

Test CIPP-US Testking - CIPP-US Detail Explanation

CIPP/US, CIPP/US Practice exam 2024 with 100% correct answers

In what ways can the enforcement action be brought to the FTC's attention? - correct answer1. press reports covering the questionable practices 2. complaints from consumer groups of competitors

Which agency is responsible for educational privacy? - correct answerDepartment of Education

What are some of the ways that the FTC has played a prominent role in the development of US privacy standards? - correct answerThe FTC conducts public workshops on privacy issues, and reports on privacy policy and enforcement.

Access - correct answerThe ability to view personal information held by an organization. This may be supplemented by allowing updates or corrections to the information. U.S. laws often provide for "this" and correction when the information is used for any type of substantive decision making, such as for credit reports.

Americans with Disabilities Act (ADA) - correct answerBars discrimination against qualified individuals with disabilities; places restrictions on pre-employment medical screening.

Consumer Financial Protection Bureau (CFPB) - correct answerHas enforcement power for unfair, deceptive or abusive acts and practices for financial institutions.

Choice - correct answerThe ability to specify whether personal information will be collected and/or how it will be used or disclosed. "It" can be express or implied.

Common Law - correct answerLegal principles that have developed over time in judicial decisions (case law), often drawing on social customs and expectations.

Consent Decree - correct answerA judgment entered by consent of the parties (a federal or state agency and an adverse party) whereby the defendant agrees to stop alleged illegal activity, typically without admitting guilt or wrongdoing.

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Target Audience

This evaluation is designed for data protection officials in the US or those who wish to obtain awareness of how such policies work in the US. The exam, in particular, tests their knowledge and understanding in the field and helps them determine the areas they have to work on. It is also ideal for specialists who want to get the affiliated designation.

IAPP CIPP-US Exam is an essential certification for privacy professionals working in the US. Certified Information Privacy Professional/United States (CIPP/US) certification demonstrates an individual's knowledge and understanding of privacy laws and regulations, ethical considerations, and best practices related to data protection and privacy compliance. Certified Information Privacy Professional/United States (CIPP/US) certification is globally recognized and provides individuals with better career prospects in various industries.

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CIPP-US Detail Explanation, Latest CIPP-US Practice Questions

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IAPP Certified Information Privacy Professional/United States (CIPP/US) Sample Questions (Q72-Q77):

NEW QUESTION # 72

In what way is the Controlling the Assault of Non-Solicited Pornography and Marketing (CAN-SPAM) Act intended to help consumers?

- A. By prohibiting companies from sending objectionable content through unsolicited e-mails.
- B. By requiring companies to allow consumers to opt-out of future e-mails.
- C. By requiring a company to receive an opt-in before sending any advertising e-mails.
- D. By providing consumers with free spam-filtering software.

Answer: A

NEW QUESTION # 73

Which federal act does NOT contain provisions for preempting stricter state laws?

- A. The Children's Online Privacy Protection Act (COPPA)
- B. The Telemarketing Consumer Protection and Fraud Prevention Act
- C. The Fair and Accurate Credit Transactions Act (FACTA)
- D. The CAN-SPAM Act

Answer: B

Explanation:

The federal act that does NOT contain provisions for preempting stricter state laws is the Telemarketing Consumer Protection and Fraud Prevention Act. This act authorizes the Federal Trade Commission (FTC) to establish and enforce rules for telemarketing practices, such as the Do Not Call Registry, the prohibition of robocalls, and the disclosure of material information.

However, the act also explicitly states that it does not "annul, alter, or affect, or exempt any person subject to the provisions of this section from complying with, the laws of any State with respect to telemarketing practices, except to the extent that those laws are inconsistent with any provision of this section, and then only to the extent of the inconsistency". This means that states can enact and enforce their own laws regarding telemarketing, as long as they are not less protective than the federal law. In contrast, the other three acts listed in the question do contain preemption clauses that limit or override the authority of states to regulate certain aspects of electronic communications, online privacy, and credit transactions.

NEW QUESTION # 74

Under the Driver's Privacy Protection Act (DPPA), which of the following parties would require consent of an individual in order to obtain his or her Department of Motor Vehicle information?

- A. Attorneys gathering information related to lawsuits.
- B. Insurance companies needing to investigate claims.
- C. Marketers wishing to distribute bulk materials.
- D. Law enforcement agencies performing investigations.

Answer: C

Explanation:

The Driver's Privacy Protection Act (DPPA) is a federal law that regulates the disclosure of personal information obtained by state departments of motor vehicles (DMVs). The DPPA prohibits DMVs and other entities that receive such information from DMVs from disclosing it to anyone without the express consent of the individual to whom the information pertains, unless the disclosure falls under one of the 14 exceptions listed in the statute.

Some of the exceptions that allow disclosure of personal information from DMV records without consent are:

- * For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a government agency in carrying out its functions.
- * For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers.
- * For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
- * For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court.
- * For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.
- * For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
- * For use in providing notice to the owners of towed or impounded vehicles.
- * For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
- * For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under chapter 313 of title 49.
- * For use in connection with the operation of private toll transportation facilities.
- * For any other use specifically authorized under the law of the state that holds the record, if such use is related to the operation of a motor vehicle or public safety.

None of the exceptions above apply to the use of personal information from DMV records by marketers wishing to distribute bulk materials. Therefore, such use would require the consent of the individual to whom the information pertains, according to the DPPA. Hence, option D is the correct answer.

Option A is incorrect, as law enforcement agencies performing investigations are exempt from the consent requirement under the first exception.

Option B is incorrect, as insurance companies needing to investigate claims are exempt from the consent requirement under the sixth exception.

Option C is incorrect, as attorneys gathering information related to lawsuits are exempt from the consent requirement under the fourth exception.

References:

- * [IAPP CIPP/US Study Guide], Chapter 8: Federal Privacy Laws, pp. 181-182.
- * CIPP/US Practice Questions (Sample Questions), Question 31.

NEW QUESTION # 75

Which of the following best describes the ASIA-Pacific Economic Cooperation (APEC) principles?

- A. An international court ruling on personal information held in the commercial sector.

- B. A baseline of marketers' minimum responsibilities for providing opt-out mechanisms.
- C. A code of responsibilities for medical establishments to uphold privacy laws.
- **D. A bill of rights for individuals seeking access to their personal information.**

Answer: D

Explanation:

Explanation/Reference: <http://documents1.worldbank.org/curated/en/751621525705087132/text/WPS8431.txt>

NEW QUESTION # 76

SCENARIO

Please use the following to answer the next QUESTION:

Larry has become increasingly dissatisfied with his telemarketing position at SunriseLynx, and particularly with his supervisor, Evan. Just last week, he overheard Evan mocking the state's Do Not Call list, as well as the people on it. "If they were really serious about not being bothered," Evan said, "They'd be on the national DNC list. That's the only one we're required to follow. At SunriseLynx, we call until they ask us not to." Bizarrely, Evan requires telemarketers to keep records of recipients who ask them to call "another time." This, to Larry, is a clear indication that they don't want to be called at all. Evan doesn't see it that way.

Larry believes that Evan's arrogance also affects the way he treats employees. The U.S. Constitution protects American workers, and Larry believes that the rights of those at SunriseLynx are violated regularly. At first Evan seemed friendly, even connecting with employees on social media. However, following Evan's political posts, it became clear to Larry that employees with similar affiliations were the only ones offered promotions.

Further, Larry occasionally has packages containing personal-use items mailed to work. Several times, these have come to him already opened, even though this name was clearly marked. Larry thinks the opening of personal mail is common at SunriseLynx, and that Fourth Amendment rights are being trampled under Evan's leadership.

Larry has also been dismayed to overhear discussions about his coworker, Sadie. Telemarketing calls are regularly recorded for quality assurance, and although Sadie is always professional during business, her personal conversations sometimes contain sexual comments. This too is something Larry has heard Evan laughing about. When he mentioned this to a coworker, his concern was met with a shrug. It was the coworker's belief that employees agreed to be monitored when they signed on. Although personal devices are left alone, phone calls, emails and browsing histories are all subject to surveillance. In fact, Larry knows of one case in which an employee was fired after an undercover investigation by an outside firm turned up evidence of misconduct. Although the employee may have stolen from the company, Evan could have simply contacted the authorities when he first suspected something amiss.

Larry wants to take action, but is uncertain how to proceed.

Based on the way he uses social media, Evan is susceptible to a lawsuit based on?

- A. Intrusion upon seclusion
- B. Publicity given to private life
- **C. Discrimination**
- D. Defamation

Answer: C

Explanation:

Discrimination is the unfair or prejudicial treatment of people based on certain characteristics, such as race, gender, age, religion, or political affiliation. Discrimination can occur in various contexts, such as employment, education, housing, or public accommodations. Discrimination can violate federal, state, or local laws that prohibit discrimination on the basis of protected categories. In the scenario, Evan is susceptible to a lawsuit based on discrimination because he uses social media to favor employees who share his political views and deny promotions to those who do not. This could constitute political discrimination, which is prohibited by some state and local laws, such as the District of Columbia Human Rights Act and the New York City Human Rights Law. Additionally, Evan's use of social media could reveal other protected characteristics of his employees, such as their race, gender, age, religion, or sexual orientation, and expose him to claims of discrimination based on those grounds as well. For example, if Evan posts derogatory comments about a certain race or religion, and then denies a promotion to an employee of that race or religion, that employee could sue Evan for discrimination under federal laws, such as Title VII of the Civil Rights Act of 1964 or the Civil Rights Act of 1991. References:

* Political Discrimination in the Workplace | Nolo

* Social Media and Employment Law Summary of Key Cases and Legal Issues

* IAPP CIPP/US Certified Information Privacy Professional Study Guide, Chapter 4: State Privacy Laws and Regulations, Section 4.1: State Anti-Discrimination Laws.

NEW QUESTION # 77

