Lesson Ten
Consumer Privacy
**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
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.
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
what the law says:
federal privacy protection

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.
what the law says: federal privacy protection

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.
“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.
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
  P.O. Box 749029
  Dallas, TX 75374-9029
  1-800-643-3334
  experian.com

- Equifax Credit Information Services
  P.O. Box 105873
  Atlanta, GA 30348
  1-800-685-1111
  equifax.com

- Trans Union Consumer Relations
  P.O. Box 390
  Philadelphia, PA 19064-0390
  1-800-916-8800
  transunion.com

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

- Federal Trade Commission
  Correspondence Branch
  Washington, DC 20580
telecommunication devices and services

- Telephone (including cellular phones)
- Facsimiles (faxes)
- Online computer services
- Caller ID
- Automatic Number Identification (ANI)
types of electronic monitoring:

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