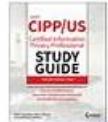


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IAPP Certified Information Privacy Professional/United States (CIPP/US) Sample Questions (Q28-Q33):

NEW QUESTION # 28

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

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

Answer: B

Explanation:

Explanation

NEW QUESTION # 29

In which situation would a policy of "no consumer choice" or "no option" be expected?

- A. When a customer's street address is shared with a shipping company
- B. When a patient's health record is made available to a pharmaceutical company
- **C. When a customer's financial information is requested by the government**
- D. When a job applicant's credit report is provided to an employer

Answer: C

Explanation:

According to the Family Educational Rights and Privacy Act (FERPA), a policy of "no consumer choice" or "no option" means that an educational agency or institution may disclose personally identifiable information (PII) from education records without the prior written consent of the parent or eligible student, subject to certain conditions and exceptions¹. One of the exceptions is when the disclosure is to comply with a judicial order or lawfully issued subpoena, or to respond to an ex parte order from the Attorney General of the United States or his designee in connection with the investigation or prosecution of terrorism crimes¹². In such cases, the educational agency or institution must make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, unless the order or subpoena specifies not to do so¹². Therefore, when a customer's financial information, which may be part of the education records, is requested by the government under a valid legal authority, the customer does not have the option to prevent the disclosure and the educational agency or institution does not need to obtain the customer's consent. References: 1: FERPA, 34 CFR Part 99, Subpart D, 2: The Family Educational Rights and Privacy Act Guidance for Parents, Student Privacy Policy Office, U.S. Department of Education, 1.

NEW QUESTION # 30

In which situation would a policy of "no consumer choice" or "no option" be expected?

- A. When a customer's financial information is requested by the government
- B. When a patient's health record is made available to a pharmaceutical company
- **C. When a customer's street address is shared with a shipping company**
- D. When a job applicant's credit report is provided to an employer

Answer: C

Explanation:

"For example, a consumer who orders a product online expects their personal information to be shared with the shipping company, the credit card processor, and others who are engaged in fulfilling the transactions. The consumer does not expect to have to sign an

opt-in or be offered an opt-out option for the shipping company to learn the address" Excerpt From IAPP_US_TB_US-Private-Sector-Privacy-3E_1.0

NEW QUESTION # 31

Your company, an online store selling digital keys to video games, has received a data access request from an individual. Specifically, the individual wants access to her recent purchase history, as she has misplaced the emails containing the digital keys to multiple game purchases she made last month.

From a security standpoint, what would the user have to do under CCPA in order to acceptably verify her identity?

- A. Phone the company and provide her contact details and credit card number
- B. Take a photo of herself with her driver license
- C. Provide a notarized affidavit signed by two witnesses.
- D. Log in to her password-protected account with the company

Answer: D

Explanation:

Under the California Consumer Privacy Act (CCPA), businesses must verify the identity of individuals making data access requests to ensure the security of personal information. The most secure and straightforward way to verify a consumer's identity is by requiring the individual to log in to their password-protected account, as this demonstrates that the requester is the account owner. Why Password-Protected Accounts Are Best for Verification:

* Account-Based Relationship: If the consumer has a password-protected account with the business, verification can typically be achieved by having the consumer log in to the account. This is considered a sufficient method of verifying identity under CCPA guidelines.

* Minimizing Risk: Verifying identity through account login reduces the risk of fraudulent access to personal information, as only the account owner has access to the login credentials.

Explanation of Options:

* A. Take a photo of herself with her driver license: While this might verify identity, it is more intrusive and poses unnecessary risks of identity theft. This is not a preferred or common method under the CCPA.

* B. Provide a notarized affidavit signed by two witnesses: This is excessive and impractical for verifying identity in most cases, particularly for an online store.

* C. Log in to her password-protected account with the company: This is correct. Logging into a password-protected account is a straightforward and secure way to verify the identity of a requester under the CCPA.

* D. Phone the company and provide her contact details and credit card number: This method is insecure, as it could lead to identity theft or fraudulent access if someone else provides this information.

References from CIPP/US Materials:

* CCPA Regulations (11 CCR § 999.323): Specifies identity verification requirements, including the use of password-protected accounts.

* IAPP CIPP/US Certification Textbook: Covers secure methods for verifying consumer identity under the CCPA.

NEW QUESTION # 32

The CFO of a pharmaceutical company is duped by a phishing email and discloses many of the company's employee personnel files to an online predator. The files include employee contact information, job applications, performance reviews, discipline records, and job descriptions.

Which of the following state laws would be an affected employee's best recourse against the employer?

- A. The state social security number confidentiality statute.
- B. The state UDAP statute.
- C. The state personnel record review statute.
- D. The state data destruction statute.

Answer: B

Explanation:

The state UDAP statute, which stands for Unfair and Deceptive Acts and Practices, is a law that protects consumers from unfair or deceptive business practices. In this case, the employer's failure to protect the employee's personal information from a phishing attack could be considered an unfair or deceptive act or practice that harmed the employee. The employee could sue the employer under the state UDAP statute for damages, injunctive relief, or other remedies. The other options are not relevant to this scenario, as they deal with different aspects of data protection, such as confidentiality, access, or destruction of personal information. References:

* [IAPP CIPP/US Study Guide], Chapter 8, Section 8.3.1, page 227

* IAPP CIPP/US Practice Questions, Question 153, page 13

NEW QUESTION # 33

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