

Internet Privacy Laws

With the security of all people on the line, laws must be put in place to protect online privacy. There are many different laws because it would be difficult to devise one single act which would protect all aspects of online freedom. The most well-known federal laws (courtesy of Thomson Reuters) include:

The Federal Trade Commission Act (FTC)[1914]

This law regulates unfair or deceptive commercial practices. The FTC is the primary federal regulator in the privacy area and brings enforcement actions against companies. This includes failing to comply with posted privacy policies and failing to adequately protect personal information.

Electronic Communications Privacy Act (ECPA) [1986]

This law protects certain wire, oral, and electronic communications from unauthorized interception, access, use, and disclosure.

Computer Fraud & Abuse Act (CFAA) [1986]

This law makes unlawful certain computer-related activities involving the unauthorized access of a computer to obtain certain information, defraud or obtain anything of value, transmit harmful items, or traffic in computer passwords. The law has been amended six times.

Children's Online Privacy Protection Act (COPPA) [1998]

This law requires certain website and online service providers to obtain verifiable parental consent before collecting, using, or disclosing personal information from minors under the age of 13. It also requires websites to post an online privacy policy, collect only the personal information necessary, and create and maintain reasonable security measures.

Controlling the Assault of Non-Solicited Pornography and

Marketing Act (CAN-SPAM Act) [2003]

This law governs sending unsolicited commercial email and prohibits misleading header information and deceptive subject lines. It also requires senders to disclose certain information, include a valid opt-out mechanism, and it creates civil and criminal penalties for violations.

Financial Services Modernization Act (GLBA) [1999]

This law regulates the collection, use, and disclosure of personal information collected or held by financial institutions and requires customer notices and a written information security program.

Fair and Accurate Credit Transactions Act (FACTA) [2003]

This law requires financial institutions and creditors to maintain written identity theft prevention programs.

There are many more federal laws as well as hundreds of state laws which affect online privacy. New laws are consistently being made in order to keep up with the ever expanding web.