

ALSTON & BIRD

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RECEIVED
MAY 23 2018
CONSUMER PROTECTION

Kimberly K. Peretti

Direct Dial: 202-239-3720

Email: kimberly.peretti@alston.com

May 23, 2018

CONFIDENTIAL
VIA OVERNIGHT DELIVERY

Office of the Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301

Re: Notice of Security Incident

To the Office of the Attorney General:

We are writing on behalf of our client, the National Railroad Passenger Corporation ("Amtrak"), to inform you of a security incident that may have involved the personal information of 14 New Hampshire residents.

We recently learned that certain travel products purchased through Amtrak.com which were provided by Orbitz may have been impacted by a security incident affecting an Orbitz travel booking platform. Orbitz determined on March 1, 2018 that there was evidence suggesting that, between October 1, 2017 and December 22, 2017, an attacker may have accessed certain personal information stored on an Orbitz platform, including personal information submitted in connection with certain purchases made through Amtrak.com from January 1, 2016 to December 16, 2017. Upon determining that the attack may have resulted in access to certain personal information, Orbitz started working to notify potentially impacted customers and business partners, including Amtrak.

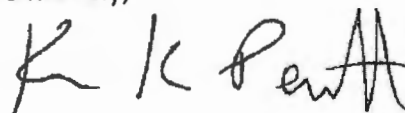
The personal information may have included full name, payment card information, date of birth, phone number, email address, physical and/or billing address, and gender. The Orbitz investigation to date has not found any evidence of unauthorized access to other types of personal information, including Social Security numbers and passport and travel itinerary information. To date, Orbitz does not have direct evidence that personal information was actually taken from its platform.

Amtrak considers the security of all personal information a top priority and promptly took steps to determine the nature and scope of this issue. We also understand that Orbitz took immediate steps to investigate the incident and enhance security and monitoring of the affected platform, brought in a leading third party forensic investigation firm and other cybersecurity experts, began working with law enforcement, and took measures to effectively prevent any unauthorized access and enhance security. Orbitz is offering affected customers one year of complimentary credit monitoring and identity protection service.

A copy of the notification being sent to 14 New Hampshire residents by first class mail on May 23, 2018 is attached to this letter.

If you have any other questions regarding this incident or if you desire further information or assistance, please email me at Kimberly.Peretti@alston.com or call my direct line at 202-239-3720.

Sincerely,

A handwritten signature in black ink, appearing to read "K Peretti". The signature is stylized with a large initial "K" and a cursive "Peretti".

Kimberly Peretti

[Insert Letterhead]

[Date]

[Recipient name]

[Recipient street address]

[Recipient state and ZIP]

NOTICE OF DATA BREACH

We recently learned that certain travel products you purchased through Amtrak.com which were provided by Orbitz may have been affected by a data security incident affecting a legacy Orbitz travel booking platform (the “platform”). We are contacting you because some of your personal information, submitted in connection with certain purchases made from January 1, 2016 to December 16, 2017, may have been affected.

What Happened?

While conducting an investigation of the platform, Orbitz determined on March 1, 2018 that there was evidence suggesting that, between October 1, 2017 and December 22, 2017, an attacker may have accessed certain personal information stored on the platform. Orbitz took immediate steps to investigate the incident and enhance security and monitoring of the platform, and made every effort to remediate the issue, including taking swift action to eliminate and prevent unauthorized access to the platform. To date, Orbitz does not have direct evidence that personal information was actually taken from the platform.

What Information Was Involved?

On March 1, 2018, Orbitz determined that the personal information that was likely accessed may have included your full name, payment card information, date of birth, phone number, email address, physical and/or billing address, and gender.

What Information was *Not* Involved?

The Orbitz investigation to date has not found any evidence of unauthorized access to other types of personal information, including passport and travel itinerary information. Additionally, for U.S. customers, Orbitz determined that Social Security numbers were not involved in this incident, because they are not collected nor held on the platform.

What We Are Doing

Amtrak considers the security of all personal information a top priority. We understand that Orbitz took immediate steps to investigate the incident and enhance security and monitoring of the affected platform. As part of the Orbitz investigation and remediation work, Orbitz brought in a leading third party forensic investigation firm and other cybersecurity experts, began working with law enforcement, and took measures to effectively prevent any unauthorized access and enhance security. Upon determining that the attack may have resulted in access to certain personal information, Orbitz also started working to notify potentially impacted customers and business partners, including Amtrak.

Orbitz is offering you and other affected customers one year of complimentary credit monitoring and identity protection service in countries where available. You may sign up for this service by following the instructions included in **Attachment A**.

What You Can Do

Regardless of whether you elect to enroll in the credit monitoring and identity protection service, it is recommended that you remain vigilant in regularly reviewing and monitoring all of your account

statements and credit history to guard against any unauthorized transactions or activity. If you discover any suspicious or unusual activity on your accounts, please contact your financial institution or call the number on the back of your payment card. **Attachment B** contains more information about steps you can take to protect yourself against fraud and identity theft.

For More Information

If you have any questions about this notice or the incident, please call 1-855-828-5646 (toll-free U.S.) or 1-512-201-2217 (International), or visit <https://orbitz.allclearid.com/>.

Sincerely,

Roger Seitzinger
Amtrak
Senior Director, e-Commerce

ATTACHMENT A

Instructions for Identity Repair and Fraud Alerts with Credit Monitoring Services

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-828-5646 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear Fraud Alerts with Credit Monitoring: This service offers the ability to set, renew, and remove 90-day fraud alerts on your credit file to help protect you from credit fraud. In addition, it provides credit monitoring services, a once annual credit score and credit report, and a \$1 million identity theft insurance policy. To enroll in this service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com or by phone by calling 1-855-828-5646 using the following redemption code: [REDEMPTIONCODE].

Please note: Following enrollment, additional steps are required by you in order to activate your phone alerts and fraud alerts, and to pull your credit score and credit file. Additional steps may also be required in order to activate your monitoring options.

ATTACHMENT B

Additional Information

To protect against possible fraud, identity theft or financial loss, we encourage you to remain vigilant, review your account statements, and monitor your credit reports. Provided below are the names and contact information for the three major U.S. credit reporting agencies and additional information about steps you can take to obtain a free credit report and to place a fraud alert, credit freeze, or credit lock on your credit report. If you believe you are a victim of fraud or identity theft you should consider contacting your local law enforcement agency, your State's attorney general, or the Federal Trade Commission.

INFORMATION ON OBTAINING A FREE CREDIT REPORT

U.S. residents are entitled under U.S. law to one free credit report annually from each of the three major credit reporting agencies. To order your free credit reports, visit www.annualcreditreport.com or call toll-free (877) 322-8228.

INFORMATION ON IMPLEMENTING A FRAUD ALERT, CREDIT FREEZE, OR CREDIT LOCK

To place a fraud alert, credit freeze, or credit lock on your credit report, you must contact the three credit reporting agencies below:

Equifax:
Consumer Fraud Division
P.O. Box 740256
Atlanta, GA 30374
1-888-766-0008
www.equifax.com

Experian:
Credit Fraud Center
P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion:
TransUnion LLC
P.O. Box 2000
Chester, PA 19022-2000
1-800-680-7289
www.transunion.com

Fraud Alert: Consider contacting the three major credit reporting agencies at the addresses below to place a fraud alert on your credit report. A fraud alert indicates to anyone requesting your credit file that you suspect you are a possible victim of fraud. A fraud alert does not affect your ability to get a loan or credit. Instead, it alerts a business that your personal information might have been compromised and requires that business to verify your identity before issuing you credit. Although this may cause some short delay if you are the one applying for the credit, it might protect against someone else obtaining credit in your name.

To place a fraud alert, contact any of the three major credit reporting agencies listed above and request that a fraud alert be put on your file. The agency that you contacted must notify the other two agencies. A fraud alert is free and lasts 90 days, but can be renewed.

Credit Freeze: A credit freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report until the freeze is lifted. When a credit freeze is in place, no one—including you—can open a new account. As a result, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit, mortgages, employment, housing, or other services.

To place a credit freeze, contact all three credit reporting agencies listed above and provide the personal information required by each agency to place a freeze, which may include:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security Number;
3. Date of birth;
4. If you have moved in the past five (5) years, the addresses where you have lived over the prior five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.);
7. If you are a victim of identity theft, a copy of either a police report, investigative report, or complaint to a law enforcement agency concerning identity theft; and
8. If you are not a victim of identity theft, payment by check, money order, or credit card (Visa, MasterCard, American Express or Discover only). Do not send cash through the mail.

When you place a credit freeze, you will be provided a PIN to lift temporarily or remove the credit freeze. A credit freeze generally lasts until you lift or remove it, although in some jurisdictions it will expire after seven years. The cost to place a credit freeze is typically between \$5.00 and \$10.00 each time you place a freeze, but may vary by jurisdiction. Certain jurisdictions may also permit a credit reporting agency to charge you similar fees to lift or remove the freeze. If you have been a victim of identity theft, and you provide the credit reporting agency with a valid police report, it cannot charge you to place, lift, or remove a credit freeze.

Credit Lock: Like a credit freeze, a credit lock restricts access to your credit report and prevents anyone from opening an account until unlocked. Unlike credit freezes, your credit can typically be unlocked online without delay. To lock your credit, contact all three credit reporting agencies listed above and complete a credit lock agreement. The cost of a credit lock varies by agency, which typically charges monthly fees.

You may also contact the U.S. Federal Trade Commission ("FTC") for further information on fraud alerts, credit freezes, credit locks, and how to protect yourself from identity theft. The FTC can be contacted at 400 7th St. SW, Washington, DC 20024; telephone 1-877-382-4357; or www.consumer.gov/idtheft.

ADDITIONAL RESOURCES

Your state Attorney General may also have advice on preventing identity theft, and you should report instances of known or suspected identity theft to law enforcement, your State Attorney General, or the FTC.

Contact the U.S. Federal Trade Commission: If you detect any unauthorized transactions in any of your financial accounts, promptly notify the appropriate payment card company or financial institution. If you detect any incidence of identity theft or fraud, promptly report the matter to your local law enforcement authorities, state Attorney General and the FTC.

You can contact the FTC to learn more about how to protect yourself from becoming a victim of identity theft, including information about fraud alerts and security freezes, by using the contact details below:

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
www.ftc.gov/idtheft/

Iowa Residents: You may contact law enforcement or the Iowa Attorney General's office to report suspected incidents of identity theft. The Iowa Attorney General's Office can be reached at Iowa Attorney General's Office, Director of Consumer Protection Division, 1305 E. Walnut Street, Des Moines, IA 50319, 1-515-281-5926, www.iowaattorneygeneral.gov

Maryland Residents: The Attorney General can be contacted at Office of Attorney General, 200 St. Paul Place, Baltimore, MD 21202; (888) 743-0023; or <http://www.oag.state.md.us>.

New Mexico Residents: You have rights under the federal Fair Credit Reporting Act (FCRA), which governs the collection and use of information pertaining to you by consumer reporting agencies. For more information about your rights under the FCRA, please visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf> or www.ftc.gov.

In addition, New Mexico consumers have the right to obtain a security freeze or submit a declaration of removal.

You may obtain a security freeze on your credit report to protect your privacy and ensure that credit is not granted in your name without your knowledge. You may submit a declaration of removal to remove information placed in your credit report as a result of being a victim of identity theft. You have a right to place a security freeze on your credit report or submit a declaration of removal pursuant to the Fair Credit Reporting and Identity Security Act.

The security freeze will prohibit a consumer reporting agency from releasing any information in your credit report without your express authorization or approval.

The security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. When you place a security freeze on your credit report, you will be provided with a personal identification number, password or similar device to use if you choose to remove the freeze on your credit report or to temporarily authorize the release of your credit report to a specific party or parties or for a specific period of time after the freeze is in place. To remove the freeze or to provide

authorization for the temporary release of your credit report, you must contact the consumer reporting agency and provide all of the following:

- (1) the unique personal identification number, password or similar device provided by the consumer reporting agency;
- (2) proper identification to verify your identity;
- (3) information regarding the third party or parties who are to receive the credit report or the period of time for which the credit report may be released to users of the credit report; and
- (4) payment of a fee, if applicable.

A consumer reporting agency that receives a request from a consumer to lift temporarily a freeze on a credit report shall comply with the request no later than three business days after receiving the request. As of September 1, 2008, a consumer reporting agency shall comply with the request within fifteen minutes of receiving the request by a secure electronic method or by telephone.

A security freeze does not apply in all circumstances, such as where you have an existing account relationship and a copy of your credit report is requested by your existing creditor or its agents for certain types of account review, collection, fraud control or similar activities; for use in setting or adjusting an insurance rate or claim or insurance underwriting; for certain governmental purposes; and for purposes of prescreening as defined in the federal Fair Credit Reporting Act.

If you are actively seeking a new credit, loan, utility, telephone or insurance account, you should understand that the procedures involved in lifting a security freeze may slow your own applications for credit. You should plan ahead and lift a freeze, either completely if you are shopping around or specifically for a certain creditor, with enough advance notice before you apply for new credit for the lifting to take effect. You should contact a consumer reporting agency and request it to lift the freeze at least three business days before applying. As of September 1, 2008, if you contact a consumer reporting agency by a secure electronic method or by telephone, the consumer reporting agency should lift the freeze within fifteen minutes. You have a right to bring a civil action against a consumer reporting agency that violates your rights under the Fair Credit Reporting and Identity Security Act".

North Carolina Residents: You may also obtain information about preventing and avoiding identity theft from the North Carolina Attorney General's Office: North Carolina Attorney General's Office, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001; (919) 716-6400; or <http://www.ncdoj.gov>.

Oregon Residents: State laws advise you to report any suspected identity theft to law enforcement, as well as the Federal Trade Commission. Contact information for the Oregon Department of Justice is as follows: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301, 1-503-378-4320, www.doj.state.or.us