

**SYSTEM NAME AND NUMBER:**

Disciplinary Action Investigatory Files–FTC (FTC-I-2).

**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 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Principal Deputy General Counsel, Office of General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580, email: [SORNs@ftc.gov](mailto:SORNs@ftc.gov).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Federal Trade Commission Act, 15 U.S.C. 41 et seq.; Executive Order 10450.

**PURPOSE(S) OF THE SYSTEM:**

To conduct disciplinary action investigations; to make determinations based upon the results of the investigations; 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; and to maintain records related to those matters.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

FTC personnel, counsel for parties in investigative or adjudicative proceedings, and others participating in FTC matters who may be subject to investigation for possible improper or unethical conduct.

**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 alleged violations.

**RECORD SOURCE CATEGORIES:**

Individual on whom the record is maintained, complainants, informants, witnesses, and Commission personnel having knowledge or providing analysis of matter.

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

Records in this system:

(1) May be used to determine whether disciplinary action, including suspension or disbarment from practice before the Commission, is warranted;

(2) May be transferred to the Office of Personnel Management, to a court, or a bar association; and

(3) May be used by personnel of other agencies, courts, or bar associations to whom the matter is referred.

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 55542-55543 (Nov. 6, 2018).

#### **POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

The FTC generally maintains these records in electronic or paper format.

#### **POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records are indexed by individual's name, company name, industry investigation title, file or docket number.

#### **POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are retained and disposed of under applicable schedules and procedures approved by the National Archives and Records Administration.

#### **ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to agency personnel or contractors whose responsibilities require access. Paper records are maintained in lockable rooms or file cabinets. Access to electronic records is controlled by "user ID" and password combination and/or other appropriate electronic access or network controls (e.g., firewalls). 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:**

Pursuant to 5 U.S.C. 552a(k)(2), records in this system 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. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).

**HISTORY:**

87 FR 964-974 (January 7, 2022)

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