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The CIPP-US Certification is an essential credential for professionals who work with personal data in the United States. Certified Information Privacy Professional/United States (CIPP/US) certification demonstrates a deep understanding of privacy laws and regulations and provides professionals with the knowledge and skills necessary to protect personal data and ensure compliance with the law.

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Reliable CIPP-US Exam Tips & CIPP-US Detail Explanation

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IAPP Certified Information Privacy Professional/United States (CIPP/US) Sample Questions (Q88-Q93):

NEW QUESTION # 88

SCENARIO

Please use the following to answer the next question;

Jane is a U.S. citizen and a senior software engineer at California-based Jones Labs, a major software supplier to the U.S. Department of Defense and other U.S. federal agencies. Jane's manager, Patrick, is a French citizen who has been living in California for over a decade. Patrick has recently begun to suspect that Jane is an insider secretly transmitting trade secrets to foreign intelligence. Unbeknownst to Patrick, the FBI has already received a hint from an anonymous whistleblower, and jointly with the National Security Agency is investigating Jane's possible implication in a sophisticated foreign espionage campaign. Ever since the pandemic, Jane has been working from home. To complete her daily tasks, she uses her corporate laptop, which after each login conspicuously provides notice that the equipment belongs to Jones Labs and may be monitored according to the enacted privacy policy and employment handbook. Jane also has a corporate mobile phone that she uses strictly for business, the terms of which are defined in her employment contract and elaborated upon in her employee handbook. Both the privacy policy and the employee handbook are revised annually by a reputable California law firm specializing in privacy law. Jane also has a personal iPhone that she uses for private purposes only.

Jones Labs has its primary data center in San Francisco, which is managed internally by Jones Labs engineers. The secondary data center, managed by Amazon AWS, is physically located in the UK for disaster recovery purposes. Jones Labs' mobile devices backup is managed by a mid-sized mobile defense company located in Denver, which physically stores the data in Canada to reduce costs. Jones Labs' MS Office documents are securely stored in a Microsoft Office 365 data. When storing Jane's fingerprint for remote authentication, Jones Labs should consider legality issues under which of the following?

- A. The federal Genetic Information Nondiscrimination Act (GINA).
- B. The Privacy Rule of the HITECH Act.
- **C. The applicable state law such as Illinois BIPA**
- D. The California IoT Security Law (SB 327).

Answer: C

Explanation:

When storing biometric data, such as fingerprints, organizations in the U.S. must comply with state-specific biometric privacy laws if they operate in states that regulate biometric information. The most prominent of these laws is the Illinois Biometric Information Privacy Act (BIPA), but similar laws also exist or are developing in other states, such as Texas and Washington.

Key Considerations for Storing Biometric Data:

* Illinois Biometric Information Privacy Act (BIPA): BIPA (740 ILCS 14) is a leading and highly influential state law regulating the collection, storage, and use of biometric information. It requires organizations to:

- * Obtain informed, written consent before collecting biometric data.
- * Establish a publicly available policy governing the retention and destruction of biometric data.
- * Use a reasonable standard of care to protect biometric data from unauthorized access or use.
- * Prohibit the sale or transfer of biometric data without consent.

* California and Biometric Data: While California's California Consumer Privacy Act (CCPA) and California Privacy Rights Act (CPRA) provide general protections for personal information, including biometric data, they do not have the specific consent and handling requirements that BIPA does. Nevertheless, California residents have rights related to access, deletion, and the sale of biometric information.

Explanation of Options:

- * A. The Privacy Rule of the HITECH Act: The HITECH Act applies to the protection of protected health information (PHI) under HIPAA. While the Privacy Rule regulates healthcare-related information, it does not apply to Jane's biometric data used for remote authentication unless it is tied to PHI. This scenario is unrelated to healthcare, so this answer is incorrect.
- * B. The California IoT Security Law (SB 327): California's IoT Security Law primarily focuses on ensuring security requirements for connected devices. It does not regulate the collection or storage of biometric information. This is not relevant to the question.
- * C. The applicable state law such as Illinois BIPA: This is correct. State biometric privacy laws, such as Illinois BIPA, explicitly govern the collection, storage, and use of biometric data like fingerprints.

Organizations like Jones Labs must ensure compliance with such laws, including obtaining consent and properly securing and destroying biometric information.

- * D. The federal Genetic Information Nondiscrimination Act (GINA): GINA prohibits discrimination based on genetic information in employment and health insurance. However, it does not regulate the storage of biometric data like fingerprints. This is not applicable.

to this scenario.

Best Practices for Compliance:

Jones Labs should:

- * Understand the applicable state biometric laws: If Jane resides in Illinois or other states with biometric laws, Jones Labs must comply with those specific legal requirements.

- * Obtain informed consent: Ensure that employees like Jane sign a written consent form before storing their fingerprints for authentication.

- * Secure biometric data: Use strong encryption and other security measures to protect the biometric information.

- * Define retention and destruction policies: Clearly establish how long biometric data will be stored and how it will be destroyed after its purpose is fulfilled.

References from CIPP/US Materials:

- * Illinois Biometric Information Privacy Act (BIPA): Sets the standard for biometric privacy regulations in the U.S.

- * California Consumer Privacy Act (CCPA): Protects personal information but does not specifically regulate biometric data like fingerprints with the same rigor as BIPA.

- * IAPP CIPP/US Certification Textbook: Discusses the emergence of state-specific biometric privacy laws and their applicability in different scenarios.

NEW QUESTION # 89

What is the main reason some supporters of the European approach to privacy are skeptical about self-regulation of privacy practices?

- A. A large amount of money may have to be sent on improved technology and security
- **B. Industries may not be strict enough in the creation and enforcement of rules**
- C. Human rights may be disregarded for the sake of privacy
- D. A new business owner may not understand the regulations

Answer: B

Explanation:

The European approach to privacy is based on the recognition of privacy as a fundamental human right that requires strong legal protection and oversight. The EU has adopted comprehensive and binding privacy laws, such as the General Data Protection Regulation (GDPR) and the ePrivacy Directive, that apply to all sectors and activities involving personal data. The EU also has independent data protection authorities (DPAs) that monitor and enforce compliance with the privacy laws, and a European Data Protection Board (EDPB) that issues guidance and opinions on privacy matters. The EU also requires adequate levels of privacy protection for personal data transferred to third countries or international organizations.

In contrast, the U.S. approach to privacy is based on a sectoral and self-regulatory model that relies on a combination of federal and state laws, industry codes of conduct, consumer education, and market forces. The

U.S. does not have a single, comprehensive, and enforceable federal privacy law that covers all sectors and activities involving personal data. Instead, the U.S. has a patchwork of federal and state laws that address specific issues or sectors, such as health, financial, children's, and electronic communications privacy. The U.

S. also has various federal and state agencies that share jurisdiction over privacy matters, such as the Federal Trade Commission (FTC), the Federal Communications Commission (FCC), and the Department of Health and Human Services (HHS). The U.S. also relies on self-regulation by industries that develop and adhere to voluntary codes of conduct, standards, and best practices for privacy. The U.S. also allows personal data to be transferred to third countries or international organizations without requiring adequate levels of privacy protection, as long as the data subjects have given their consent or the transfer is covered by a mechanism such as the Privacy Shield or the Standard Contractual Clauses.

Some supporters of the European approach to privacy are skeptical about self-regulation of privacy practices because they believe that self-regulation is not effective, consistent, or accountable enough to protect the rights and interests of data subjects. They argue that self-regulation may not provide sufficient incentives or sanctions for industries to comply with privacy rules, or to adopt privacy-enhancing technologies and practices. They also contend that self-regulation may not reflect the views and expectations of data subjects, or address the emerging and complex privacy challenges posed by new technologies and business models. They also question the transparency and legitimacy of self-regulation, and the ability of data subjects to exercise their rights and seek redress for privacy violations. References:

- * IAPP CIPP/US Study Guide, Chapter 1: Introduction to the U.S. Privacy Environment, pp. 9-10, 16-17

- * IAPP website, CIPP/US Certification

- * NICCS website, Certified Information Privacy Professional/United States (CIPP/US) Training

NEW QUESTION # 90

Under the Fair and Accurate Credit Transactions Act (FACTA), what is the most appropriate action for a car dealer holding a paper folder of customer credit reports?

- A. To follow the Safeguards Rule by transferring the reports to a secure electronic file
- B. To follow the Red Flags Rule by mailing the reports to customers
- **C. To follow the Privacy Rule by notifying customers that the reports are being stored**
- D. To follow the Disposal Rule by having the reports shredded

Answer: C

NEW QUESTION # 91

Which act violates the Family Educational Rights and Privacy Act of 1974 (FERPA)?

- **A. A K-12 assessment vendor obtains a student's signed essay about her hometown from her school to use as an exemplar for public release**
- B. A university posts a public student directory that includes names, hometowns, e-mail addresses, and majors
- C. A newspaper prints the names, grade levels, and hometowns of students who made the quarterly honor roll
- D. University police provide an arrest report to a student's hometown police, who suspect him of a similar crime

Answer: A

Explanation:

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that protects the privacy of student education records. FERPA grants parents or eligible students the right to access, amend, and control the disclosure of their education records, with some exceptions.

Schools must obtain written consent from the parent or eligible student before disclosing any personally identifiable information from the education records, unless an exception applies.

Option A violates FERPA because it involves the disclosure of a student's personally identifiable information (PII) from the education records without consent. A student's signed essay about her hometown is considered an education record under FERPA, as it is directly related to the student and maintained by the school. A K-12 assessment vendor is not a school official with a legitimate educational interest, nor does it fall under any of the exceptions that allow disclosure without consent. Therefore, the school must obtain the student's (or the parent's, if the student is a minor) written consent before providing the essay to the vendor for public release. Option B does not violate FERPA because it involves the disclosure of directory information, which is not considered PII under FERPA. Directory information is information that would not generally be considered harmful or an invasion of privacy if disclosed, such as name, address, phone number, e-mail address, major, etc. Schools may disclose directory information without consent, unless the parent or eligible student has opted out of such disclosure. However, schools must notify parents and eligible students of the types of directory information they designate and their right to opt out annually.

Option C does not violate FERPA because it involves the disclosure of information that is not part of the education records. FERPA only applies to education records that are directly related to a student and maintained by the school or a party acting for the school. A newspaper's publication of the names, grade levels, and hometowns of students who made the quarterly honor roll is not based on the education records, but on the newspaper's own sources and reporting. Therefore, FERPA does not prohibit such disclosure.

Option D does not violate FERPA because it involves the disclosure of information under an exception that allows disclosure without consent. FERPA permits schools to disclose education records, or PII from education records, without consent to comply with a judicial order or lawfully issued subpoena, or to appropriate officials in connection with a health or safety emergency. If the university police provide an arrest report to the student's hometown police in response to a subpoena or to prevent a serious threat to the student or others, they are not violating FERPA.

NEW QUESTION # 92

SCENARIO

Please use the following to answer the next question:

Miraculous Healthcare is a large medical practice with multiple locations in California and Nevada. Miraculous normally treats patients in person, but has recently decided to start offering telehealth appointments, where patients can have virtual appointments with on-site doctors via a phone app. For this new initiative, Miraculous is considering a product built by MedApps, a company that makes quality telehealth apps for healthcare practices and licenses them to be used with the practices' branding. MedApps provides technical support for the app, which it hosts in the cloud. MedApps also offers an optional benchmarking service for providers who wish to compare their practice to others using the service.

Riya is the Privacy Officer at Miraculous, responsible for the practice's compliance with HIPAA and other applicable laws, and she works with the Miraculous procurement team to get vendor agreements in place. She occasionally assists procurement in vetting vendors and inquiring about their own compliance practices, as well as negotiating the terms of vendor agreements. Riya is currently

reviewing the suitability of the MedApps app from a privacy perspective.

Riya has also been asked by the Miraculous Healthcare business operations team to review the MedApps' optional benchmarking service. Of particular concern is the requirement that Miraculous Healthcare upload information about the appointments to a portal hosted by MedApps.

If MedApps receives an access request under CCPA from a California-based app user, how should it handle the request?

- **A. MedApps should promptly forward the request to Miraculous for instructions on handling.**
- B. MedApps should decline the request because MedApps is not based in California.
- C. MedApps should provide the privacy notice in an easily readable format
- D. MedApps should immediately begin deleting the user's data.

Answer: A

Explanation:

Under the California Consumer Privacy Act (CCPA), businesses are required to respond to consumer requests for access, deletion, or information about how their data is processed.

However, the responsibilities differ depending on whether the entity is acting as a business or a service provider under the CCPA.

Key CCPA Definitions:

Business:

The entity that determines the purposes and means of processing personal information. In this scenario, Miraculous Healthcare is the business because it determines how the app and its associated data are used to deliver healthcare services.

Service Provider:

The entity that processes personal information on behalf of the business pursuant to a contractual agreement.

MedApps acts as a service provider because it is hosting and managing the app and the data on behalf of Miraculous Healthcare.

As a service provider, MedApps is restricted in how it can handle consumer data and must follow the instructions of the business (Miraculous Healthcare) for any data-related requests. Therefore, if MedApps receives an access or deletion request from a California-based user, it must forward the request to Miraculous Healthcare, which is responsible for determining how to respond in compliance with the CCPA.

NEW QUESTION # 93

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Remember that this is a crucial part of your career, and you must keep pace with the changing time to achieve something substantial in terms of a certification or a degree. So do avail yourself of this chance to get help from our exceptional IAPP CIPP-US Dumps to grab the most competitive IAPP CIPP-US certificate. TestInsides has formulated the Certified Information Privacy Professional/United States (CIPP/US) (CIPP-US) product in three versions. You will find their specifications below to understand them better.

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