



Lesson Fourteen

Consumer Privacy



privacy and information

information privacy: privacy that involves the rights of individuals in relation to information about them that is circulating in society.

why privacy is an important issue in the Information Age

- Computer systems record and store a lot of information about us and our consumer activities.
- Public and private organizations can share our computer files. For example, the IRS can access financial data about you from your bank.
- Computer data can travel and change hands in just a few seconds.
- Because of these factors, accurate data is paramount.

why information privacy is a sensitive issue

- Information is a very valuable resource.
- Access to information in our society today offers many benefits to consumers, but also poses a potential threat to our privacy.



types of information generally available from public sources

- Demographic information (U.S. census)
- Telephone directories
- Birth, marriage, and divorce records
- Voter registration records
- Campaign contributions
- Driver's licenses/vehicle registrations
- Licenses and permits (hunting, fishing, etc.)
- Legal information (judgments, bankruptcies, real estate titles, etc.)



private databases available to only those with a legitimate purpose

- Employment information
- Credit reports
- Tax information (IRS/state tax boards)
- Criminal records
- Social service records (welfare, Medicaid, etc.)
- School records
- Medical records



amending or correcting records

Privacy Act: requires each federal agency that maintains records to permit individuals to request amendment of his or her record.

to amend or expunge a record you must:

- Contact the agency in question
- Await administrative review of request
- If request is denied, you can request a court review

Fair Credit Reporting Act: gives consumers the right to dispute inaccurate information and permits them to insert their own version of disputed information into a credit report.



what's in a database profile?

Database profiles are files of information about you that are stored in computer systems and may be used by a variety of organizations. This information includes:

- Address
- Phone and fax numbers
- Social Security number
- Credit card numbers
- Driver's license number
- Bank account numbers
- Student loan history
- Medical history
- Driving record
- Worker's compensation and insurance records
- Tax records
- Political affiliations
- Spending patterns
- Product preferences
- Estimated incomes



get to know some key federal privacy protection laws:

1970: Fair Credit Reporting Act

- Guarantees consumer rights in the collection and reporting of information for credit, employment, insurance, and other consumer business transactions.

1974: Privacy Act

- Gives American citizens the right to request, inspect, and challenge their own federal records.

1974: Family Educational Rights and Privacy Act

- Gives parents and students over 18 access to the student's school records.

1975: Equal Credit Opportunity Act

- Outlaws discrimination in granting credit due to age, gender, marital status, religion, ethnicity, national origin, or receipt of public assistance.

1976: Tax Reform Act

- Limits disclosure of tax information and requires that taxpayers be notified when their tax records are summoned from record keepers.

1978: Rights to Financial Privacy Act

- Sets conditions under which federal investigators can access an individual's bank account records.

1978: Electronic Fund Transfer Act

- Requires banks that provide EFT services to disclose the circumstances under which account information can be disclosed to third parties.

1980: Privacy Protection Act

- Protects the press and others that disseminate information to the public from unlawful government searches and seizure of their work product and other materials.

1984: Cable Communications Policy Act

- Protects the privacy of cable television subscriber records.



1986: Electronic Communications Privacy Act

- Protects the privacy of electronic communications and transactional data such as telephone records.

1988: Computer Matching and Privacy Protection Act

- Protects individual privacy in connection with government benefit programs in which an individual's records at one government agency are compared against similar records at other agencies.

1988: Video Privacy Protection Act

- Mandates a court order to gain access to videocassette rental records.

1991: Telephone Consumer Protection Act

- Protects consumers from unwanted telemarketing calls, and restricts the timing of calls and the use of auto-dialers in telemarketing.

1996: The Health Insurance Portability and Accountability Act of 1996 (HIPAA)

- Protects patients from the disclosure of sensitive, health-related information without their knowledge or consent.

1998: Children's Online Privacy Protection Act of 1998 (COPPA)

- Protects children's online privacy by regulating the collection of personal information from children under 13.

2000: U.S. Congress Electronic Signatures in Global National Commerce Act ("ESIGN")

- Helps ensure the legality and validity of electronic contracts.

2003: Fair and Accurate Credit Transactions Act (FACTA)

- Entitles consumers to one free credit report per year, enables them to opt out of credit offers and features other provisions designed to help protect consumers from identity theft.



protecting your privacy: your options as a consumer

“opting out” of direct marketing programs

- Ask merchant to be removed from his/her mailing list.
- Contact the Direct Marketing Association (DMA) to have your name removed from the mailing lists of its members:

Direct Marketing Association
Mail Preference Service
P.O. Box 9008
Farmingdale, NY 11735-9008
thedma.org

- Contact the DMA to have your name removed from telephone lists of its members:

Direct Marketing Association
Telephone Preference Service
P.O. Box 9014
Farmingdale, NY 11735--9014
thedma.org

your options as a consumer

- Answer only necessary information on product warranty cards.
- Never give out personal or financial information over the phone unless you know the company and know how the information will be used.
- Don't give personal information at point-of-sale transactions.
- If a telemarketer calls and you don't want future solicitations, cite the federal law.



what's in a credit report?

identifying information:

- Name, Social Security number, address, and sometimes phone number, previous address and employer.

credit history:

- Previous and current types of credit, credit providers, payment habits, outstanding obligations and debts, and extent of credit granted.

public record information:

- Usually limited to tax liens, judgments, and bankruptcies.

prior requesters:

- Names of those who have requested information about this consumer in the recent past.



reviewing your credit report

Fair Credit Reporting Act

Stipulates that an individual, upon request to the consumer-reporting agency, may have access to a copy of his or her credit report.

to receive a copy of your credit report, contact:

- Experian Consumer Assistance Center
experian.com
- Equifax Credit Information Services
equifax.com
- TransUnion Consumer Relations
transunion.com

additional questions about your credit report rights can be directed to:

- Federal Trade Commission
ftccomplaintassistant.gov



telecommunication devices and services

- Telephones - Mobile phones and devices
- Faxes - Internet - Radio
- Caller ID - Call waiting - Three-way calling
- Data transfer - WiFi - Streaming - SMS



electronic monitoring in the workplace

types of electronic monitoring:

- Telephone monitoring
- Voice mail and electronic mail monitoring
- Computer keystrokes monitoring
- Locational detectors
- Surveillance video cameras