

SYSTEM NAME AND NUMBER:

Nonpublic Investigational and Other Nonpublic Legal Program Records–FTC (FTC-I-1).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Office of the Secretary, Records Management Division, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.*

PURPOSE(S) OF THE SYSTEM:

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 (see FTC-I-6, Public Records–FTC); and to maintain records of Commission activities related to those matters,

including to make such records available within the FTC for historical, legal research, investigational, and similar purposes (see FTC-VII-6, Document Management and Retrieval System–FTC).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system consists of case or matter files and other nonpublic records created, collected and maintained by the FTC’s Bureaus and other offices in the course of law enforcement investigations, administrative or court litigation, and other agency legal proceedings and matters (e.g., rulemakings, requests for formal advisory opinions). The system covers investigatory targets, witnesses, consumers, redress claimants, commenters, requesters, and other individuals whose information the FTC “retrieves” from these nonpublic records, as explained below.

(Entities that are not “individuals,” such as businesses, sole proprietorships, or corporations, are not covered by this system.) Parties requesting informal advisory opinions are covered by FTC-I-3, Informal Advisory Opinion Request and Response Files–FTC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records maintained in this system include information about individuals such as name, address, employment status, age, date of birth, financial information, credit information, social security number and personal history. Records in this system are collected and generated during law enforcement investigations and litigation and may include: copies of subpoenas and other compulsory process issued during the investigation; documents and records (including copies) obtained during the investigation in response to subpoenas and other compulsory process, or otherwise provided to the Commission; affidavits and other statements from witnesses; transcripts of testimony taken in the investigation and accompanying exhibits; internal staff memoranda; interview notes, investigative notes, staff working papers, draft materials, and other

documents and records relating to the investigation; correspondence; and internal status reports including matter initiation reports, progress reports, and closing reports. Records in this system may also include other investigatory information or data relating to any of the following: docketed and consent matters; redress distribution proceedings; rulemakings, workshops, and other public proceedings, including comments or other materials submitted in such proceedings; assurances of voluntary compliance; and advisory opinions. Other types of records covered by this system are set out in the Department of Treasury, Financial Management Service's Privacy Act system of records notice TREASURY/FMS.014, or any successor system notice for this system (visit <http://www.ustreas.gov> for more information).

This system is limited to files and records that are about an individual, and only when the file or record is pulled (“retrieved”) by the name of that individual or other personal identifier (e.g., number, symbol, fingerprint, etc.). As described below, records in this system may become public if they are subject to such disclosure under the FTC’s Rules of Practice.

RECORD SOURCE CATEGORIES:

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

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records in this system may be:

- (1) Made available or referred to Federal, State, local or international government authorities for investigation, possible criminal prosecution, civil action, regulatory order, or other law enforcement purpose;

- (2) Referred to outside experts or consultants when considered appropriate by FTC staff to assist in the conduct of agency matters;
- (3) Used by Commission contractors with recordkeeping, managerial, and budgeting responsibilities for information management purposes; and
- (4) Disclosed on the FTC's public record under the FTC's Rules of Practice. See FTC-I6, Public Records–FTC.
- (5) Disclosed, to the extent that the records relate to a debt owed to the United States, through one or more of its departments and agencies; and/or States, territories and commonwealths of the United States, and the District of Columbia, for any other routine use set forth in the Government-wide system of records notice published for this system by the Department of Treasury, Financial Management System, see TREASURY/FMS.014, or any successor TREASURY/FMS system notice that may be published for this system (visit <http://www.ustreas.gov> for more information).

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 83 FR 55541, 55542-55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The FTC maintains these records in electronic and non-electronic formats and media. The FTC maintains these records using a combination of different databases and applications.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are indexed by respondent's, participant's, or FTC staff member's name;

company name; industry investigation title; and FTC matter number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records from submitters in FTC investigations are destroyed or returned to the submitter, if so requested, at the conclusion of the matter, except for those received into the record of any proceeding and any other copies made for official use or that are required to be preserved for their historical or other value under applicable Federal records retention requirements. See 15 U.S.C. 57b-2(b)(5), 16 CFR 4.12. Retention periods for other system records depend on the type of record and the FTC proceeding or matter involved. Records are retained and disposed of under applicable schedules and procedures approved by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

For records other than those made public, access is restricted to agency personnel or contractors whose responsibilities require access. Access to electronic records is controlled by “user ID” and password combination and/or other appropriate electronic access or network controls (e.g., firewalls). Paper records are maintained in lockable rooms or file cabinets. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Copies of records contained in this system that have been placed on the FTC public record are available upon request or from the FTC's website, where applicable. See FTC-I-6, Public Records–FTC. 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).

HISTORY:

90 FR 46200-46210 (September 25, 2025)

73 FR 33591-33634 (June 12, 2008).