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Congress of the United States

House of Representatives

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October 7, 2009

Mr. James L. Dimon
Chairman and Chief Executive Officer
JP Morgan Chase & Co., N.A.
270 Park Avenue
New York, N.Y. 10017

Dear Mr. Dimon:

It has come to our attention that one of JP Morgan Chase Bank's offsite storage facilities lost a data tape, which may contain customers' sensitive information, such as names, addresses, and Social Security numbers. Breaches like this are of concern because of the variety of malicious crimes that can be perpetrated using stolen personal information. Identity theft is a continuing problem and the resulting impact on an individual's finances, credit rating, livelihood, and personal well-being from these crimes can be substantial. The Energy and Commerce Committee has a long history of examining privacy and data security issues, and we recently passed a bill that mandates certain security measures, as well as notification of individuals whose information has been exposed in a breach of that security. In the interest of better understanding JP Morgan Chase Bank's data protection measures, we ask that you send representatives to brief our staff on this matter.

We also understand that as part of JP Morgan Chase Bank's response to this event, affected customers received a notice of the situation informing them of options they may consider to protect themselves, including contacting the major credit reporting bureaus. Additionally, customers receiving this notice have been offered free enrollment in the Chase Identity Protection program for one year. Accordingly, we request a written response to the questions below by October 31, 2009.

1. How many customers were potentially affected by the lost tape in this incident?
2. How many affected customers were notified of this potential data breach?


3. Were all affected customers offered one year free enrollment in Chase Identity Protection?
4. Please explain the services the Chase Identity Protection program provides.
5. Will affected customers enrolled for one year in Chase Identity Protection automatically be subject to a charge for services once the free enrollment term has expired, or will the service automatically be discontinued (i.e., will the customer have to affirmatively renew the service after the one year expiration)?

If you have any questions about this request, or should you or your staff wish to discuss this matter further, please contact the Minority Committee staff at (202) 225-3641.

Sincerely,



Joe Barton
Ranking Member



George Radanovich
Ranking Member
Subcommittee on Commerce, Trade,
and Consumer Protection

cc: The Honorable Henry A. Waxman, Chairman

The Honorable Bobby L. Rush, Chairman
Subcommittee on Commerce, Trade, and Consumer Protection