



May 28, 2020

**By U.S. Mail**

Consumer Protection Bureau  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

Dear Sir/Madam:

We write to you on behalf of our client, Amtrak, to notify you of a recent security incident that resulted in an unknown third party potentially gaining access to certain Amtrak Guest Rewards member accounts, including the accounts of 79 New Hampshire residents. *The investigation has determined that the incident is not a "data breach" requiring notification under your state's laws, but, in the interest of treating consumers consistently, including in jurisdictions where notification could be required, Amtrak is notifying consumers in your state and your office as well.*

On April 16, 2020, Amtrak learned of suspicious activity indicating a possible data security incident. A forensic investigation revealed that an unknown third party gained unauthorized access to certain Amtrak Guest Rewards accounts. The unknown third party accessed the accounts from the evening of April 16, 2020, through the early morning of April 17, 2020, and had the ability to obtain specific information contained in certain Amtrak Guest Rewards accounts. Amtrak's security team responded immediately and blocked the unauthorized access shortly thereafter. Amtrak has determined that for the affected accounts compromised usernames and passwords were used to access certain accounts, and some personal information may have been accessed that could be accessed using these credentials including mailing and email addresses. No Social Security Numbers, Driver's License Numbers, or financial account information were compromised.

Amtrak will provide notification regarding this incident to the impacted New Hampshire residents on May 29, 2020. A template copy of the notification to be sent to the New Hampshire residents is attached to this letter.

Amtrak is offering affected individuals a complimentary one-year membership of Experian's® IdentityWorksSM. This product provides individuals with superior identity detection and resolution of identity theft. Individuals can visit the Experian IdentityWorks website to enroll and they have until August 31, 2020 to do so. Once enrolled, affected individuals can contact Experian regarding any fraud issues, and have access to the following features: Experian credit report at signup; credit monitoring; identity restoration; Experian IdentityWorks ExtendCARE™ and; up to \$1 million identity theft insurance. This offer is a courtesy to the organization's customers and Amtrak has no reason to believe based on the implicated information that any consumer has any increased risk of any kind.

Amtrak takes this matter very seriously and is taking steps to help prevent incidents like this from happening again. During the course of the incident response, remediation activities included resetting the passwords for potentially affected accounts. Amtrak has also engaged outside cybersecurity experts to confirm that



the incident was contained and has implemented additional safeguards to protect consumers since the discovery of the incident.

Amtrak has retained Reed Smith LLP as counsel in this matter. If you have any questions please contact Divonne Smoyer at (202) 414-9203 or Gerard M. Stegmaier at (202) 414-9228.

Regards,

A handwritten signature in black ink, appearing to read "William Herrmann". The signature is fluid and cursive, with a long horizontal stroke at the end.

William Herrmann  
Vice President, Managing Deputy General Counsel

Enclosure: Template copy of notification to New Hampshire residents



Return Mail Processing  
PO Box 589  
Claysburg, PA 16625-0589

May 29, 2020

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SAMPLE A SAMPLE - L01 AGR MEMBER  
APT 123  
123 ANY ST  
ANYTOWN, US 12345-6789



**RE: NOTICE OF DATA BREACH**

Dear Sample A Sample,

On behalf of Amtrak, I am writing to inform you about a recent incident that potentially affected some of your personal information. Amtrak promptly fixed the issue and is cooperating with federal law enforcement. While I am glad the issue is now resolved, I sincerely apologize for any concern and inconvenience it could cause.

**WHAT HAPPENED**

On the evening of April 16, 2020, Amtrak determined that an unknown third party gained unauthorized access to certain Amtrak Guest Rewards accounts. Your account was among those that were accessed without authorization.

**WHAT INFORMATION WAS INVOLVED**

We have determined that compromised usernames and passwords were used to access certain accounts and some personal information may have been viewed. No financial data, credit card information or Social Security numbers were compromised.

**WHAT WE ARE DOING**

Amtrak takes this matter very seriously and is taking steps to help prevent incidents like this from happening again. After detecting suspicious activity, our security team immediately investigated the issue and terminated the unauthorized access within a few hours. We also reset the passwords for potentially affected accounts. Amtrak engaged outside cybersecurity experts to confirm that the incident was contained and implemented additional safeguards to protect customers.

To help protect your identity, we are offering a complimentary one-year membership of Experian's® IdentityWorks<sup>SM</sup> at no charge to you. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

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- Ensure that you **enroll by: 8/31/2020** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <http://www.experianidworks.com/credit>
- Provide your **activation code:** [REDACTED]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at **877-890-9332** by **8/31/2020**. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

#### **ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:**

A credit card is **not** required for enrollment in Experian IdentityWorks.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance\*\*:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at **877-890-9332**. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for one year from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration). You will also find self-help tips and information about identity protection at this site.

#### **WHAT YOU CAN DO**

While we have no indication that your information was misused in any way, you should always remain vigilant for incidents of fraud and identity theft by regularly reviewing your account statements and monitoring your free credit reports. If you discover any suspicious or unusual activity on your accounts or suspect identity theft or fraud, report it immediately to your financial institutions. In addition, you may contact the Federal Trade Commission (FTC) or law enforcement to report incidents of identity theft. To learn about steps you can take to protect yourself from identity theft go to the FTC's Website, at [www.identitytheft.gov](http://www.identitytheft.gov), call the FTC at (877) IDTHEFT (438-4338) or write to Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

Under federal law, you are entitled to one free copy of your credit report every 12 months from each of the three nationwide credit reporting agencies. You may obtain a free copy of your credit report by going to [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com) or by calling (877) 322-8228. You may contact the nationwide credit reporting agencies at:

Equifax  
(800) 525-6285  
P.O. Box 740241  
Atlanta, GA 30374-0241  
www.equifax.com

Experian  
(888) 397-3742  
P.O. Box 9532  
Allen, TX 75013  
www.experian.com

TransUnion  
(800) 680-7289  
Fraud Victim Assistance Division  
P.O. Box 6790  
Fullerton, CA 92834-6790

You may obtain additional information from the FTC and the credit reporting agencies about fraud alerts and security freezes. A fraud alert can make it more difficult for someone to get credit in your name because it tells creditors to follow certain procedures to protect you, but it also may delay your ability to obtain credit. You may place a fraud alert in your file by calling just one of the three nationwide credit reporting agencies listed above. As soon as that agency processes your fraud alert, it will notify the other two agencies, which then must also place fraud alerts in your file. In addition, you can contact the nationwide credit reporting agencies regarding if and how you may place a security freeze on your credit report to prohibit a credit reporting agency from releasing information from your credit report without your prior written authorization.

#### FOR MORE INFORMATION

If you have any questions or concerns, please call Amtrak Guest Rewards at (800) 307-5000 or email us at [www.amtrak.com/contact-us/email](http://www.amtrak.com/contact-us/email).

Sincerely,



Vicky Radke  
Senior Director,  
Amtrak Guest Rewards at Amtrak

\* Offline members will be eligible to call for additional reports quarterly after enrolling.

\*\* The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.



## **State-Specific Notices**

**For residents of all states.** You may obtain a copy of your credit report or request information on how to place a fraud alert or security freeze by contacting any of the national credit bureaus below. It is recommended that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

Equifax  
(800) 525-6285  
P.O. Box 740241  
Atlanta, GA 30374-0241  
[www.equifax.com](http://www.equifax.com)

Experian  
(888) 397-3742  
P.O. Box 9532  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)

TransUnion  
(800) 680-7289  
Fraud Victim Assistance  
P.O. Box 6790  
Fullerton, CA 92834-6790  
[www.transunion.com](http://www.transunion.com)

You can also obtain information from the Federal Trade Commission about steps you can take toward preventing identity theft.

Federal Trade Commission  
Consumer Response Center  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
(877) IDTHEFT (438-4338)  
<http://www.ftc.gov/idtheft/>

**For residents of the District of Columbia.** You may obtain information about avoiding identity theft from the FTC or the District of Columbia Attorney General's Office. You can contact the District of Columbia Attorney General at:

Office of the Attorney General for the District of Columbia  
441 4th Street NW  
Suite 1100 South  
Washington, D.C. 20001  
(202) 727-3400  
[www.oag.dc.gov/](http://www.oag.dc.gov/)

**For residents of Iowa.** State law advises you to report any suspicious incidents of identity theft to local law enforcement or to the Attorney General. You can contact the Iowa Attorney General at:

Office of the Attorney General  
1305 E. Walnut Street  
Des Moines, IA 50319  
(515) 281-5164  
[www.iowa.gov/government/ag](http://www.iowa.gov/government/ag)

**For residents of Maryland.** You may obtain information about avoiding identity theft from the FTC or the Maryland Attorney General's Office. You can contact the Maryland Attorney General at:

Office of the Attorney General  
Consumer Protection Division  
200 St. Paul Place  
Baltimore, MD 21202  
(888) 743-0023  
[www.oag.state.md.us](http://www.oag.state.md.us)

**For residents of West Virginia.** You also have the right to place a security freeze on your credit report by contacting each of the credit bureaus listed above. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent.



To place a security freeze on your credit report, you may be able to use an online process, an automated telephone line or a written request. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. The consumer-reporting agency may charge a fee of up to \$5.00 to place a freeze or lift or remove a freeze and free if you are a victim of identity theft or the spouse of a victim of identity theft, and you have submitted a valid police report relating to the identity theft incident to the consumer-reporting agency.

**For residents of New Mexico.** You have rights under the federal Fair Credit Reporting Act that include, among others, the right to know what is in your file; to dispute incomplete or inaccurate information; and to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information. For more information about your rights under the Fair Credit Reporting Act, visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf> or [www.ftc.gov](http://www.ftc.gov).

**For residents of New York.** You may obtain more information on identity theft from the FTC, the New York Attorney General's office, or the New York Department of State Division of Consumer Protection at:

Office of the Attorney General  
The Capitol  
Albany, NY 12224  
(800) 771-7755  
<http://www.ag.ny.gov/home.html>  
<http://www.ftc.gov/idtheft/>

New York Department of State  
Division of Consumer Protection  
One Commerce Plaza  
99 Washington Ave  
Albany, NY 12231  
(518) 474-8583  
<https://www.dos.ny.gov/>

**For residents of North Carolina.** You may obtain information about preventing identity theft from the FTC or the North Carolina Attorney General's Office. The North Carolina Attorney General's Office can be reached at:

North Carolina Department of Justice  
Attorney General Josh Stein  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
(877) 566-7226  
<http://www.ncdoj.com>

**For residents of Oregon.** State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General and the FTC. The Oregon Attorney General's Office can be reached at:

Oregon Department of Justice  
Office of the Attorney General  
1162 Court St. NE  
Salem, OR 97301  
(877) 877-9392  
<https://www.doj.state.or.us/>

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