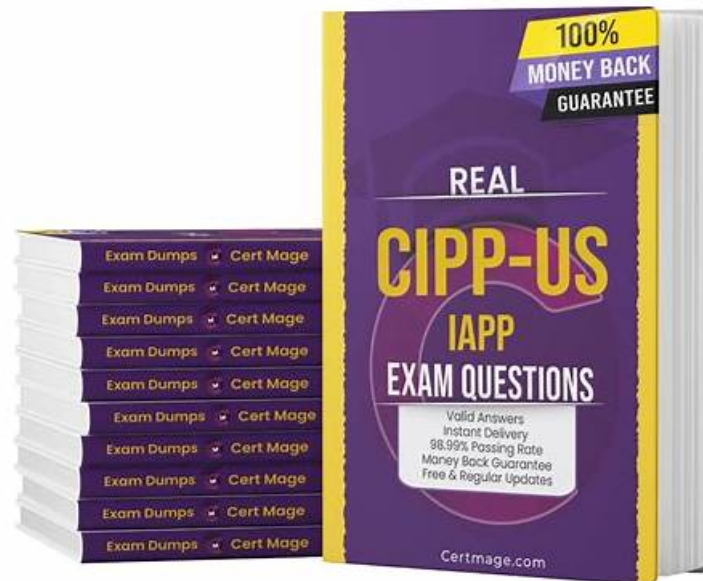


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IAPP CIPP-US Certification Exam is a valuable certification for professionals who are responsible for managing personal data. It demonstrates the candidate's knowledge and understanding of privacy laws, regulations, and best practices in the United States, and is recognized by employers worldwide. If you are interested in pursuing a career in privacy management, obtaining the IAPP CIPP-US Certification is a great way to demonstrate your expertise and advance your career.

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Sample Questions (Q186-Q191):

NEW QUESTION # 186

A large online bookseller decides to contract with a vendor to manage Personal Information (PI). What is the least important factor for the company to consider when selecting the vendor?

- A. The vendor's employee training program
- B. The vendor's financial health
- C. The vendor's reputation
- D. The vendor's employee retention rates

Answer: D

Explanation:

When selecting a vendor to manage personal information, the company should consider various criteria, such as the vendor's reputation, financial health, employee training program, privacy policies, security practices, compliance record, contractual terms, and service quality. However, the vendor's employee retention rates may not be as important as the other factors, as they do not directly affect the vendor's ability to protect and process the personal information entrusted to them. While high employee turnover may indicate some issues with the vendor's management or culture, it may not necessarily impact the vendor's performance or reliability, as long as the vendor has adequate measures to ensure continuity, accountability, and confidentiality of the personal information they handle.

NEW QUESTION # 187

Although an employer may have a strong incentive or legal obligation to monitor employees' conduct or behavior, some excessive monitoring may be considered an intrusion on employees' privacy? Which of the following is the strongest example of excessive monitoring by the employer?

- A. An employer who installs a video monitor in physical locations, such as a warehouse, to ensure employees are performing tasks in a safe manner and environment.
- B. An employer who installs video monitors in physical locations, such as a changing room, to reduce the risk of sexual harassment.
- C. An employer who records all employee phone calls that involve financial transactions with customers completed over the phone.
- D. An employer who installs data loss prevention software on all employee computers to limit transmission of confidential company information.

Answer: B

NEW QUESTION # 188

Which of the following state laws has an entity exemption for organizations subject to the Gramm- Leach-Bliley Act (GLBA)?

- A. California Privacy Rights Act.
- B. California Consumer Privacy Act.
- C. Virginia Consumer Data Protection Act
- D. Nevada Privacy Law.

Answer: A

Explanation:

The Virginia Consumer Data Protection Act (VCDPA) is a state law that provides comprehensive privacy rights and obligations for consumers and businesses in Virginia. The VCDPA applies to any entity that conducts business in Virginia or produces products or services that are targeted to residents of Virginia and that either: (a) controls or processes personal data of at least 100,000 consumers; or (b) controls or processes personal data of at least 25,000 consumers and derives over 50% of gross revenue from the sale of personal data. However, the VCDPA also provides several exemptions for certain types of entities and data, including an entity exemption for financial institutions or data subject to the Gramm-Leach-Bliley Act (GLBA). This means that organizations that are regulated by the GLBA are not subject to the VCDPA, regardless of the type or source of data they collect or process. The GLBA is a federal law that regulates the collection, use, and disclosure of personal financial information by financial institutions and their affiliates. The GLBA applies to any business that is significantly engaged in financial activities, such as banks, credit unions, securities firms, insurance companies, and certain fintech companies. The GLBA requires financial institutions to provide notice and

choice to consumers about their privacy practices, to safeguard the security and confidentiality of consumer information, and to limit the sharing of consumer information with third parties. The GLBA also preempts state laws only to the extent that they are inconsistent with the GLBA, unless the state law provides greater protection to consumers. The other state laws listed in the question do not have an entity exemption for organizations subject to the GLBA, but they may have partial or data exemptions for certain types of information that are regulated by the GLBA. For example, the California Consumer Privacy Act (CCPA) and the California Privacy Rights Act (CPRA) are state laws that provide comprehensive privacy rights and obligations for consumers and businesses in California. The CCPA and the CPRA apply to any business that collects or sells the personal information of California residents and that meets one or more of the following thresholds: (a) has annual gross revenues in excess of \$25 million; (b) alone or in combination, annually buys, receives for the business's commercial purposes, sells, or shares for commercial purposes, the personal information of 50,000 or more consumers, households, or devices; or (c) derives 50% or more of its annual revenues from selling consumers' personal information. However, the CCPA and the CPRA also provide several exemptions for certain types of entities and data, including a data exemption for personal information collected, processed, sold, or disclosed pursuant to the GLBA, if it is in conflict with the GLBA. This means that information that is subject to the GLBA is exempt from the privacy requirements of the CCPA and the CPRA, but not from the data breach liability provisions. The CCPA and the CPRA do not exempt financial institutions or other entities that are regulated by the GLBA from their scope, unless they only collect or process information that is subject to the GLBA.

The Nevada Privacy Law is a state law that provides privacy rights and obligations for consumers and operators of websites or online services in Nevada. The Nevada Privacy Law applies to any person who owns or operates an Internet website or online service for commercial purposes that collects and maintains covered information from consumers who reside in Nevada and use or visit the Internet website or online service. Covered information includes any one or more of the following items of personally identifiable information about a consumer collected by an operator through an Internet website or online service and maintained by the operator in an accessible form: (a) a first and last name; (b) a home or other physical address which includes the name of a street and the name of a city or town; (c) an electronic mail address; (d) a telephone number; (e) a social security number; (f) an identifier that allows a specific person to be contacted either physically or online; or (g) any other information concerning a person collected from the person through the Internet website or online service of the operator and maintained by the operator in combination with an identifier in a form that makes the information personally identifiable.

However, the Nevada Privacy Law also provides several exemptions for certain types of entities and data, including a data exemption for any data that is subject to the GLBA. This means that information that is regulated by the GLBA is exempt from the Nevada Privacy Law, regardless of the type or source of data. The Nevada Privacy Law does not exempt financial institutions or other entities that are subject to the GLBA from its scope, unless they only collect or process information that is subject to the GLBA.

NEW QUESTION # 189

Who has rulemaking authority for the Fair Credit Reporting Act (FCRA) and the Fair and Accurate Credit Transactions Act (FACTA)?

- A. The Department of Commerce
- B. State Attorneys General
- C. The Consumer Financial Protection Bureau
- D. The Federal Trade Commission

Answer: C

Explanation:

The Consumer Financial Protection Bureau (CFPB) has rulemaking authority for the Fair Credit Reporting Act (FCRA) and the Fair and Accurate Credit Transactions Act (FACTA), as well as other consumer financial laws. The Dodd-Frank Act, enacted in 2010, transferred most of the rulemaking responsibilities added to the FCRA by the FACTA and the Credit CARD Act from the Federal Trade Commission (FTC) to the CFPB. However, the FTC retains its enforcement authority for the FCRA and the FACTA, along with other federal and state agencies. The CFPB also shares rulemaking authority for some provisions of the FACTA with the FTC, such as the identity theft red flags and address discrepancy rules. The Department of Commerce and the State Attorneys General do not have rulemaking authority for the FCRA or the FACTA.

NEW QUESTION # 190

SCENARIO

Please use the following to answer the next QUESTION:

A US-based startup company is selling a new gaming application. One day, the CEO of the company receives an urgent letter from a prominent EU-based retail partner. Triggered by an unresolved complaint lodged by an EU resident, the letter describes an ongoing investigation by a supervisory authority into the retailer's data handling practices.

The complainant accuses the retailer of improperly disclosing her personal data, without consent, to parties in the United States. Further, the complainant accuses the EU-based retailer of failing to respond to her withdrawal of consent and request for erasure of her personal data. Your organization, the US-based startup company, was never informed of this request for erasure by the EU-based retail partner. The supervisory authority investigating the complaint has threatened the suspension of data flows if the parties involved do not cooperate with the investigation. The letter closes with an urgent request: "Please act immediately by identifying all personal data received from our company." This is an important partnership. Company executives know that its biggest fans come from Western Europe; and this retailer is primarily responsible for the startup's rapid market penetration. As the Company's data privacy leader, you are sensitive to the criticality of the relationship with the retailer. Upon review, the data privacy leader discovers that the Company's documented data inventory is obsolete. What is the data privacy leader's next best source of information to aid the investigation?

Answer: D

The data privacy leader needs to identify all the personal data that the Company has received from the retailer, as well as the purposes, retention periods, and sharing practices of such data. Since the data inventory is obsolete, the data privacy leader cannot rely on it to provide accurate and complete information. Therefore, the next best source of information is to interview the key marketing personnel who are responsible for the partnership with the retailer and the use of the personal data. The marketing personnel can provide insights into the data flows, the data categories, the data processing activities, and the data protection measures that the Company has implemented. They can also help the data privacy leader to locate the relevant documents, contracts, and records that can support the investigation. References: [IAPP CIPP/US Study Guide], Chapter 5: Data Management, p. 97-98; IAPP Privacy Tech Vendor Report, Data Mapping and Inventory, p. 9-10.

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