," for actual or potential identity theft victims. This form is available at https://www.irs.gov/pub/irs-pdf/f14039.pdf.

You may also contact the FTC at the contact information below to learn more about identity theft and the steps you can take to protect yourself and prevent such activity. Massachusetts residents can find information on how to contact your state attorney general at https://www.naag.org/ find-my-ag/.

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue NW
Washington, DC 20580
1.877.FTC.HELP (382.4357) / https://www.consumer.ftc.gov/identity-theft-and-online-security

Security Freeze Information
You have the right to request a **free** security freeze (aka "credit freeze") on your credit file by contacting each of the three nationwide credit reporting companies via the channels outlined below. When a credit freeze is added to your credit report, third parties, such as credit lenders or other companies, whose use is not exempt under law will not be able to access your credit report without your consent. A credit freeze can make it more difficult for someone to get credit in your name; however, please be aware that it also may delay your ability to obtain credit. You may also contact any of the consumer reporting agencies or the FTC for more information regarding security freezes.

Equifax	**Experian**	**TransUnion**
P.O. Box 105788	P.O. Box 9554	P.O. Box 2000
Atlanta, GA 30348-5788	Allen, TX 75013-9554	Chester, PA 19016-2000
1-888-766-0008	1-888-397-3742	1-800-680-7289
www.equifax.com/personal/ credit-report-services	www.experian.com/ fraud/center.html	www.transunion.com/fraud- victim-resource/place-fraud-alert

You must separately place a credit freeze on your credit file at each credit reporting agency. The following information should be included when requesting a credit freeze:

1. Full name, with middle initial and any suffixes;
2. Social Security number;
3. Date of birth (month, day, and year);
4. Current address and previous addresses for the past five (5) years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. Other personal information as required by the applicable credit reporting agency;

If you request a credit freeze online or by phone, then the credit reporting agencies have one (1) business day after receiving your request to place a credit freeze on your credit file report. If you request a lift of the credit freeze online or by phone, then the credit reporting agency must lift the freeze within one (1) hour. If you request a credit freeze or lift of a credit freeze by mail, then the credit agency must place or lift the credit freeze no later than three (3) business days after getting your request.

<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country>>

<<b2b_text_3(Notice of Data Breach)>>

Dear <<first_name>> <<middle_name>> <<last_name>> <<suffix>>:

Pension Benefit Information, LLC ("PBI") provides audit and address research services for insurance companies, pension funds, and other organizations, including TIAA Kaspick, LLC. PBI is providing notice of a third-party software event that may affect the security of some of your information. Although we have no indication of identity theft or fraud in relation to this event, we are providing you with information about the event, our response, and additional measures you can take to help protect your information, should you feel it appropriate to do so.

What Happened? On or around May 31, 2023, Progress Software, the provider of MOVEit Transfer software disclosed a vulnerability in their software that had been exploited by an unauthorized third party. PBI utilizes MOVEit in the regular course of our business operations to securely transfer files. PBI promptly launched an investigation into the nature and scope of the MOVEit vulnerability's impact on our systems. Through the investigation, we learned that the third party accessed one of our MOVEit Transfer servers on May 29, 2023 and May 30, 2023 and downloaded data. We then conducted a manual review of our records to confirm the identities of individuals potentially affected by this event and their contact information to provide notifications. We recently completed this review.

What Information Was Involved? Our investigation determined that the following types of information related to you were present in the server at the time of the event: name, Social Security number, and date of birth.

What We Are Doing. We take this event and the security of information in our care seriously. Upon learning about this vulnerability, we promptly took steps to patch servers, investigate, assess the security of our systems, and notify potentially affected customers and individuals associated with those customers. In response to this event, we are also reviewing and enhancing our information security policies and procedures.

While we are unaware of any identity theft or fraud as a result of this event, as an additional precaution, PBI is offering you access to 24 months of complimentary identity monitoring services through Kroll. Details of this offer and instructions on how to activate these services are enclosed with this letter.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors. Please also review the enclosed *Steps You Can Take to Help Protect Personal Information*, which contains information on what you can do to safeguard against possible misuse of your information. You can also activate the identity monitoring services that we are offering.

For More Information. If you have additional questions, you may call our toll-free assistance line at (XXX) XXX-XXXX Monday through Friday from 9:00 a.m. to 6:30 p.m. Eastern time (excluding U.S. holidays). You may also write to PBI at 333 South Seventh Street, Suite 2400, Minneapolis, MN 55402.

Sincerely,

John Bikus
President
Pension Benefit Information, LLC

Steps You Can Take To Help Protect Personal Information

Activate Your Monitoring Services

To help relieve concerns and restore confidence following this event, we have secured the services of Kroll to provide identity monitoring at no cost to you for 24 months. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.[1]

Visit **https://enroll.krollmonitoring.com** to activate and take advantage of your identity monitoring services. *You have until <<b2b_text_6(activation deadline)>> to activate your identity monitoring services.* Membership Number: **<<Membership Number s_n>>**

For more information about Kroll and your Identity Monitoring services, you can visit info.krollmonitoring.com.

Additional Information

- **Single Bureau Credit Monitoring**. You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.
- **Fraud Consultation**. You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.
- **Identity Theft Restoration**. If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended "fraud alert" on a credit file at no cost. An initial fraud alert is a one-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a "credit freeze" on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer's express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer's name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information:

- Full name (including middle initial as well as Jr., Sr., II, III, etc.);
- Social Security number;
- Date of birth;
- Addresses for the prior two to five years;

[1] Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge. To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

- Proof of current address, such as a current utility bill or telephone bill;
- A legible photocopy of a government-issued identification card (state driver's license or ID card, etc.); and
- A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

Equifax	**Experian**	**TransUnion**
https://www.equifax.com/personal/creditreport-services/	https://www.experian.com/help/	https://www.transunion.com/credithelp
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state attorney general. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state attorney general. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, D.C. 20001; 202-727-3400; and oag.dc.gov.

For Kentucky residents, the Kentucky Attorney General – Office of Consumer Protection may be contacted at: 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601; 1-800-804-7556; and https://www.ag.ky.gov/Resources/Consumer-Resources/Consumers/Pages/Identity-Theft.aspx.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and https://www.marylandattorneygeneral.gov/.

For Massachusetts residents, you have the right to obtain any police report filed in regard to this event. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

For New Mexico residents, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers 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 consumers to review their rights pursuant to the Fair Credit Reporting Act by visiting 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. N.W., Washington, D.C. 20580.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or https://ag.ny.gov.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, individuals have the right to obtain any police report filed in regard to this event.