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QUESTION 1

Which entities must comply with the Telemarketing Sales Rule?

- A. For-profit organizations and for-profit telefundors regarding charitable solicitations
- B. Nonprofit organizations calling on their own behalf
- C. For-profit organizations calling businesses when a binding contract exists between them
- D. For-profit and not-for-profit organizations when selling additional services to establish customers

Correct Answer: D

Reference: <https://www.ftc.gov/tips-advice/business-center/guidance/complying-telemarketing-sales-rule>

QUESTION 2

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

Correct Answer: C

Reference: <https://www.ftc.gov/system/files/2012-31341.pdf>

QUESTION 3

SCENARIO

Please use the following to answer the next question:

Felicia has spent much of her adult life overseas, and has just recently returned to the U.S. to help her friend Celeste open a jewelry store in California. Felicia, despite being excited at the prospect, has a number of security concerns, and has

only grudgingly accepted the need to hire other employees. In order to guard against the loss of valuable merchandise, Felicia wants to carefully screen applicants. With their permission, Felicia would like to run credit checks, administer

polygraph tests, and scrutinize videos of interviews. She intends to read applicants' postings on social media, ask questions about drug addiction, and solicit character references. Felicia believes that if potential employees are serious about

becoming part of a dynamic new business, they will readily agree to these requirements.

Felicia is also in favor of strict employee oversight. In addition to protecting the inventory, she wants to prevent mistakes during transactions, which will require video monitoring. She also wants to regularly check the company vehicle's GPS

for locations visited by employees. She also believes that employees who use their own devices for work-related purposes should agree to a certain amount of supervision.

Given her high standards, Felicia is skeptical about the proposed location of the store. She has been told that many types of background checks are not allowed under California law. Her friend Celeste thinks these worries are unfounded, as

long as applicants verbally agree to the checks and are offered access to the results. Nor does Celeste share Felicia's concern about state breach notification laws, which, she claims, would be costly to implement even on a minor scale.

Celeste believes that

even if the business grows a customer database of a few thousand, it's unlikely that a state agency would hassle an honest business if an accidental security incident were to occur.

In any case, Celeste feels that all they need is common sense ?like remembering to tear up sensitive documents before throwing them in the recycling bin. Felicia hopes that she's right, and that all of her concerns will be put to rest next

month when their new business consultant (who is also a privacy professional) arrives from North Carolina.



Based on Felicia's Bring Your Own Device (BYOD) plan, the business consultant will most likely advise Felicia and Celeste to do what?

- A. Reconsider the plan in favor of a policy of dedicated work devices.
- B. Adopt the same kind of monitoring policies used for work-issued devices.
- C. Weigh any productivity benefits of the plan against the risk of privacy issues.
- D. Make employment decisions based on those willing to consent to the plan in writing.

Correct Answer: D

QUESTION 4

Which statute is considered part of U.S. federal privacy law?

- A. The Fair Credit Reporting Act.
- B. SB 1386.
- C. The Personal Information Protection and Electronic Documents Act.
- D. The e-Privacy Directive.

Correct Answer: A

Reference: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/usa>

QUESTION 5

In 2012, the White House and the FTC both issued reports advocating a new approach to privacy enforcement that can best be described as what?

- A. Harm-based.
- B. Self-regulatory.
- C. Comprehensive.
- D. Notice and choice.

Correct Answer: B

Reference: <https://www.ftc.gov/system/files/documents/reports/federal-trade-commission-staff-report-november-2013-workshop-entitled-internet-things-privacy/150127iotrpt.pdf>