

OFFICE OF THE MAYOR  
CITY OF TULSA, OKLAHOMA

EXECUTIVE ORDER NO. 2009-01

AN EXECUTIVE ORDER ESTABLISHING THE CITY'S  
IDENTITY THEFT PREVENTION POLICY

By virtue of the power vested in me as Mayor of the City of Tulsa, Oklahoma, it is hereby ordered:

**SECTION 1. PURPOSE:**

The purpose of this order is to ensure that the City timely complies with all applicable provisions of the "Red Flag" laws adopted as part of FACTA – the Fair and Accurate Credit Transaction Act – 15 U.S.C. §§ 1681, et seq.

**SECTION 2. FACTA REQUIREMENTS:**

Under the Fair and Accurate Credit Transactions Act, financial institutions and creditors that offer or maintain "covered accounts" must develop and implement a written identity theft prevention program ("the Program") that is appropriate to the size and complexity of the institution, as well as the nature and scope of its activities. The Program requirements include reasonable policies and procedures, staff training, oversight of service providers, and oversight of the Program by senior management.

**SECTION 3. SCOPE:**

This policy applies to all City of Tulsa departments and divisions that offer or maintain covered accounts. This policy also applies to any other account for which there is a reasonably foreseeable risk from identity theft.

**SECTION 4. DEFINITIONS:**

- A. Identity theft – A fraud committed or attempted using the identifying information of another person without authority
- B. Identifying information – Any name or number that may be used alone, or in conjunction with any other information, to identify a specific person
- C. Covered account - A covered account is primarily for personal, family or household purposes that is designed to allow multiple payments or transactions.

**SECTION 5. POLICY:**

**A. Periodic identification of covered accounts and risk assessment**

The City of Tulsa will periodically review whether it offers or maintains any covered accounts and that relevant risks are appropriately managed. A report of this review shall be provided to senior management at least annually.

**B. Identifying relevant red flags**

All City of Tulsa departments and divisions that offer or maintain covered accounts shall identify relevant “red flags.” Red flag is defined as a pattern, practice, or specific activity that indicates the possible existence of identity theft. The following will be considered in identifying relevant red flags:

*(a) Risk Factors*

- (1) Types of covered accounts offered or maintained
- (2) Methods provided to open covered accounts
- (3) Methods provided to access covered accounts
- (4) Previous experiences with identity theft

*(b) Sources of Red Flags*

- (1) Incidents of identity theft that have been experienced
- (2) Any attempts at identity theft that have been experienced
- (3) Methods of identity theft that reflect changes in identity theft risks
- (4) Applicable supervisory guidance

*(c) Categories of Red Flags*

- (1) Alerts, notifications, or other warnings received from consumer reporting agencies or service providers, such as fraud detection services
- (2) The presentation of suspicious documents
- (3) The presentation of suspicious personal identifying information, such as a suspicious address change
- (4) The unusual use of, or other suspicious activity related to, a covered account
- (5) Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts

**SECTION 6. DETECTION AND RESPONSE:**

All City of Tulsa departments and divisions that offer or maintain covered accounts shall maintain procedures for detection of and response to red flags.

A. *Detection*

Proper identification will be obtained and verified before opening a covered account. Existing covered accounts will include authenticating customers, monitoring transactions, and verifying the validity of change of address requests.

B. *Response*

Upon detection of a red flag, an assessment will be made of whether there is evidence of potential identity theft. An appropriate response will be provided based on the circumstances. Appropriate responses may include the following:

- (a) Continued monitoring of the covered account for evidence of identity theft
- (b) Notifying the customer
- (c) Changing access to the covered account
- (d) Closing the covered account
- (e) Reopening the covered account with a new account number
- (f) Notifying law enforcement
- (g) Determining that no response is warranted under the circumstances.

**SECTION 7. REPORTING RED FLAGS:**

All City of Tulsa departments and divisions that offer covered accounts shall report identity theft incidents to the Chief Risk Officer. The Chief Risk Officer shall share this identity theft information with all City of Tulsa departments and divisions that offer covered accounts so they can remain alert for similar attempts.

**SECTION 8. DOCUMENTATION:**

All City of Tulsa departments and divisions that offer covered accounts shall document compliance with the City's Red Flag Policies and such documentation shall be appropriately preserved.

**SECTION 9. SERVICE PROVIDERS:**

If a service provider is used in connection with covered accounts, the City of Tulsa will ensure by contract that the service provider maintains reasonable policies and procedures to detect, prevent, and mitigate identity theft.

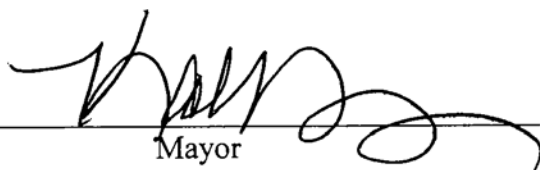
**SECTION 10. TRAINING:**

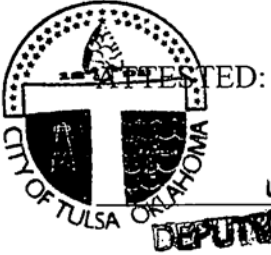
The City of Tulsa will train staff as necessary to maintain the Program.

**SECTION 11. EFFECTIVE DATE:**

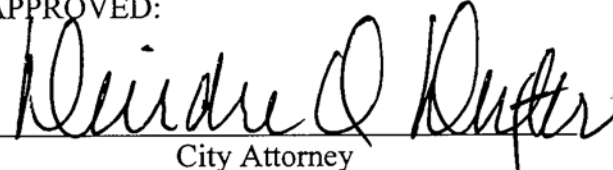
This order shall take effect immediately.

Dated this \_\_\_\_ day of APR 22 2009, 2009.

  
\_\_\_\_\_  
Mayor



  
\_\_\_\_\_  
DEPUTY City Clerk

APPROVED:  
  
\_\_\_\_\_  
City Attorney