

**WYOMING CHAPTER OF ARMA INTERNATIONAL**  
**Chapter Meeting**  
**October 14, 2008**  
**Uncle Charlie's Restaurant, 6001 Yellowstone Road**

**Please Note:** These minutes are abridged.

**Members Present:** Kristy Anderson, Janie Wait, Ramona Christensen, Tim Tyler, Rico Childers, Pat Newbern, Barb, Thomasee, Wendy Kinkade, Mary Bausserman, Tony Adams, Donna Wright, Lynn Hudson, Rich Wilson, Vicki Lucero, Bob Curtis, Debbie Leonard, Darlene Kinnison

**Guests:** Jennifer Mickle, Christie Yurek, Tara Connelly, Kathy Levasseur

**Topic:** RIM Regulation Summary

**Speaker:** Janie Wait, CRM, MBA, President and Director of Marketing for Intermountain Records Center, Inc., Casper, WY

Members and guests met in the Loft of Uncle Charlie's. Rich Wilson welcomed everyone and introduced Janie Wait, President and Director of Marketing for Intermountain Records Center, Inc.

Janie provided a display and discussion she will use for her Poster Session at the ARMA Conference in Las Vegas. Her session is to identify the seven major regulations that have an impact on RIM practices.

The seven regulations Janie discussed are:

HIPAA – (Health and Insurance Portability and Accountability Act of 1996). HIPAA forms must be completed when you see any provider of health services. Penalties for noncompliance can begin at \$25,000.00 per occurrence, with criminal charges of \$250,000.00 and 10 years in prison.

GLB – (Gramm-Leach-Bliley Act of 1999) Provisions for financial privacy rules, safeguards (disclosure of nonpublic personal information), and pretexting protection (Pretexting sometimes referred to as “social engineering”) occurs when someone tries to gain access to personal nonpublic information without proper authority to do so. This may entail requesting private information while impersonating the account holder, by

phone, by mail, by email, or even by “phishing” (i.e., using a “phony” website or email to collect data). GLBA has provisions that require financial institutions to take all precautions necessary to protect and defend the consumer and associated nonpublic information. Pretexting is illegal and punishable by law beyond any recognition by the GLBA. Banks cannot give out your account information and every 5 years they must send out a privacy notice to customers. There is an \$11,000.00 penalty per violation.

COPPA – (Children’s Online Privacy Protection Act of 1997) Websites cannot lure children. The home page must have a privacy statement and must have parental consent. Parents must have access to personal information. Violation is an \$11,000.00 penalty.

FACTA – (Fair and Accurate Credit Transaction Act of 2003) Updates the Fair Credit Reporting Act ensuring credit reporting is accurate and with a Disposal Rule stating that information cannot leave the facility in whole condition, it must be properly destroyed, shredded, burned, etc., so it cannot be easily reconstructed. Class action suits may ensue upon noncompliance.

SOX – (Sarbanes-Oxley Act of 2002 – also known as the Public Company Accounting Reform and Investor Protection Act of 2002 and commonly called SOX or Sarbox. SOX establishes new or enhanced standards for all U.S. public company boards, management and public accounting firms. It does not apply to privately held companies. Alteration, destruction or mutilation of documents can be cause for a \$5,000.00 penalty per incident. The penalty for disclosure is \$500,000.00 or 5 years in prison, and the violator could also be prohibited from ever being a CEO again.

FISMA – (Federal Information Security Management Act of 2002) This act was meant to bolster computer and network security within the federal government and affiliated parties (such as government contractors) by mandating yearly audits. FISMA has brought attention within the federal government to cybersecurity, which had previously been much neglected. Risk assessment and continuous monitoring of computer and network security is mandated with noncompliance risks resulting in having their name published (as part of ongoing accountability).

FRCP – (Federal Rules of Civil Procedure) The recently revised Federal Rules of Civil Procedure are rules governing civil procedure in United States

district (federal) courts, that is, court procedures for civil suits. The FRCP are promulgated by the United States Supreme Court pursuant to the Rules Enabling Act, and then approved by the United States Congress. These recently revised rules include integration for electronic records in civil procedures. The Supreme Court manages these with individual states responsible for their own civil procedures. Revisions include 30 days to produce emails, text messages, etc. for discovery. Penalties for civil violations can be in the six figures. All but five states have federal rules.

Janie also discussed FACTA – (Fair and Accurate Credit Transactions Act of 2003) Red Flags. This provision requires that all organizations subject to the legislation (FACTA) must develop and implement a written “Identity Theft Prevention Program” to detect, prevent and mitigate identity, theft in connection with the opening of certain new and existing accounts. If a credit company finds signals that could identify attempted identity theft, such as requesting an additional credit card or unusual activity they will send you an e-mail to verify you actually made the request.

Meeting was adjourned at 1:05 p.m.

**Respectfully Submitted by:**  
**Debbie Leonard, Secretary**