



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Danielle Leigh
400 N. Capitol Street, NW, Suite 850
Washington, DC, DC 20001

AUG 30 2013

Re: FOIA-2013-01223
Affordable Care Act

Dear Ms. Leigh:

This letter serves as our third partial response to your request dated August 5, 2013, under the Freedom of Information Act seeking access to (1) the number of complaints filed since March 2010 containing the phrases "Affordable Care Act," "healthcare reform," "Obamacare," "health' AND 'insurance,'" "medical' AND 'insurance,'" "health' AND 'insurance' AND 'scam'" and "medical' AND 'insurance' AND 'scam,'" (2) the complaints filed since March 2010 containing the phrases "Affordable Care Act," "healthcare reform," "Obamacare," "health' AND 'insurance' AND 'scam'" and "medical' AND 'insurance' AND 'scam,'" and (3) documentation of any actions taken by the FTC relating to Affordable Care Act scams. In accordance with the FOIA and agency policy, we have searched our records as of August 6, 2013, the date we received your request in our FOIA office.

In response to part two of your request, we have located and reviewed 781 responsive complaints that consumers have sent to the Federal Trade Commission (FTC). You should know that the enclosed complaints have not necessarily been verified by the FTC. Therefore, you should make your own judgment about relying on the information provided. I am denying access to consumers' names and addresses and any other identifying information found in the complaints. This information is exempt from release under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because individuals' right to privacy outweighs the general public's interest in seeing personal identifying information. *See The Lakin Law Firm v. FTC*, 352 F.3d 1122 (7th Cir. 2003).

Additionally, we are withholding 10 complaints under FOIA Exemption 3, 5 U.S.C. § 552(b)(3), because they are exempt from disclosure by another statute; specifically, Section 21(f) of the FTC Act provides that the FTC may not disclose any material reflecting a consumer complaint obtained from a foreign source if that foreign source has requested confidential treatment. 15 U.S.C. § 57b-2(f).

We are continuing to review complaints responsive to this portion of your request, and hope to have an additional response to you shortly. If you would like to modify this portion of your request to reduce the necessary response time, please contact Andrea Kelly at (202) 326-2836.

In response to part 3 of your request, I am enclosing 47 pages of responsive documents. Portions of these documents contain the personal identifying information of individual

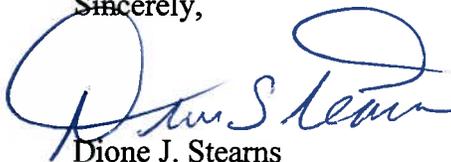
consumers, which is exempt from release under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), for the reasons explained above.

Any additional documents our search may have located would be exempt from disclosure under FOIA Exemption 7(A), 5 U.S.C. § 552(b)(7)(A), because disclosure of that material could reasonably be expected to interfere with the conduct of the Commission's law enforcement activities. *See Robbins Tire & Rubber Co. v. NLRB*, 437 U.S. 214 (1978).

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington D.C. 20580, within 30 days of the date of this letter. Please enclose a copy of your original request and a copy of this response. If you believe that we should choose to disclose additional materials beyond what the FOIA requires, please explain why this would be in the public interest.

If you have any questions about the way we are handling your request or about the FOIA regulations or procedures, please contact Andrea Kelly at (202) 326-2836.

Sincerely,



Dione J. Stearns
Assistant General Counsel

Enclosed: Disk