



INFORMATION PRIVACY LAW COURSE SERIES  
**Foundations and Themes of US Privacy Law**

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## **SELECTED LIST OF FEDERAL STATUTES PERTAINING TO INFORMATION PRIVACY**

### **Fair Credit Reporting Act (FCRA) of 1970**

15 U.S.C. §§ 1681 et seq.

Provides citizens with rights regarding the use and disclosure of their personal information by credit reporting agencies.

### **Bank Secrecy Act of 1970**

Pub. L. No. 91-508

Requires banks to maintain reports of people's financial transactions to assist in government white collar investigations.

### **The Privacy Act of 1974**

5 U.S.C. § 552a

Provides individuals with a number of rights concerning their personal information maintained in government record systems, such as the right to see one's records and to ensure that the information in them is accurate.

### **Family Educational Rights and Privacy Act (FERPA) of 1974**

20 U.S.C. §§ 1221 note, 1232g

Protects the privacy of school records.

### **Right to Financial Privacy Act of 1978**

12 U.S.C. §§ 3401–3422

Requires a subpoena or search warrant for law enforcement officials to obtain financial records.

### **Foreign Intelligence Surveillance Act (FISA) of 1978**

15 U.S.C. §§ 1801-1811

Regulates foreign intelligence gathering within the U.S.

**Privacy Protection Act of 1980**

42 U.S.C. § 2000aa

Restricts the government's ability to search and seize the work product of the press and the media.

**Cable Communications Policy Act (CCPA) of 1984**

47 U.S.C. § 551

Mandates privacy protection for records maintained by cable companies.

**Electronic Communications Privacy Act (ECPA) of 1986**

18 U.S.C §§ 2510–2522 et seq.

Updates federal electronic surveillance law to respond to the new developments in technology.

**Computer Matching and Privacy Protection Act of 1988**

5 U.S.C. §§ 552a

Regulates automated investigations conducted by government agencies comparing computer files.

**Employee Polygraph Protection Act of 1988**

29 U.S.C. §§ 2001–2009

Governs the use of polygraphs by employers.

**Video Privacy Protection Act (VPPA) of 1988**

18 U.S.C. §§ 2710–2711

Protects the privacy of videotape rental information.

**Telephone Consumer Protection Act (TCPA) of 1991**

47 U.S.C. § 227

Provides certain remedies from repeat telephone calls by telemarketers.

**Driver's Privacy Protection Act (DPPA) of 1994**

18 U.S.C. §§ 2721–2725

Restricts the states from disclosing or selling personal information in their motor vehicle records.

**Communications Assistance for Law Enforcement Act (CALEA) of 1994**

Pub. L. No. 103-414

Requires telecommunication providers to design their infrastructure to facilitate government interceptions of communications and surveillance with proper legal authority.

**Personal Responsibility and Work Opportunity Reconciliation Act of 1996**

Pub. L. No. 104-193

Requires the collection of personal information (including Social Security numbers, addresses, and wages) of all people who obtain a new job anywhere in the nation. This information is placed in a national database to help track parents who evade child support obligations.

**Health Insurance Portability and Accountability Act (HIPAA) of 1996**

Regulations at 45 C.F.R. §§ 160-164

Gives the Department of Health and Human Services (HHS) the authority to promulgate regulations governing the privacy of medical records.

**Telecommunications Act of 1996**

47 U.S.C. §222

Protects the confidentiality of “consumer proprietary network information” (CPNI).

**Identity Theft and Assumption Deterrence Act of 1998**

18 U.S.C. § 1028

Criminalizes the transfer or use of fraudulent identification with the intent to commit unlawful activity.

**Children’s Online Privacy Protection Act (COPPA) of 1998**

15 U.S.C. §§ 6501–6506

Restricts the use of information gathered from children under age 13 by Internet websites and mandates parental consent before websites may use the personal information of children.

**Gramm-Leach-Bliley Act (GLBA) of 1999**

15 U.S.C. §§ 6801–6809

Requires privacy notices and provides opt-out rights when financial institutions seek to disclose personal data to other companies.

**CAN-SPAM Act of 2003**

15 U.S.C. §7701-7713

Provides penalties for the transmission of unsolicited e-mail.

**USA-PATRIOT Act of 2001**

Pub. L. No. 107-56

Amends a number of electronic surveillance statutes and other statutes to facilitate law enforcement investigations and access to information.

**Federal Information Security Management Act (FISMA) of 2002**

44 U.S.C. §3541

Requires federal agencies to have a “comprehensive framework” for data security to protect personal data.

**Fair and Accurate Credit Transactions Act (FACTA) of 2003**

Pub. L. No. 108-159

Amends and updates the Fair Credit Reporting Act, providing (among other things) additional protections against identity theft.

**Video Voyeurism Prevention Act of 2004**

18 U.S.C. § 1801

Criminalizes the capturing of nude images of people (when on federal property) under circumstances where they have a reasonable expectation of privacy.

**REAL ID Act of 2005**

Pub. L. No. 109-13

Establishes standards for state-issued driver’s licenses and ID cards.

**FISA Amendments Act (FAA) of 2008**

Pub. L. No. 110-261

Permits bulk collection of data from U.S. telecommunications facilities as long as in accordance with judicially-approved “targeting procedures”

**Health Information Technology for Economic and Clinical Health Act (HITECH Act) of 2009**

Pub. L. No. 111-5

Expands HIPAA’s coverage, strengthens penalties for HIPAA violations, and provides for data breach notification under HIPAA.

**USA Freedom Act of 2015**

Pub. L. No. 114-23

Bans bulk collection of Americans’ Internet metadata and telephone records under the USA Patriot Act §215

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