

FTC-I-1

System Name:

Investigational, Legal, and Public Records -- FTC

Security classification:

Not applicable.

System location:

Federal Trade Commission, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580.

Regional Offices:

Atlanta Regional Office, 1718 Peachtree Street, NW., Room 1000, Atlanta, Georgia 30367.

Boston Regional Office, 10 Causeway Street, Room 1184, Boston, Massachusetts 02222-1073.

Chicago Regional Office, 55 East Monroe Street, Suite 1437, Chicago, Illinois 60603.

Cleveland Regional Office, 668 Euclid Avenue, Suite 520-A, Cleveland, Ohio 44114.

Dallas Regional Office, 100 N. Central Expressway, Suite 500, Dallas, Texas 75201.

Denver Regional Office, 1405 Curtis Street, Suite 2900, Denver, Colorado 80202-2393.

Los Angeles Regional Office, 11000 Wilshire Boulevard, Suite 13209, Los Angeles, California 90024.

New York Regional Office, 150 William Street, Suite 1300, New York, New York 10038.

San Francisco Regional Office, 901 Market Street, Suite 570, San Francisco, California 94103.

Seattle Regional Office, 2806 Federal Building, 915 Second Avenue, Seattle, Washington 98174.

Washington National Records Center, 4205 Suitland Road, Suitland, Maryland 20409.

Categories of individuals covered by the system:

Participants in Commission investigations, rulemaking, advisory, and law enforcement proceedings; parties requesting formal advisory opinions; and consumers who have received redress or who are entitled to redress pursuant to Commission or court orders. (Businesses, proprietorships, or corporations are not covered by this system.)

Categories of records in the system:

Name, address, employment status, age, date of birth, financial information, credit information, personal history, and records collected and generated during the investigation, which may include correspondence relating to the investigation; internal staff memoranda; copies of subpoenas issued during the investigation, affidavits, statements from witnesses, transcripts of testimony taken in the investigation, and accompanying exhibits; documents records or copies obtained during the investigation; interview notes, investigative notes, staff working papers, draft materials, and other documents and records relating to the investigation; opening reports, progress reports, and closing reports; and other investigatory information or data relating to any of the following: investigation files; docketed and consent matters; rulemaking proceedings; assurances of voluntary compliance; advisory opinions; but is limited to those files from which information is retrieved by the name of an individual or other identifying particular assigned to the individual.

Authority for maintenance of the system:

Federal Trade Commission Act; Executive Order 10450.

Purpose(s):

To conduct the law enforcement, rulemaking, and advisory responsibilities of the Federal Trade Commission; to make determinations based upon the results of those matters; to report results of investigations to other agencies and authorities for their use in evaluating their programs and imposition of criminal, civil, or administrative sanctions; to report the results of investigations to other agencies or other regulatory bodies for any action deemed appropriate; to make appropriate portions of the records of those matters available to the public; and to maintain records of Commission activities related to those matters.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In addition to the disclosures generally permitted under 5 *U.S.C.* 552a(b), and the disclosure provisions described in Appendix I of this notice, records or information in these records may be specifically disclosed pursuant to 5 *U.S.C.* 552a(b)(3) as follows, provided that no routine use specified either herein or in Appendix I shall be construed to limit or waive any other routine use:

- (1) Made available or referred to federal, state, or local government authorities for investigation, possible criminal prosecution, civil action, regulatory order, or other law enforcement purpose;
- (2) Referral to experts or consultants when considered appropriate by Commission staff to assist in the conduct of the matters;
- (3) Used by Commission personnel with recordkeeping, managerial, and budgeting responsibilities for information management purposes; and

(4) Individual records that are of historical value may also be incorporated into System VII-6, Information Retrieval and Indexing System.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

May be maintained on standard legal-size and letter-size paper; magnetic tapes and disks; microfilm and microfiche; or optical storage media.

Retrievability:

Indexed by respondent's, participant's, or FTC staff member's name; company name; industry investigation title; and FTC matter number.

Safeguards:

Certain records available to the public. Access to nonpublic records restricted to agency personnel whose responsibilities require access. Hardcopy records maintained in lockable rooms and access to automated records controlled "user id" and password combination.

Retention and disposal:

Records not needed for historical purposes destroyed or returned to submitter at conclusion of the matter. Other records retained at FTC office for 5 years after conclusion of matter, after which transferred for storage to appropriate National Archives and Records Administration or Federal Records Center. Investigatory files, except history portions, destroyed after 5 years.

System manager and addresses:

Supervisor, Records Branch, Information Management & Dissemination Division, Federal Trade Commission, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580.

Notification procedure; record access procedure; and contesting record procedure:

See Appendix II.

Record source categories:

Individual respondent(s) or proposed respondent(s), company records, complainants, informants, witnesses, participants, and FTC employees.

System exempted from certain provisions of the act:

Records contained in this system that have been placed on the FTC Public Record are available

upon request. However, pursuant to 5 *U.S.C.* 552a(k)(2), records in this system that are not on the Public Record are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), (I), and (f) of 5 *U.S.C.* 552a, and the corresponding provisions of 16 CFR 4.13. See FTC Rules of Practice § 4.13(m), 16 CFR 4.13(m), as amended.