

WOODMEN FEDERAL CREDIT UNION
PRIVACY POLICY

I. POLICY OVERVIEW

- A. Woodmen Federal Credit Union recognizes its responsibility to protect the privacy of member nonpublic personal information. The purpose of this policy is to set forth the guidelines under which such information may be shared with third parties. It is the intent of the Credit Union to abide by all applicable laws and regulations governing the privacy of nonpublic personal information including NCUA Privacy of Consumer Financial Information Rule (Part 716) issued to implement the provisions of the Gramm-Leach-Bliley Act and the Right to Financial Privacy Act.

II. DEFINITIONS

- A. Consumer. A consumer is an individual, or such individual's legal representative or personal representative (§716.2; §3401), who has obtained a financial product or service from the Credit Union for personal, family, or household purposes or for whom the Credit Union is acting as fiduciary (§3401). A consumer is not necessarily a member of the Credit Union.
- B. Member. A member is a consumer with whom the Credit Union has, or has had in the past, a continuing relationship where the Credit Union has provided one or more financial products or services for personal, family, or household purposes. Examples:
1. Members as defined by the Credit Union's bylaws.
 2. A nonmember joint accountholder held with a member.
 3. A former member.
 4. A nonmember who has a loan that the Credit Union services.
- C. Nonpublic Personal Information. Personally identifiable financial information and any list, description, or other grouping of consumers (and publicly available information pertaining to them) that is derived using any personally identifiable information, other than publicly available information. Nonpublic personal information does not include publicly available information (§6809).
- D. Personally Identifiable Financial Information. Any information provided to the Credit Union by a consumer to obtain a financial product or service, or as a result of a transaction with the consumer. Examples:
1. Information a consumer provides to the Credit Union on an application to obtain membership, a loan, credit card, or other financial product or service.
 2. Account balance information, payment history, overdraft history, and credit or debit card purchase information.

3. The fact that an individual is or has been one of the Credit Union's members or has obtained a financial product or service from the Credit Union.
4. Any information about a consumer if it disclosed in a manner that indicates that the individual is or has been a member of the Credit Union.
5. Any information that a consumer provides to the Credit Union or that the Credit Union or its agent otherwise obtains in connection with collecting on a loan or servicing a loan.
6. Any information that the Credit Union collects through an Internet "cookie" (an information collecting device from a web server).
7. Information from a consumer report.

III. COLLECTION OF INFORMATION

- A. In the course of delivering products and services, the Credit Union obtains nonpublic personal information, either directly from the member or from outside sources. This nonpublic personal information is used to comply with federal and state laws and regulations, to provide effective member service and to inform members of products and services that may be of interest to the member.

IV. MAINTENANCE OF ACCURATE INFORMATION

- A. The Credit Union will exercise reasonable caution in the gathering and maintenance of information to ensure its accuracy. When inaccurate information is discovered, it will be corrected as promptly as possible.

V. DISCLOSING INFORMATION TO THIRD PARTIES

- A. The Credit Union will not disclose personal nonpublic information to third parties without first providing the consumer a clear and conspicuous notice that accurately reflects the Credit Union's privacy policies and practices. The Credit Union may share personal nonpublic information and also may share its experience information about the member with credit bureaus. The Credit Union's reporting to credit bureaus is governed by the Fair Credit Reporting Act, which affords the member the right to make sure that its credit bureau reports are accurate. The requirement for the Credit Union to provide notice and a reasonable opportunity to opt out does not apply if the Credit Union's disclosure of nonpublic personal information is necessary to effect, administer, or enforce a transaction that a consumer requests or authorizes, or in connection with any of the following (§716.14):

1. Servicing or processing a financial product or service that a consumer requests or authorizes.

2. Maintaining or servicing the consumer's account with the Credit Union, or with another entity as part of a private label credit card program or other extension of credit on behalf of such entity (§716.14).
3. A proposed or actual securitization, secondary market sale (including sales of servicing rights), or similar transactions related to a transaction of the consumer (§716.14).
4. With the written consent or direction of the consumer (§6802).
5. To protect the confidentiality or security of the Credit Union's records pertaining to the consumer, the service or product, or the transaction; to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability; for required institutional risk control, or for resolving customer disputes or inquiries; to persons holding a legal or beneficial interest relating to the consumer; or, to the extent specifically permitted or required under other provisions of law and in accordance with the Right to Financial Privacy Act, to law enforcement agencies, self-regulatory organizations, or for an investigation on a matter related to public safety (§6802(e)).
6. To provide information to insurance rate advisory organizations, guaranty funds or agencies, applicable rating agencies of the Credit Union, persons assessing the Credit Union's compliance with industry standards, and the institution's attorneys, accountants, and auditors (§6802 (e)).
7. To a credit reporting agency in accordance with FCRA (§6802 (e)).
8. In connection with a proposed or actual sale, merger, transfer, or exchange of all or a portion of a business or operating unit if the disclosure of nonpublic personal information concerns solely consumers of such business or unit (§6802 (e)).
9. To comply with federal, state, or local laws, rules, and other applicable legal requirements, to comply with a properly authorized civil, criminal, or regulatory investigation or subpoena or summons by federal, state, or local authorities having jurisdiction over the financial institution for examination, compliance, or other purposes as authorized by law (§6802 (e)).
10. Such financial records are disclosed:
 - a. In response to an administrative subpoena.
 - b. In response to a search warrant.
 - c. In response to a judicial subpoena.
 - d. In response to a formal written request by a proper governmental authority.

VI. RESPONSIBILITY OF SERVICE PROVIDERS

- A. The Credit Union will only approve service providers with established policies of privacy similar to those of the Credit Union. The Credit Union will require contractual agreements from nonaffiliated third parties that will include confidentiality of member information disclosed by the Credit Union and prohibit the service provider from disclosure and reuse of nonpublic personal information for any reason other than the intended purpose. All contracts entered into after July 1, 2006, must be in compliance with provisions of NCUA (§716.13) (§716.18 (c)).

VII. CONFIDENTIALITY AND SECURITY SAFEGUARDS

- A. The Credit Union maintains strict policies and security controls to assure that nonpublic personal information in the Credit Union's computer systems and files is protected.
 - 1. Credit Union employees and certain contractors are permitted access to nonpublic personal information that they may need to perform their jobs and to provide service to members.
 - 2. Credit Union employees and contractors will have access to such nonpublic personal information only as necessary to conduct a transaction or respond to a member's inquiries.
 - 3. All Credit Union employees and contractors will be required to respect member privacy through confidentiality and information security provisions included in the Credit Union's policy manual and service agreements with the contractors.
 - 4. No one except Credit Union employees and authorized contractors will have regular access to the Credit Union computer system and records storage. The Credit Union has established internal security controls, including physical, electronic, and procedural safeguards to protect the member nonpublic personal information provided to the Credit Union and the information the Credit Union collects about the member. The Credit Union will continue to review its internal security controls to safeguard member nonpublic personal information as the Credit Union employs new technology in the future.

VIII. PRIVACY OF ELECTRONIC TRANSACTIONS

- A. Account Access. Member account information and transactions will be protected by a password that must be used in conjunction with a user name or account number. Members must apply for this capability and be registered with the Credit Union for authentication purposes.
- B. "Cookies". The Credit Union does not intend to use "cookies" as part of its web site interface. A "cookie" is a small file that is placed on the user's computer. While it contains no member information, it identifies the member's computer and allows the Credit Union to measure usage of the web site and customize the web site experience.
- C. Links. The Credit Union will frequently link to other sites as a convenience to our members. The Credit Union will seek to link with other sites that adhere to similar privacy standards. However, the Credit Union is not responsible for the content of linked sites, or for their policies on the collection of member information.

IX. DISCLOSURE OF PRIVACY POLICY

- A. The Credit Union will disclose its privacy policy as required by law, in a form that the members can keep. This disclosure will be in the form of an initial disclosure and will be required on an annual basis if during the preceding year there has been a change to the notice. There is no need for an annual notice if the policy has not changed and the Credit Union only shares nonpublic personal information with nonaffiliated third parties in accordance with requirements for exceptions.
- B. Initial Privacy Notice. The Credit Union will deliver a notice describing the Credit Union's privacy policy to each new member/consumer who establishes a relationship on or after July 1, 2001. This initial privacy notice will be provided before an establishment of a member relationship (i.e. before the member/consumer signs the account card or other applicable document). A new privacy notice need not be given for each subsequent account opening if the privacy notice provided at the initial account opening or from any subsequent privacy notice mailing has not changed.
- C. Annual Notice. In the event an annual notice is required, the Credit Union need not provide an annual notice to members or consumers who no longer have a relationship with the Credit Union.
- D. Content. As required by law, the initial and any required annual privacy notices will contain the following information:
 - 1. The categories of nonpublic personal information that the Credit Union collects.
 - 2. The categories of nonpublic personal information that the Credit Union discloses.
 - 3. The categories of affiliates and nonaffiliated third parties to whom the Credit Union discloses nonpublic personal information (other than such disclosures allowed by law).
 - 4. The categories of nonpublic personal information about the Credit Union's former members that is disclosed and the categories of affiliated and nonaffiliated third parties to whom such information is disclosed (other than such disclosures allowed by law).
 - 5. If the Credit Union discloses nonpublic personal information to a nonaffiliated third party (and no exception applies to that disclosure), a separate statement of the categories of information the Credit Union discloses, and the categories of third parties with whom the Credit Union has contracted.
 - 6. If applicable, an explanation of the consumer's right to opt out of the disclosure of nonpublic personal information to nonaffiliated third parties, including the methods by which the consumer may exercise that right at that time.
 - 7. Any disclosures made by the Credit Union under the Fair Credit Reporting Act (i.e. notices regarding the ability to opt out of disclosures of information among affiliates).
 - 8. The Credit Union's policies and practices with respect to protecting the confidentiality and security of nonpublic personal information.
 - 9. A statement that the Credit Union makes disclosures to nonaffiliated third parties as required by law.

- E. Privacy Policy May Be Combined With or In Other Documents. The Credit Union's Privacy Policy may be printed in a document containing other information, so long as the Privacy Policy is set apart from the other content by using graphics, a different type style, or any other method to set it apart.

X. MEMBER'S RIGHT TO OPT OUT

- A. Privacy regulations allow members to opt out of having their information disclosed to third parties in certain situations. The Credit Union does not currently disclose any member information to a nonaffiliated third party that is not otherwise covered by a disclosure exception under Part 716.
- B. Exceptions to Providing an Opt Out Notice. Under the following scenarios, an opt out notice need not be provided to members when nonpublic personal information is disclosed to nonaffiliated third parties:
 - 1. Sharing nonpublic personal information with a nonaffiliated third party in order to carry out a service on the Credit Union's behalf, and with whom the Credit Union has a written agreement (i.e. joint marketing agreement) that prohibits further disclosure by the third party.
 - 2. Disclosure that is necessary to effect, administer, or enforce a transaction that a consumer requests or authorizes.
 - 3. Disclosure with the consent of the consumer (provided it has not been revoked).
 - 4. Disclosure in order to protect the confidentiality or security of the Credit Union's records pertaining to the consumer, service, product, or transaction;
 - a. To protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability.
 - b. For required institutional risk control or for resolving consumer disputes or inquiries.
 - c. Disclosure to persons acting in a fiduciary or representative capacity on behalf of a consumer.
 - 5. Disclosure in order to provide information to insurance rate advisory organizations, guaranty funds or agencies, agencies that are rating the Credit Union, persons that are assessing the Credit Union's compliance with industry standards, and the Credit Union's attorneys, accountants, and auditors.
 - 6. Disclosure to the extent specifically permitted or required under other provisions of law and in accordance with the Right to Financial Privacy Act, to law enforcement agencies, a state insurance authority, self-regulatory organizations, or for an investigation on a matter related to public safety.
 - 7. Disclosure to a consumer reporting agency in accordance with the Fair Credit Reporting Act.
 - 8. Disclosure in connection with an actual sale, merger, transfer, or exchange of all or a portion of business or operating unit if the disclosure of nonpublic personal information concerns solely consumers of such business or unit.

9. To comply with federal, state, or local laws, rules, and applicable legal requirements.
- C. If, at a future date, the Credit Union does disclose member information to a nonaffiliated third party that is not otherwise covered by a disclosure exception under Part 716, the Credit Union must properly inform members of their right to opt out and to record and honor opt out requests which notice shall include the address and toll free phone number of the appropriate notification system used for processing of notices of opt out and will be presented in a format acceptable to the National Credit Union Administration and Federal Trade Commission.
- D. Content. As required by law, the opt out notice will state the following information:
 1. That the Credit Union discloses or reserves the right to disclose nonpublic personal information about the consumer to a nonaffiliated third party (including the categories of information and the categories of nonaffiliated third parties to whom it is disclosed).
 2. That the consumer has the right to opt out of that disclosure.
 3. A reasonable means by which the consumer may exercise that opt out right. Examples:
 - a. Designating check-off boxes in a prominent position on the relevant forms with the opt out notice.
 - b. Including a reply form together with the opt out notice.
 - c. Providing an electronic means to opt out, such as a form that can be sent via electronic mail or process at the Credit Union's web site, if the consumer agrees to the electronic delivery of information.
 - d. Providing a toll-free telephone number that consumers may call to opt out.

XI. DELIVERY

- A. The Credit Union may reasonably expect that a consumer will receive actual notice of the privacy notice and opt out right (if applicable) if the Credit Union uses one of the following methods of delivery:
 1. Hand-delivery or mailing a printed copy of the notice to the consumer's last known address.
 2. For a consumer who conducts transactions electronically, posting the notice on the electronic site and requiring the consumer to acknowledge receipt of the notice as a necessary step to obtaining a particular financial product or service.
 3. For an isolated transaction with a consumer (such as an ATM transaction), posting the notice on the ATM screen and requiring the consumer to acknowledge receipt of the notice as a necessary step to obtaining a particular financial product or service.

XII. PRIVACY COMPLIANCE

- A. The Credit Union will comply with all applicable laws and regulations governing the privacy, confidentiality, security, and integrity of nonpublic personal information including the NCUA privacy rule (Part 716) and all other applicable federal and state privacy laws and regulations.

XIII. ADMINISTRATION AND AMENDMENTS

- A. Protecting member privacy is an ongoing process and the Credit Union will continue to evaluate and review the measures taken to safeguard member information.
- B. The Credit Union will provide training to employees how to recognize and control risk to nonpublic personal information, how to handle nonpublic personal information, and how to report unauthorized or fraudulent attempts to gain access to nonpublic personal information.
- C. The Credit Union will review and modify any new product, service, or delivery method to ensure that it conforms to existing Credit Union privacy policies with regard to nonpublic personal information.
- D. If nonpublic personal information is shared with vendors for a business purpose, all contracts and agreements between the vendors and the Credit Union will include a guarantee that the vendor will safeguard such information.
- E. Because no policy can address every possible contingency and circumstance, Credit Union management shall use its good faith business judgement in administering this privacy policy and expects that all volunteers and employees will use good faith in their actions to protect the privacy of Credit Union members.
- F. The Credit Union reserves the right to amend this privacy policy in any respect with disclosure to members as required by law.

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