

September 19, 2016

Via Email (ocp@dcca.hawaii.gov) and Federal Express

Office of Consumer Protection
Department of Commerce and
Consumer Affairs
Leiopapa A Kamehameha Bldg.
235 South Beretania Street, Suite 801
Honolulu, HI 96813

RECEIVED

SEP 20 2016

**OFFICE OF CONSUMER PROTECTION
INVESTIGATIONS**

RE: Reporting of Security Incident Pursuant to Hawaii Rev. Statutes § 487N-2

Dear Sir or Madam:

I write on behalf of ACTIVEOutdoors (“AO”), the provider of the online applications used to apply for or purchase state hunting and fishing licenses in the states of Idaho, Oregon, and Washington (the “Affected Applications”). AO recently became aware that AO was the victim of unlawful and unauthorized access to the Affected Applications, potentially exposing certain personally identifiable information obtained by AO from individuals who applied for or purchased hunting and fishing licenses from the referenced three states as further described in this letter. AO has worked diligently to investigate and resolve this unfortunate situation. This letter serves to notify your office of the situation, and to comply with the requirements of Hawaii Rev. Statutes § 487N-2(f).

Nature of the Unauthorized Access

On August 22, 2016, AO became aware that it was the victim of an unauthorized and unlawful access to the Affected Applications. All indications are that this threat was isolated to these Affected Applications and was limited to accounts created prior to July 2007 for Idaho and Oregon customers, and prior to July 2006 for Washington customers. AO’s team took immediate action and, within a few hours, launched an extensive investigation in coordination with the impacted states and released updates to its applications to address the potential threat. As an additional protective measure, AO engaged a top-tier cybersecurity firm to conduct an independent comprehensive review. That review confirmed that the incident was successfully addressed and that the Affected Applications were secured.

Nature of the Information and Number of Affected Hawaii Residents

AO’s investigation has indicated that the information that may have been accessed included the personal information of at least 3,984 Hawaii residents, including name, address, date of birth, and driver’s license number with physical description information. Of that total number, a smaller subset of 1,152 records included the full Social Security numbers of Hawaii residents.

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

BOSTON | LONDON | LOS ANGELES | NEW YORK | SAN DIEGO | SAN FRANCISCO | STAMFORD | WASHINGTON

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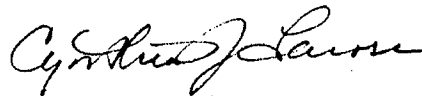
Remediation Steps

AO has not received any reports of fraud associated with this incident, and is working with the impacted states and law enforcement in their own further investigations. AO is also providing notice to all affected individuals, including Hawaii residents, and will be providing 24 months of identity repair and restoration services through AllClear ID at no cost to any affected person. For those individuals whose records included full Social Security numbers, AO will be providing 24 months of AllClear ID credit monitoring services in addition to the identity repair and restoration services, also at no cost to individuals, as described in the sample copies of the notice letters attached. Additional security measures have been introduced into the Affected Applications to prevent this type of unauthorized access to the system in the future. Further countermeasures have been introduced into the production environment to both prevent access of this nature as well as detect other forms of unauthorized access to these systems.

AO is providing (1) written notice (for affected consumers for which AO has available mailing address), (2) electronic notice (for those affected consumers for which AO has an available email address but no mailing address), (3) statewide media notification via national wire service press releases, and (4) a publicly available website for inquiries at <https://activeoutdoors.allclearid.com> along with a dedicated toll-free call center. Notifications will also be provided to the three major consumer reporting agencies on September 19, 2016. Sample copies of AO's notifications to affected Hawaii residents under Hawaii Rev. Statutes § 487N-2(a) are attached. The notifications will be mailed to affected residents on or about September 19, 2016.

If you have any questions or concerns, please do not hesitate to contact me at (617) 348-1732 or at CJLarose@mintz.com.


Very truly yours,



Cynthia J. Larose

Attachments

00001
JOHN Q. SAMPLE
1234 MAIN STREET
ANYTOWN US 12345-6789



00001
ACD1234

September 19, 2016

NOTICE OF DATA BREACH

Dear John Sample:

ACTIVEOutdoors operates the online application you've used to apply for or purchase your state hunting or fishing license in Idaho, Oregon or Washington. We are committed to protecting your information and operating with transparency. The reason for this letter is that we were recently made aware of a potential incident that could have affected your personal information and we are writing to provide you with information regarding the incident, steps we have taken since discovering the incident, and information on what you can do.

What Happened? Although we have made and continue to make significant investments in technology and security, on August 22, we became aware that we were the victim of an unauthorized and unlawful access to our online hunting and fishing licensing applications in Idaho, Oregon and Washington.

What Information Was Involved? After thorough investigation it has been determined that your name, address, date of birth, and driver's license number with physical description information may have been subject to unauthorized access. No credit card information or financial information was involved. At this time, ACTIVEOutdoors is not aware of any fraud associated with this incident. The threat was isolated to only our hunting and fishing online applications in the above-mentioned 3 states, and only in accounts that were created prior to July 2006 for Washington customers, and July 2007 for Idaho and Oregon customers.

What Are We Doing? Protecting customer information has been and continues to be a high priority for us. Upon learning of the unauthorized access, and consistent with our long-standing security procedures, our team took immediate action. Within a few hours, we launched an extensive investigation in coordination with the impacted states and released updates to our applications to address the potential threat. As an additional protective measure, a top-tier cybersecurity firm conducted an independent comprehensive review and has confirmed that the incident was successfully addressed.

As an added precaution, we have arranged to have AllClear ID provide you with 2 years of identity repair and restoration at no cost to you. **The AllClear Identity Repair service starts on the date of this notice, and you may use it at any time during the next 2 years.**

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-260-2772 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

What Can You Do? You should review the additional information included in the attached Privacy Safeguards instructional document that provides recommendations related to identity theft and fraud prevention best practices.

For More Information. Should you have any questions regarding this incident or the identity repair service provided, please call (toll-free) 1-855-260-2772, Monday through Saturday, between 8 AM and 8 PM, Central Time.



We want to reassure you that we are committed to working with the relevant state agencies and law enforcement to assist in their own investigations into this matter. We are sorry for any inconvenience or concern this may have caused you.

Sincerely,

The ACTIVEOutdoors Team

Information about Identity Theft Protection

We recommend that you remain vigilant and regularly review statements from your accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at www.annualcreditreport.com, by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at www.annualcreditreport.com) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies listed below.

Equifax: P.O. Box 740241, Atlanta, Georgia 30374-0241, 1-800-685-1111, www.equifax.com
Experian: P.O. Box 2002, Allen, TX 75013, 1-888-397-3742, www.experian.com
TransUnion: P.O. Box 1000, Chester, PA 19022, 1-800-888-4213, www.transunion.com

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

We recommend you remain vigilant by regularly reviewing your account statements and monitoring free credit reports, and promptly report any suspicious activity or suspected identity theft to us and to the proper law enforcement authorities, including local law enforcement, your state's attorney general and/or the Federal Trade Commission ("FTC"). You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft and about fraud alerts and security freezes.

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

For residents of Idaho: Idaho Office of the Attorney General, Consumer Protection Division, 700 W. Jefferson Street, Suite 210, Boise, ID, 1-800-432-3545,
<http://www.ag.idaho.gov/consumerProtection/generalTopics/topicSubPages/identityTheftAndPrivacy.html>

For residents of Maryland: You may also obtain information about preventing and avoiding identity theft from the Maryland Office of the Attorney General:

Maryland Office of the Attorney General, Consumer Protection Division
200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023, www.oag.state.md.us

For residents of Massachusetts: You also have the right to obtain a police report.

For residents of North Carolina: 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, 1-877-5-NO-SCAM, www.ncdoj.gov

For residents of Oregon: Oregon Attorney General's Office, Oregon Department of Justice Financial Fraud/Consumer Protection Section, 1162 Court St. NE, Salem, OR 97301, 1-877-877-9392,
www.doj.state.or.us/consumer/Pages/hotline.aspx

For residents of Rhode Island: You also have the right to file or obtain a police report, and you may obtain information about preventing and avoiding identity theft from the Rhode Island Attorney General's Office:

Rhode Island Attorney General's Office, Consumer Protection Unit
150 South Main Street, Providence, RI 02903, 401-274-4400, <http://www.riag.ri.gov/>

For residents of Washington: Washington State Office of the Attorney General, Consumer Protection Division, 800 5th Ave, Suite 2000, Seattle, WA 98104-3188, 1-800-551-4636, Identity Theft Resource Page:
<http://www.atg.wa.gov/GUARDIT.ASPX>

Fraud Alerts: There are also two types of fraud alerts that you can place on your credit report to put your creditors on notice that you may be a victim of fraud: an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by calling the toll-free fraud number of any of the three national credit reporting agencies listed below.

Equifax: 1-888-766-0008, www.equifax.com
Experian: 1-888-397-3742, www.experian.com
TransUnion: 1-800-680-7289, www.transunion.com

Credit Freezes (for Non-Massachusetts Residents): You may have the right to put a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting, and removing a credit freeze also varies by state, generally \$5 to \$20 per action at each credit reporting company. *Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company.* Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

Equifax: P.O. Box 105788, Atlanta, GA 30348, www.equifax.com
Experian: P.O. Box 9554, Allen, TX 75013, www.experian.com
TransUnion LLC: P.O. Box 2000, Chester, PA, 19016, freeze.transunion.com

You can obtain more information about fraud alerts and credit freezes by contacting the FTC or one of the national credit reporting agencies listed above.

Credit Freezes (for Massachusetts Residents): Massachusetts law gives you the right to place a security freeze on your consumer reports. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. Using a security freeze, however, may delay your ability to obtain credit. You may request that a freeze be placed on your credit report by sending a request to a credit reporting agency by certified mail, overnight mail or regular stamped mail to the address below:

Equifax: P.O. Box 105788, Atlanta, GA 30348, www.equifax.com
Experian: P.O. Box 9554, Allen, TX 75013, www.experian.com
TransUnion LLC: P.O. Box 2000, Chester, PA, 19022-2000, freeze.transunion.com


Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. The following information should be included when requesting a security freeze (documentation for you and your spouse must be submitted when freezing a spouse's credit report): full name, with middle initial and any suffixes; Social Security number; date of birth (month, day and year); current address and previous addresses for the past five (5) years; and applicable fee (if any) or incident report or complaint with a law enforcement agency or the Department of Motor Vehicles. The request should also include a copy of a government-issued identification card, such as a driver's license, state or military ID card, and a copy of a utility bill, bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue (statement dates must be recent). The credit reporting company may charge a reasonable fee of up to \$5 to place a freeze or lift or remove a freeze, unless you are a victim of identity theft or the spouse of a victim of identity theft, and have submitted a valid police report relating to the identity theft to the credit reporting company.

Credit Freezes (for Rhode Island Residents): A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. Using a security freeze, however, may delay your ability to obtain credit. You may request that a freeze be placed on your credit report by sending a request to a credit reporting agency by certified mail, overnight mail, or regular stamped mail to the address below:

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05305
JOHN Q. SAMPLE
1234 MAIN STREET
ANYTOWN US 12345-6789



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ACD1234

September 19, 2016

NOTICE OF DATA BREACH

Dear John Sample:

ACTIVEOutdoors operates the online application you've used to apply for or purchase your state hunting or fishing license in Idaho, Oregon or Washington. We are committed to protecting your information and operating with transparency. The reason for this letter is that we were recently made aware of a potential incident that could have affected your personal information and we are writing to provide you with information regarding the incident, steps we have taken since discovering the incident, and information on what you can do.

What Happened? Although we have made and continue to make significant investments in technology and security, on August 22, we became aware that we were the victim of an unauthorized and unlawful access to our online hunting and fishing licensing applications in Idaho, Oregon and Washington.

What Information Was Involved? After thorough investigation it has been determined that your name, address, date of birth, driver's license number with physical description information, and full Social Security number may have been subject to unauthorized access. No credit card information or financial information was involved. At this time, ACTIVEOutdoors is not aware of any fraud associated with this incident. The threat was isolated to only our hunting and fishing online applications in the above-mentioned 3 states, and only in accounts that were created prior to July 2006 for Washington customers, and July 2007 for Idaho and Oregon customers.

What Are We Doing? Protecting customer information has been and continues to be a high priority for us. Upon learning of the unauthorized access, and consistent with our long-standing security procedures, our team took immediate action. Within a few hours, we launched an extensive investigation in coordination with the impacted states and released updates to our applications to address the potential threat. As an additional protective measure, a top-tier cybersecurity firm conducted an independent comprehensive review and has confirmed that the incident was successfully addressed.

As an added precaution, we have arranged to have AllClear ID provide you with two years of identity repair and restoration at no cost to you. **The following identity protection services start on the date of this notice, and you may use them at any time during the next two years.**

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-260-2772 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear Credit Monitoring: Because your Social Security number was potentially accessed, we are also offering a service that provides additional layers of protection including credit monitoring and a \$1 million identity theft insurance policy. To use this service, you will need to provide your personal information to AllClear ID. You may sign up online at <https://www.enroll.allclearid.com> or by phone by calling 1-855-260-2772 using the following redemption code: Redemption Code. You may enroll anytime during the next two years.



What Can You Do? You should review the additional information included in the attached Privacy Safeguards instructional document that provides recommendations related to identity theft and fraud prevention best practices.

For More Information. Should you have any questions regarding this incident or the identity protection services provided, please call (toll-free) 1-855-260-2772, Monday through Saturday, between 8 AM and 8 PM, Central Time.

We want to reassure you that we are committed to working with the relevant state agencies and law enforcement to assist in their own investigations into this matter. We are sorry for any inconvenience or concern this may have caused you.

Sincerely,

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TransUnion: P.O. Box 1000, Chester, PA 19022, 1-800-888-4213, www.transunion.com

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We recommend you remain vigilant by regularly reviewing your account statements and monitoring free credit reports, and promptly report any suspicious activity or suspected identity theft to us and to the proper law enforcement authorities, including local law enforcement, your state's attorney general and/or the Federal Trade Commission ("FTC"). You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft and about fraud alerts and security freezes.

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

For residents of Idaho: Idaho Office of the Attorney General, Consumer Protection Division, 700 W. Jefferson Street, Suite 210, Boise, ID, 1-800-432-3545,
<http://www.ag.idaho.gov/consumerProtection/generalTopics/topicSubPages/identityTheftAndPrivacy.html>

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9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-5-NO-SCAM, www.ncdoj.gov

For residents of Oregon: Oregon Attorney General's Office, Oregon Department of Justice Financial Fraud/Consumer Protection Section, 1162 Court St. NE, Salem, OR 97301, 1-877-877-9392,
www.doj.state.or.us/consumer/Pages/hotline.aspx

For residents of Rhode Island: You also have the right to file or obtain a police report, and you may obtain information about preventing and avoiding identity theft from the Rhode Island Attorney General's Office:

Rhode Island Attorney General's Office, Consumer Protection Unit
150 South Main Street, Providence, RI 02903, 401-274-4400, <http://www.riag.ri.gov/>

For residents of Washington: Washington State Office of the Attorney General, Consumer Protection Division, 800 5th Ave, Suite 2000, Seattle, WA 98104-3188, 1-800-551-4636, Identity Theft Resource Page:
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Fraud Alerts: There are also two types of fraud alerts that you can place on your credit report to put your creditors on notice that you may be a victim of fraud: an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by calling the toll-free fraud number of any of the three national credit reporting agencies listed below.

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Credit Freezes (for Non-Massachusetts Residents): You may have the right to put a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting, and removing a credit freeze also varies by state, generally \$5 to \$20 per action at each credit reporting company. *Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company.* Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

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TransUnion LLC: P.O. Box 2000, Chester, PA, 19022-2000, freeze.transunion.com

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Credit Freezes (for Rhode Island Residents): A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. Using a security freeze, however, may delay your ability to obtain credit. You may request that a freeze be placed on your credit report by sending a request to a credit reporting agency by certified mail, overnight mail, or regular stamped mail to the address below:

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Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. The following information should be included when requesting a security freeze: full name, with middle initial and any suffixes; Social Security number; date of birth (month, day and year); current address and previous addresses for the past five (5) years; and applicable fees (if any) or valid police report, investigative report, or complaint with a law enforcement agency about the unlawful use of your identifying information. The request should also include a copy of a government-issued identification card, such as a driver's license, state or military ID card, and a copy of a utility bill, bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue (statement dates must be recent). The credit reporting company may charge a reasonable fee of up to \$10 to place a freeze or lift or remove a freeze, unless you are a victim of identity theft and have submitted a valid police report, investigative report, or complaint with a law enforcement agency about the unlawful use of your identifying information to the credit reporting company. If you are 65 years of age or older the fee will be waived.