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CIPP/US Exam Practice Questions With 100% Correct Answers 2024

Which of the following definitions best defines privacy as cited in the text and related to privacy law?

- A. The desire of people to freely choose the circumstances and the degree which individuals will expose their attitudes and behavior to others.
- B. The ability of an individual to not be observed or disturbed by other people.
- C. The desire of people to be free from surveillance by the government or undue public attention while residing on their personal property.
- D. The right of an individual or group to seclude themselves from other individuals or organizations. - Correct Answer-A. The desire of people to freely choose the circumstances and the degree which individuals will expose their attitudes and behavior to others. **

In most cases, the FTC settles disputes through consent decrees and consent orders. What is the maximum length of a consent decree?

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IAPP Certified Information Privacy Professional/United States (CIPP/US) Sample Questions (Q216-Q221):

NEW QUESTION # 216

Which power was NOT granted to the California Privacy Protection Agency by the California Privacy Rights Act (CPRA)?

- A. Overriding decisions of the Attorney General regarding CCPA enforcement
- B. Investigating possible violations of the CCPA on the agency's own initiative.
- C. Adopting and updating CCPA regulations
- D. Imposing administrative fines for violations of the CCPA

Answer: A

Explanation:

The California Privacy Rights Act (CPRA), which amends the California Consumer Privacy Act (CCPA), created the California Privacy Protection Agency (CPPA). This agency has been granted significant authority to regulate and enforce California privacy laws, but it does not have the authority to override decisions made by the California Attorney General regarding CCPA enforcement.

Powers Granted to the CPPA by the CPRA:

* Adopting and Updating CCPA Regulations:

* The CPPA has rulemaking authority, meaning it can adopt, amend, and update CCPA regulations to clarify obligations under the law.

* This is explicitly stated in the CPRA.

* Investigating Violations:

* The CPPA can independently investigate potential violations of the CCPA, even without a complaint from a consumer.

* Imposing Administrative Fines:

* The CPPA has the authority to impose administrative fines for violations of the CCPA, which is critical for enforcing compliance.

Explanation of Option C:

While the CPPA has broad regulatory and enforcement powers, it cannot override decisions made by the Attorney General. The Attorney General retains certain oversight functions, particularly in transitioning enforcement authority to the CPPA. The CPPA's role is independent and complementary to that of the Attorney General, not one of supremacy.

References from CIPP/US Materials:

* California Privacy Rights Act (CPRA): Specifies the creation, powers, and responsibilities of the CPPA.

* IAPP CIPP/US Certification Textbook: Discusses the CPPA's rulemaking and enforcement authority.

NEW QUESTION # 217

What is the main purpose of the CAN-SPAM Act?

- A. To diminish the use of electronic messages to send sexually explicit materials
- B. To ensure that organizations respect individual rights when using electronic advertising
- C. To empower the FTC to create rules for messages containing sexually explicit content
- D. To authorize the states to enforce federal privacy laws for electronic marketing

Answer: B

Explanation:

The CAN-SPAM Act is a federal law that sets the rules for commercial email, establishes requirements for commercial messages, gives recipients the right to have you stop emailing them, and spells out tough penalties for violations. The main purpose of the act is to protect consumers from unwanted and deceptive email messages and to give them more control over their online privacy. The act applies to all commercial messages, which are defined as "any electronic mail message the primary purpose of which is the

commercial advertisement or promotion of a commercial product or service". The act does not apply to transactional or relationship messages, which are messages that facilitate an agreed-upon transaction or update a customer about an existing business relationship. The act also does not apply to non- commercial messages, such as political or charitable solicitations.

NEW QUESTION # 218

Which of the following federal agencies does NOT enforce the Disposal Rule under the Fair and Accurate Credit Transactions Act (FACTA)?

- A. The Federal Trade Commission
- B. The Consumer Financial Protection Bureau
- C. The Office of the Comptroller of the Currency
- D. The Department of Health and Human Services

Answer: D

Explanation:

The Disposal Rule under the Fair and Accurate Credit Transactions Act (FACTA) is a federal regulation that requires any person or entity that maintains or possesses consumer information derived from consumer reports to dispose of such information in a secure and proper manner.

The Disposal Rule aims to protect consumers from identity theft and fraud by preventing unauthorized access to or use of their personal information. The Disposal Rule is enforced by several federal agencies, depending on the type and sector of the entity that is subject to the rule.

These agencies include:

The Federal Trade Commission (FTC), which has general authority over most entities that are not specifically regulated by other agencies.

The Consumer Financial Protection Bureau (CFPB), which has authority over consumer financial products and services, such as banks, credit unions, lenders, debt collectors, and credit reporting agencies.

The Office of the Comptroller of the Currency (OCC), which has authority over national banks and federal savings associations.

The Federal Deposit Insurance Corporation (FDIC), which has authority over state-chartered banks that are not members of the Federal Reserve System and state-chartered savings associations. The Board of Governors of the Federal Reserve System (FRB), which has authority over state- chartered banks that are members of the Federal Reserve System, bank holding companies, and certain nonbank subsidiaries of bank holding companies. The National Credit Union Administration (NCUA), which has authority over federally insured credit unions.

The Securities and Exchange Commission (SEC), which has authority over brokers, dealers, investment companies, and investment advisers.

The Commodity Futures Trading Commission (CFTC), which has authority over commodity futures and options markets and intermediaries.

The Department of Health and Human Services (HHS) is NOT one of the federal agencies that enforces the Disposal Rule under FACTA. HHS has authority over health information privacy and security under the Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH), but not under FACTA.

NEW QUESTION # 219

SCENARIO

Please use the following to answer the next question:

Matt went into his son's bedroom one evening and found him stretched out on his bed typing on his laptop. "Doing your network?"

Matt asked hopefully.

"No," the boy said. "I'm filling out a survey."

Matt looked over his son's shoulder at his computer screen. "What kind of survey?" "It's asking Questions about my opinions."

"Let me see," Matt said, and began reading the list of Questions that his son had already answered. "It's asking your opinions about the government and citizenship. That's a little odd.

You're only ten."

Matt wondered how the web link to the survey had ended up in his son's email inbox. Thinking the message might have been sent to his son by mistake he opened it and read it. It had come from an entity called the Leadership Project, and the content and the graphics indicated that it was intended for children. As Matt read further he learned that kids who took the survey were automatically registered in a contest to win the first book in a series about famous leaders.

To Matt, this clearly seemed like a marketing ploy to solicit goods and services to children. He asked his son if he had been prompted to give information about himself in order to take the survey. His son told him he had been asked to give his name, address, telephone number, and date of birth, and to answer Questions about his favorite games and toys.

Matt was concerned. He doubted if it was legal for the marketer to collect information from his son in the way that it was. Then he noticed several other commercial emails from marketers advertising products for children in his son's inbox, and he decided it was time to report the incident to the proper authorities.

How does Matt come to the decision to report the marketer's activities?

- A. The marketer seems to have distributed his son's information without Matt's permission
- B. The marketer did not provide evidence that the prize books were appropriate for children
- C. The marketer failed to make an adequate attempt to provide Matt with information
- D. The marketer failed to identify himself and indicate the purpose of the messages

Answer: A

Explanation:

Matt's decision to report the marketer's activities is based on his suspicion that the marketer violated the Children's Online Privacy Protection Act (COPPA), which is a federal law that regulates the online collection, use, and disclosure of personal information from children under 13 years of age. According to COPPA, operators of websites or online services that are directed to children or knowingly collect personal information from children must:

Provide notice to parents about their information practices and obtain verifiable parental consent before collecting, using, or disclosing personal information from children. Give parents the choice of consenting to the operator's collection and internal use of a child's information, but prohibiting the operator from disclosing that information to third parties (unless disclosure is integral to the site or service, in which case, this must be made clear to parents). Provide parents access to their child's personal information to review and/or have the information deleted and give parents the opportunity to prevent further use or online collection of a child's personal information.

Maintain the confidentiality, security, and integrity of information they collect from children, including by taking reasonable steps to release such information only to parties capable of maintaining its confidentiality and security.

Retain personal information collected online from a child for only as long as is necessary to fulfill the purpose for which it was collected and delete the information using reasonable measures to protect against its unauthorized access or use.

Establish and maintain reasonable procedures to protect the confidentiality, security, and integrity of personal information collected from children.

In Matt's case, he did not receive any notice from the marketer about the survey or the contest, nor did he give his consent for the collection or disclosure of his son's personal information. He also did not have any access or control over his son's information or the ability to prevent further use or collection. Moreover, he noticed that his son's information seemed to have been shared with other marketers, as evidenced by the commercial emails in his son's inbox. These actions indicate that the marketer did not comply with COPPA's requirements and may have exposed his son's information to unauthorized or inappropriate parties. Therefore, Matt decided to report the marketer's activities to the proper authorities, such as the Federal Trade Commission (FTC), which enforces COPPA and can impose civil penalties for violations.

NEW QUESTION # 220

Which is an exception to the general prohibitions on telephone monitoring that exist under the U.S. Wiretap Act?

- A. Ordinary course of business exception
- B. Internet calls exception
- C. Inter-company communications exception
- D. Call center exception

Answer: A

Explanation:

The U.S. Wiretap Act prohibits the interception and disclosure of wire, oral, or electronic communications, unless one of the statutory exceptions applies. One of these exceptions is the ordinary course of business exception, which allows an employer or service provider to intercept communications that are made in the ordinary course of its business, such as for quality control, training, or security purposes. This exception does not apply to communications that are not related to the business, such as personal calls or emails, or to communications that are intercepted for other reasons, such as harassment, discrimination, or retaliation. The scope and applicability of this exception may vary depending on the context, the consent of the parties, and the state law. The other options are not valid exceptions under the Wiretap Act. References: 1, 2, 3, 4

NEW QUESTION # 221

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