

## Index

- absolute prohibition ..... 5.2.3
- access letters (see illustrations, Ch. 3)
- access to records and files (see confidentiality and access)
- acquisitions prohibition
- after divestiture ..... 5.4.4.2
  - pending divestiture ..... 5.4.4.1
  - "purchaser" or "sale" language, avoidance ..... 5.4.4.3
  - spin-offs ..... 5.4.4.5
  - time period of divestiture ..... 5.4.4.4
- Acquisitions Section, Library ..... AM 1.800.2(f)
- adjudication (see administrative adjudications; administrative complaints; administrative litigation)
- administrative adjudications (see also administrative complaints; administrative litigation; consent agreements; consents)
- admissions ..... 1.3.6.3
  - conferences ..... 1.3.6.3
  - decisions
    - decision and order ..... 1.3.6.4, 5.6, 6.10.5
    - final ..... 1.3.6.4
    - initial ..... 1.3.6.3
  - depositions ..... 1.3.6.3
  - discovery ..... 1.3.6.3
  - introduction ..... 1.3.6.1
  - prehearing procedures ..... 1.3.6.3
  - rulemaking advantages ..... 7.1, 7.3.1
  - subpoena returns ..... 1.3.6.3
- administrative complaints (see also administrative adjudications; administrative litigation; consents; illustrations Ch. 4, Ch. 5; orders) ..... 1.3.5.2
- adjudication ..... 1.3.6.1
- motion to withdraw from ..... 6.11.1
  - proceedings following withdrawal ..... 6.11.2
- alternatives ..... 4.14.6.9
- caption and preamble ..... 4.4
- certification ..... 10.15
- charges ..... 4.9
- common drafting errors ..... 4.9.2
- conclusions ..... 4.10
- consumer redress ..... 1.3.5.2.1, 4.13
- definitions in the complaint ..... 4.7
- foreign countries ..... 4.14.6.10
- general guidelines ..... 4.2
- introduction ..... 4.1
- issuance ..... 4.10.1
- memorandum recommending complaint ..... 4.14
- news release ..... 4.14.10.13
- nonrespondents, enforcement of decisions against ..... 1.3.5.3
- notice of contemplated relief ..... 1.3.5.2, 4.12, 10.9.3
- notice order ..... 1.3.5.2, 4.12, 10.9.2
- notice portion ..... 4.11, 4.12
- parties
  - advertising agency as respondent ..... 4.5.8
  - business engaged in ..... 4.5.9
  - capacity and liability of individuals ..... 4.5.4
  - pleading separate count ..... 4.8
  - sample pleadings ..... 4.3
  - statutory jurisdiction ..... 4.6
- Administrative Law Judge ..... 10.1, 1.4, 0.9.1-10.9.2, 10.9.4.3, 10.10.2
- authority in adjudicatory matters ..... 1.3.6.3
- communication with ..... 10.11
- industry guidance ..... 8.3.2
- role in administrative adjudications ..... 1.3.6.1-1.3.6.3
- administrative litigation (see also administrative adjudications; administrative complaints; illustrations, Ch. 1, 18; subpoenas)
- adjudicative proceedings
- ALJ presides ..... 10.4
  - general nature ..... 10.2
  - governing rules ..... 10.3
- admissions
- amendment ..... 10.13.7.4
  - answers to ..... 10.3.7.3, 10.13.7-10.13.7.5
  - facts in admission requests ..... 10.13.7.2
  - general ..... 10.13.7.1
  - withdrawal ..... 10.13.7.4
- answers ..... 10.12.5
- admission requests ..... 10.3.7.3, 10.13.7-10.13.7.5
  - affirmative defense ..... 10.9.4.4, 10.9.4.6
  - brief ..... 10.25.5
  - denial on lack of information ..... 10.9.4.2
  - denial on preamble recitals ..... 10.9.4.3
  - failure to file ..... 10.10.2
  - general requirements ..... 10.9.4.1
  - "lack of public interest" ..... 10.9.4.5
  - motion for more definite statement ..... 10.9.5
  - motion to strike affirmative defense ..... 10.9.4.6
  - "reason to believe" ..... 4.4, 10.9.4.5, 10.13.14.2
- appeals
- brief ..... 10.25.4
  - filing
    - approval for ..... 10.25.2
    - notice of intention ..... 10.25.3
  - general ..... 10.25.1
  - interlocutory
    - general ..... 10.14.1
    - types of ..... 10.14.2
  - notice of intention ..... 10.25.3
  - oral argument ..... 10.25.8
- briefs
- answering ..... 10.25.5
  - appeals ..... 10.25.4
  - length of ..... 10.25.7
  - reply ..... 10.25.6
- computer support service ..... 18.2
- conduct of counsel ..... 10.5.1-10.5.3
- default
  - disciplinary grounds ..... 10.10.3, 10.13.6.2
  - failure to file answer ..... 10.10.2
  - general ..... 10.10.1
  - orders, notice ..... 3.3.6.7.8.7
- depositions
- general ..... 10.13.6.5.1
  - to preserve evidence ..... 10.13.6.5.2
  - types and use ..... 10.13.6.5.2
- discovery
- ALJ authority ..... 10.13.6.2
  - attorney work product ..... 10.13.6.4.3, 10.13.6.4.5
  - compulsory stage ..... 10.13.6.4
  - general ..... 10.13.6.1

## Index

- Jencks Act/Rule ..... 10.13.6.4.5  
 post-complaint ..... 4.14.5  
 voluntary stage ..... 10.13.6.3  
 evidence admissibility ..... 10.6  
 exhibits  
   listing ..... 10.13.6.3.1  
   marking and identification ..... 10.17, 10.19  
 Federal Rules of Civil Procedure application ..... 10.7  
 Federal Rules of Evidence ..... 10.6  
 Immunity procedures ..... 10.20  
 Indigent respondents ..... 10.21  
 Intervention ..... 10.16  
 motions  
   ALJ rulings ..... 10.12.2, 10.12.7  
   answers to ..... 10.12.5  
   authorities, citing order ..... 10.12.4  
   dismissal ..... 10.13.12, 10.14.2.3, 10.15  
   for more definite statement ..... 10.9.5  
   for Summary Decision ..... 10.13.11  
   general ..... 10.12.1  
   memorandum of law ..... 10.12.3  
   receive exhibit lists, to ..... 10.12.6.3.1  
   reply briefs ..... 10.12.6  
   to Commission ..... 10.12.8  
   to determine sufficiency of answers ..... 10.13.7.3  
   to impose sanctions ..... 10.13.6.4.7.14  
   to strike ..... 10.12.5, 10.9.4.6  
   to withdraw matter from adjudication ..... 10.13.10  
 pleadings  
   amendments ..... 10.13.4  
   complaint ..... 10.9.1  
   express ..... 10.13.4.2  
   general ..... 10.13.4.1  
   implied ..... 10.13.4.3  
   notice of contemplated relief ..... 10.9.3  
   notice order ..... 10.9.2  
   sample ..... 4.3  
   separate counts ..... 4.8  
   standards ..... 4.2.3  
 pretrial conferences  
   preparation ..... 10.13.2  
   purpose ..... 10.13.1  
   results ..... 10.13.3  
   subpoena return ..... 10.13.6.4.7.11-10.13.6.4.12  
 pretrial procedures  
   amendments ..... 10.13.14.1-10.13.14.3  
   conclusion ..... 10.13.9  
   motions to strike ..... 10.13.5  
   proposed findings ..... 10.24.1-10.24.3  
   purpose and scope ..... 10.1  
   rules of practice, construction ..... 10.8  
   stipulations between counsel ..... 10.13.8  
 testimony  
   Commission employees ..... 10.13.6.4.7.5  
   Immunity procedures ..... 10.20  
   offers of proof ..... 10.18  
 witnesses  
   expert, fees of ..... 10.23  
   Interviews by complaint counsel ..... 10.13.6.3.4  
   Interviews by respondent ..... 10.13.6.3.3  
   lists of ..... 10.13.6.3.2  
   vouchers ..... 10.22  
 Administrative Manual ..... 1.2.6  
 Administrative Procedure Act ..... 6.3  
 admission requests (see administrative litigation; admissions)  
 ad testificandum subpoenas (see subpoenas)  
 advertising (see also illustrations, Ch. 11)  
   agency ..... 4.5.8, 5.3.4.3  
   of books ..... 3.1.3.1.3  
   substantiation ..... 2.3.3, 5.4.1  
 advisory opinions (see also industry guidance)  
   order provisions ..... 12.6  
   procedures ..... 16.8.6  
 advocacy of state and local legislation ..... 14.2.3.7  
 affidavits (see also illustrations, Ch. 11)  
   clearance ..... 18.3  
   in compliance investigation ..... 12.4.6  
   of file search ..... 11.2.2.5  
 agreement (see consents)  
 ALJ (see Administrative Law Judge)  
 Alphabetic Listing of Respondents .. FTC Information Handbook  
 amendments (see administrative litigation, pleadings;  
   administrative litigation, pretrial procedures)  
 amicus briefs (see also illustrations, Ch. 13) ..... 13.7.4  
 Antitrust and Trade Regulation Reporter ..... 1.2.3  
 answers (see administrative litigation, answers; illustrations,  
   Ch. 10)  
 appeals (see also administrative litigation, appeals;  
   illustrations, Ch. 10)  
   brief ..... 10.25.4  
   interlocutory ..... 7.3.20.3  
   to orders ..... 1.3.6.5  
 approvals, notation of ..... 6.9.3  
 attorney-client privilege ..... 15.2.4.3  
 Attorney General (see also illustrations, Ch. 11, 12)  
   liaison with civil penalty actions ..... 12.5.1  
   notification of civil penalty action ..... 11.2.2.8  
   notification of Commission judicial appearances ..... 13.11  
 attorney work product ..... 10.13.6.4.3, 10.13.6.4.5, 15.2.4.3  
 Automated Systems ..... 18.1.3, 18.3.1-18.3.3  
 bait and switch ..... 2.3.3  
 BC (see Bureau of Competition)  
 BCP (see Bureau of Consumer Protection)  
 blanket resolutions (see illustrations, Ch. 3) resolutions,  
   investigational)  
 BNA (see Bureau of National Affairs)  
 body of administrative memorandum (see memorandum  
   recommending complaint)  
 book advertising (see advertising of books)  
 book orders ..... AM 1.800  
 briefs (see administrative litigation, briefs; amicus briefs;  
   illustrations, Ch. 10)  
 broadcasters, investigations policy ..... 3.1.2.4.2  
 budget process, overview (see also illustrations, Ch. 2) .... 2.1.3  
 Bureau of Competition (see also policy and enforcement  
   priorities) ..... 16.3.4  
   civil investigative demands ..... 3.3.6.7.5.3  
 Bureau of Consumer Protection (see also consumer redress;  
   policy and enforcement priorities)  
   liaison with state and local agencies ..... 14.2.3.8

## Index

- Records room ..... 16.3.4
- Bureau of Economics (*see also* policy and enforcement priorities) ..... 6.9.1
- investigation support ..... 3.1.3.2
- rulemaking concurrences ..... 7.3.8.3
- rulemaking support services ..... 7.3.5.2.1
- support services ..... 18.5
- Bureau of National Affairs (*Antitrust and Trade Regulation*)
- Reporter ..... 1.2.3
- business engaged in ..... 4.5.9
- capacity and liability of individuals ..... 4.5.4
- Case/Project Rule Cost Summary ..... 18.4
- cases (*see also* confidentiality and access, case files; investigations)
- processing ..... 1.3
- selection ..... 1.3.2
- CCU (*see* Congressional Correspondence Unit)
- cease and desist orders (*see* orders, cease and desist)
- certificate of compliance for transfer of records (*see also* illustrations, Ch. 15) ..... 15.10., 21.1-15.10.2.2, 15.10.3
- certification to Commission ..... 10.15
- CFR (*see* Code of Federal Regulations)
- charges
- common drafting errors ..... 4.9.2
- general ..... 4.9.1
- support ..... 4.2.2
- CID's (*see* civil investigative demands; investigations, civil investigative demands)
- civil investigative demands (*see* Chapters 3 and 18)
- civil penalties (*see also* illustrations, Ch. 11; subpoenas) ..... 11.1.1-11.1.2
- Attorney General, liaison ..... 12.5.1
- Commission representation ..... 13.8.1
- compulsory process ..... 11.2.2.5
- consent settlements ..... 11.2.2.9
- judicial appearances and procedures ..... 13.8.1
- from nonrespondents
- closing ..... 11.2.2.10
- consent settlements ..... 11.2.2.9
- criteria for opening investigation ..... 11.2.2.7
- Magnuson-Moss Warranty—FTC Improvement Act ..... 8.4.11.2, 9.7
- notice letters ..... 11.2.2.3.3, 11.2.2.4
- policy ..... 11.2.2.2
- procedures ..... 11.2.2.3.1-11.2.2.3.3
- staff evaluation of information ..... 11.2.2.6
- staff recommendations ..... 11.2.2.8
- statutory requirements ..... 11.2.2.1, 11.2.2.4
- orders
- compliance ..... 12.5.1
- enforcement ..... 11.2.1
- violations ..... 1.3.8.2
- from respondents ..... 11.2.1
- statutory authority ..... 11.4.2.1
- trade regulation rules violations ..... 12.5.1
- "actual knowledge" standard ..... 11.4.1.3
- case selection criteria ..... 11.4.1.4
- consent judgments ..... 11.4.1.5
- continuing violations ..... 11.4.1.2
- "knowledge fairly implied" standard ..... 11.4.1.3
- statutory authority ..... 11.2.2.4, 11.4.1.1, 11.4.2.1
- Clayton Act ..... 3.1.2.2, 6.9
- compliance reports ..... 12.2.9
- FTC statutory authority ..... 1.2.1
- notification of proposed mergers ..... 15.3
- orders enforcement ..... 11.2.1
- rulemaking statutory authority ..... 7.2.1
- Clearance Officer, FTC ..... 3.1.3.6.1
- clearance requirements
- affidavits ..... 18.3.6
- educational activities ..... 17.3.3
- Ethics Act restrictions ..... 18.3.5
- general ..... 18.6
- General Counsel authority ..... 18.3.2
- guidelines for granting or denying ..... 18.3.4
- investigations ..... 3.1.3.6.1-3.1.3.6.3
- OMB clearance ..... 3.1.3.6.1-3.1.3.6.3
- procedures for processing requests ..... 18.3.3
- rulemaking ..... 7.3.24.2.4
- closing investigations (*see* investigations, closing of)
- Code of Federal Regulations, "Title 16" ..... 1.2.3-1.2.5
- collection of information (*see* Paperwork Reduction Act of 1980)
- Commerce Clearing House (*see* Trade Regulation Reporter)
- Commission action on proffered agreements (*see* Consents, proffered agreements)
- Commissioners' Monthly Status Report .. Information Handbook
- compendium of state and local laws ..... 14.2.3.3
- compensation program (*see* rulemaking, compensation program)
- competition matters (*see* illustrations, Ch. 3, 12; investigations)
- complaints (*see also* administrative complaints; administrative litigation; documents; illustrations, Ch. 9)
- complaint form ..... 16.10.1
- correspondence statistics ..... 16.2.1
- District Courts ..... 2.8, 11.2
- Equal Credit Opportunity Act ..... 9.8.2, 9.8.4
- Federal Credit Reporting Act ..... 9.5.1
- Hobby Protection Act ..... 9.6.1
- Maguson-Moss Warranty Act ..... 9.7.1
- oral complaints ..... 16.10.1
- post-complaint discovery ..... 4.14.5
- public interest group ..... 16.10.3.2
- compliance (*see also* consumer redress; illustration, Ch. 12, 15; industry guidance; investigations, compliance; orders, compliance; Right to Financial Privacy Act; rulemaking)
- certificate of ..... 5.10.3, 15.10.2.1.1, 15.10.2.2
- consumer protection matters
- consent settlement ..... 12.5.5
- preliminary check ..... 12.3
- report time limitations ..... 12.2.10.5
- contempt for injunction violations ..... 12.5.6
- general ..... 12.2.1, 12.4.1
- introduction ..... 12.1
- reopening proceedings ..... 12.7, 12.8
- letters of comment ..... 12.8.3
- processing requests ..... 12.8.2
- public comment ..... 12.8.3
- scope of requests ..... 12.8.1

## Index

- staff memorandum ..... 12.8.4.1-12.8.4.4  
**Compliance, Division of, investigation referral** ..... 3.24.3.2  
**compliance reports (see also disclosure of information; documents; industry guidance; illustrations, Ch. 12)** . 5.5.1, 12.2.2  
   access to ..... 12.2.11  
   advice from Commission staff ..... 12.2.6  
   authority to accept or reject ..... 12.2.9  
   Clayton Act ..... 12.2.9  
   confidential classification ..... 12.2.11.3  
   confidentiality and access ..... 12.2.10.1, 12.2.11, 12.2.11.3  
   extension of time for filing ..... 12.2.8  
   failure of respondent to submit ..... 12.2.7  
   handling of  
     confidential ..... 12.2.10.1  
     partially satisfactory ..... 12.2.10.2  
     satisfactory reports ..... 12.2.10.1  
     unsatisfactory reports ..... 12.2.10.3  
   industry guides ..... 8.3.7  
   initial ..... 6.10.7, 12.2.2.1  
   interim ..... 12.2.2  
   material included with ..... 12.2.10.4  
   partially satisfactory ..... 12.2.10.1  
   processing of  
     corporate reorganizations ..... 12.2.5.3  
     letter to respondent ..... 12.2.5.1  
     records, claims substantiation ..... 12.2.5.2  
     surveillance ..... 12.2.5.3  
   public access ..... 12.2.11  
   regular ..... 12.2.2.3  
   respondent's submission of ..... 12.2.4  
   satisfactory ..... 12.2.10.1  
   signature and/or oath ..... 12.2.3  
   supplemental ..... 12.2.2.4  
   time limitations ..... 12.2.10.5  
   unsatisfactory ..... 12.2.10.3  
**Comprehensive Smokeless Tobacco Health Education Act of 1986** ..... 1.2.1  
**compulsory process (see also investigations, civil investigative demands; illustrations, Ch. 11; investigations, procedures; resolutions, investigational; rulemaking, compulsory process)**  
   access orders ..... 3.3.6.7.7  
   civil penalties ..... 11.2.2.5  
   clearance and approval ..... 3.3.6.7.3  
   document handling ..... 3.3.6.6.4.3  
   enforcement of ..... 3.3.6.7.5.8  
   jurisdiction ..... 3.3.6.7.2  
   purpose and scope ..... 3.3.6.7.1  
   testimony from federal agency employees ..... 14.1.2  
**computer support services** ..... 18.2  
**conclusory statements (see administrative litigation, affirmative defense)**  
**confidentiality and access (see also administrative litigation, discovery; compliance reports; disclosure of information; documents; Freedom of Information Act; illustrations, Ch. 12, 15; Jencks Act; Privacy Act; Right to Financial Privacy Act of 1978; Sunshine Act)** ..... 5.4.2, 16.10.5  
   case files ..... 10.13.6.4.3  
   Commission records ..... 10.13.6.4.4  
   confidential treatment  
     documents received ..... 15.13  
     quarterly financial reports ..... 15.4.1  
     requests ..... 15.1.3  
     segregation of files ..... 15.2.3  
   consumer protection matters ..... 15.2.1.3  
   copyrighted materials ..... 15.5  
   disclosure to consultants ..... 15.1.2.2, 6.9.1  
   divestitures ..... 12.2.11.3, 15.3  
   financial records ..... 15.10.2  
   internal memoranda ..... 15.2.4.3-15.2.4.3.1  
   investigation information ..... 3.3.6.6.4.3  
   Line of Business data ..... 15.14.2  
   mergers ..... 15.3  
   policy ..... 15.1.2.1-15.1.2.2  
   purpose and scope ..... 15.1.1  
   records requests ..... 15.2  
     appeals from denials ..... 15.2.2  
     from Congress ..... 15.2.1.1  
     from federal, state, and local governments ..... 15.2.1.2  
   initial determination ..... 15.2.1  
   investigatory files ..... 15.2.1.4  
   placing on the public record ..... 15.2.6  
   segregation of files ..... 15.2.3  
**Congress**  
   advance notice of rulemaking ..... 7.3.9  
   letters regarding rulemaking/regulatory analysis ..... 7.3.8.2.4, 7.3.9, 7.3.11.2.4, 7.3.24.2.5  
   request for access to records ..... 15.2.1.1  
**Congressional Committees, testimony before** ..... 14.1.6  
**Congressional Correspondence Unit** ..... 16.3.2, 16.5  
**Congressional Record** ..... 1.2.3  
**Congressional Relations, Office of** ..... 3.1.3.6.4  
**consent agreements (see also illustrations Ch. 6)** ... 1.3.5, 6.10.2  
   acceptance ..... 6.13-6.13.2  
   during adjudicatory proceedings ..... 1.3.6.2  
   Commission action on proffered agreements ..... 6.12, 6.15  
   final Commission action  
     acceptance of modified settlement agreement ..... 6.15.3  
     issuance of order ..... 6.15.1  
     withdrawal of acceptance ..... 6.15.2  
   during investigations ..... 1.3.5.1, 3.3.7.1  
   letters of comment ..... 6.13.3  
   during litigation ..... 10.13.10  
   required provisions  
     initial compliance report ..... 6.8.2  
     prohibited ..... 6.8.3  
     special ..... 6.8.1  
   submission for review and approval  
     consumer protection matters ..... 6.9.2  
     notation of approvals ..... 6.9.3  
     restraint of trade matters ..... 6.9.1  
**consent negotiations** ..... 1.3.5  
   during adjudicatory proceedings ..... 1.3.6.2  
   approval ..... 6.3.2  
   criteria governing staff ..... 6.3.1  
   during investigations ..... 3.2.4.5  
   less than all parties ..... 6.5  
   preceding complaint  
     approval for negotiations ..... 6.3.2  
     criteria governing staff ..... 6.3.1  
     negotiating safeguards ..... 6.6

## Index

- consent orders (*see also* illustrations, Ch. 6) . . . . . 1.3.6.5, 6.10.3  
 finality and enforcement of . . . . . 12.2.1.1  
 Magnuson-Moss Warranty Act . . . . . 9.7.2  
 numbering of . . . . . 18.8.1
- consent settlements (*see also* investigations, initial phase, trade regulation rules)  
 civil penalty actions . . . . . 11.2.2.9  
 consumer protection matters . . . . . 12.5.5  
 consumer redress . . . . . 11.3.1.8  
 docketed cases . . . . . 6.11  
 unilateral offers . . . . . 6.7
- consents (*see also* administrative complaints; illustrations, Ch. 6, 11; investigations; Magnuson-Moss Warranty Act; Office of Public Affairs)  
 consumer protection matters . . . . . 6.9.2  
 criteria governing staff negotiations . . . . . 6.4  
 document preparation . . . . . 6.10  
 final staff recommendation . . . . . 6.14  
 policy . . . . . 6.2  
 proffered agreements, Commission action . . . . . 6.12.1, 6.12.2  
 public comment analysis . . . . . 6.10.6  
 purpose . . . . . 6.1  
 staff authority limitations . . . . . 6.4
- constructional materials . . . . . 1.2.3
- consultants  
 confidential information, disclosure to . . . . . 15.1.2.2  
 hiring policies and procedures . . . . . AM 3.200  
 for rulemaking . . . . . 7.3.5.4.4.1
- consumer commodities (*see also* illustrations, Ch. 9)
- Consumer Credit Protection Act, Title I (*see* Truth-in-Lending Act)
- Consumer Credit Protection Act, Title VII (*see* Equal Credit Opportunity Act)
- consumer disclosure notices (*see also* illustrations, Ch. 5)  
 clear and conspicuous . . . . . 5.2.5.3  
 readability . . . . . 5.2.5.2  
 wording . . . . . 5.2.5.1
- Consumer Leasing Act . . . . . 1.2.1, 9.4
- Consumer Product Safety Commission, Flammable Fabrics Act . . . . . 1.2.1
- consumer protection matters (*see* Bureau of Consumer Protection; compliance reports; confidentiality and access; consent agreements; consent settlements) consent; illustrations, Ch. 3, 12; investigations; investigations, initial phase)
- consumer redress (*see also* illustrations, Ch. 3, 4, 11; trade regulation rules) . . . . . 1.3.5.2.1, 16.8.3  
 Commission representation . . . . . 13.8.2  
 consent settlements . . . . . 11.3.1.8, 11.3.3  
 court complaint . . . . . 11.3.1.10.1  
 evidence in administrative proceedings . . . . . 11.3.1.7  
 form selection . . . . . 11.3.1.2  
 investigational resolutions . . . . . 3.3.6.7.4.1  
 investigative policy  
 case selection criteria . . . . . 11.3.1.3.4  
 evidence preservation . . . . . 11.2.1.3.2  
 financial condition of respondent . . . . . 11.2.1.3.3, 11.3.1.3.4  
 general . . . . . 11.3.1.3.1  
 standard, dishonest or fraudulent . . . . . 11.3.1.3.5  
 notice of action . . . . . 11.3.1.10.2
- notice order accompanying complaint . . . . . 11.3.1.9  
 possibility . . . . . 4.13  
 preservation of assets by respondents . . . . . 11.3.1.6  
 relief, likelihood . . . . . 16.8.4-16.8.4.5  
 status of limitations . . . . . 11.3.1.4  
 statutory authority . . . . . 11.3.1.1, 11.3.2, 11.4.2.1
- contacts with outsiders (*see also* investigations, initial phase; Record of Outside Contacts)  
 investigations . . . . . 3.1.3.14  
 rulemaking . . . . . 7.3.5.3
- contempt of court violations  
 injunctions . . . . . 12.5.6  
 orders . . . . . 1.3.8.2
- contractors  
 program contracts . . . . . AM 4.500  
 rulemaking . . . . . 7.3.5.4.4.2
- copying materials and records  
 custodial documents . . . . . 15.11.2  
 policy . . . . . 3.3.6.5  
 rulemaking record . . . . . 7.3.13.3
- copyrighted materials, release of . . . . . 15.5
- corrective measures (*see* judicial enforcement; law enforcement activities)
- correspondence (*see also* FTC Correspondence Manual)  
 acknowledgment . . . . . 16.4.1  
 Commission action unlikely . . . . . 16.8.5  
 complaint letter statistics . . . . . 16.2.1  
 Congressional . . . . . 16.3.2  
 disclosure of information . . . . . 16.9.1  
 time limits . . . . . 16.6.4  
 letters  
 of comment . . . . . 6.13.3.1-6.13.3.4  
 of inquiry . . . . . 3.1.3.6.1  
 to Congress . . . . . 7.3.8.2.4  
 to OMB . . . . . 7.3.8.2.4, 7.3.24.2.5  
 to SBA . . . . . 7.3.8.2.4  
 publication requests . . . . . 16.6.1  
 referrals . . . . . 16.7, 16.10.3.1  
 Regional Offices . . . . . 16.3.3  
 retention requirements . . . . . 16.6.5  
 staff advice . . . . . 16.8.8  
 standard language . . . . . 16.4.3  
 statistics . . . . . 16.2.1  
 substantive response . . . . . 16.4.2, 16.8  
 time limits . . . . . 16.6.4  
 White House . . . . . 16.3.2
- Correspondence Unit . . . . . 16.2, 16.3.1, 16.6
- costs . . . . . 18.4
- cost-benefit analysis . . . . . 18.4.1  
 rulemaking . . . . . 7.3.24.2.3
- court action (*see* judicial appearances and procedures)
- Court Decisions — Federal Trade Commission . . . . . 1.2.2, 1.2.3
- court reporter . . . . . 18.9  
 scheduling . . . . . 18.9.2  
 transcripts . . . . . 18.9.1
- CPSC (*see* Consumer Product Safety Commission)
- credit advertising (*see* special statutes)
- credit insurance orders (*see* special statutes)
- criminal prosecutions (*see* special statutes)
- criminal violations (*see* special statutes)

## Index

- custodial documents (*see documents*)
- customer notice (*see notice to customer*)
- Data Processing** ..... 18.2
- changes in investigation initiating form ..... 3.1.3.12
- computer support services for
- data analysis ..... 18.2.3
- investigations ..... 18.2.1
- litigation ..... 18.2.1
- questionnaires ..... 18.2.1
- rulemaking ..... 18.2.1
- surveys ..... 18.2.1
- data collection during investigations ..... 3.3.4.3, 18.2.1
- document indexing ..... 7.3.6, 18.2.1
- investigation support ..... 3.1.3.3
- requests for service ..... 18.2.1.2
- transcripts indexing ..... 18.2.1
- decisions (*see administrative adjudications, decisions*)
- declination of prosecution (*see special statutes*)
- Deepwater Port Act of 1974, FTC statutory authority ..... 1.2.1
- default (*see administrative litigation, default*)
- Defense Production Act ..... 1.2.1
- demand letters (*see investigations, civil investigative demands*)
- Department of Justice, U.S. (*see also Appendices, Ch. 3; illustrations, Ch. 3; special statutes*)
- clearance for investigations ..... 3.2.2.1.3
- liaison with Commission
- on completion matters ..... 14.1.1
- on criminal investigations ..... 12.4.5
- on criminal investigations ..... 3.3.6.9
- depositions (*see administrative litigation, depositions; illustrations, Ch. 10*)
- disclosure of information (*see also confidentiality and access; Freedom of Information Act; illustrations, Ch. 15*)
- Commission employees ..... 15.4.3.1
- compliance reports ..... 12.2.11.3
- confidential information to consultants ..... 15.1.2.2
- identity of proposed respondent ..... 16.9.3
- identity of staff conducting investigation ..... 16.9.5
- investigation closed ..... 16.8.4
- investigation initiated ..... 16.9.1
- Jencks Act ..... 15.1.1
- liaison with federal agencies ..... 14.1.4
- nonpublic nature of investigations ..... 3.1.2.3
- to persons other than subject individual ..... 15.4.3
- policy ..... 15.1.2, 16.9
- rulemaking ..... 7.3.10.3
- trade regulation rules proposed ..... 16.9.2
- discovery (*see administrative litigation, depositions; administrative litigation, discovery; Freedom of Information Act; Orders*)
- distribution of order ..... 5.5.4
- District Court complaint (*see also administrative complaints; complaints; illustrations, Ch. 11*) ..... 11.2.2.8
- divestitures (*see also compliance reports; confidentiality and access; Freedom of Information Act*)
- pending ..... 5.4.4.1
- time period ..... 5.4.4.4
- docket cases
- numbering scheme ..... 18.8.1.3
- settlement ..... 6.11.1-6.11.2
- documents
- custodial ..... 15.11.1-15.11.3
- handling
- compulsory process ..... 3.3.6.6.4.3
- disposition responsibility ..... 15.12.1
- during investigations ..... 3.3.6.6.4.3, 3.3.6.7.6.5
- requests for return of ..... 15.12.2
- indexing ..... 7.3.6, 18.2.1
- maintenance ..... 18.8
- preparation
- agreement ..... 6.10.2
- analysis to aid public comment ..... 6.10.6
- complaint ..... 6.10.4
- consents ..... 6.10
- decision and order ..... 6.10.5
- Federal Register* notices ..... 18.7
- initial compliance report ..... 6.10.7
- order ..... 6.10.3
- transmittal memorandum ..... 6.10.1
- retention ..... 18.8
- drafting suggestions, orders
- absolute prohibition ..... 5.2.3
- conjunctives avoidance ..... 5.2.10
- consumer disclosure notices ..... 5.2.5
- coverage of similar or related practices ..... 5.2.1
- definitions in order ..... 5.2.4
- escape clauses, avoidance ..... 5.2.8
- inconsistent language, avoidance ..... 5.2.8
- most favored respondent clause ..... 5.2.11
- orders covering violations of different statutes ..... 5.2.2
- plurals, avoidance ..... 5.2.9
- unnecessary provisos, avoidance ..... 5.2.7
- Duces tecum* subpoenas (*see subpoenas*)
- Dun and Bradstreet Reports* ..... AM 1.800
- ECOA (*see Equal Credit Opportunity Act*)
- Economic Information Systems ..... 18.5
- economics (*see policy and enforcement priorities, Bureau of Economics*)
- educational activities
- clearance ..... 17.3.3
- criteria ..... 17.3.2
- distribution of materials ..... 17.3.4
- general ..... 17.3.1
- Emergency Petroleum Allocation Act, FTC statutory authority ..... 1.2.1
- Energy Policy and Conservation Act, FTC statutory authority ..... 1.2.1, 7.2.1
- enforcement (*see compliance; compliance reports; industry guidance; judicial enforcement; law enforcement activities; subpoenas*)
- environmental impact assessment, rulemaking ..... 7.3.11.2.3
- Equal Access to Justice Act (*see illustrations, Ch. 6, 11*)
- Equal Credit Opportunity Act (*see also illustrations, Ch. 9*)
- complaint ..... 9.8.2, 9.8.4
- Federal Reserve Board ..... 9.8.1
- general ..... 9.8.1
- order ..... 9.8.2, 9.8.5
- Regulation B ..... 9.8.2, 9.8.5
- statutory authority ..... 1.2.1

## Index

- Ethics Act ..... 18.3.5
- evidence
- administrative proceedings ..... 11.3.1.7
  - admissibility in administrative litigation ..... 10.6
  - preservation ..... 11.3.1.3.2
- exhibits, purchases of (*see also* administrative illustrations, Ch. 10, 12; investigations, exhibits) ..... 18.6
- experts (*see* consultants; witnesses)
- Export Trade Act, FTC statutory authority ..... 1.2.1
- Fair Credit Billing Act ..... 1.2.1, 9.3
- Fair Credit Reporting Act (*see also* illustrations, Ch. 9) ..... 8.4.11.2, 9.5
- complaints and orders ..... 9.5.1
  - statutory authority ..... 1.2.1
- Fair Debt Collection Practices Act ..... 1.2.1
- Fair Packaging and Labeling Act (*see also* illustrations, Ch. 9) ..... 9.9
- enforcement procedures ..... 9.9.2
  - form ..... 6.4.1, 9.9.2
  - FTC authority ..... 1.2.1
  - jurisdiction ..... 9.9.1
  - Model State Packaging and Labeling Regulation ..... 9.9.1.1
  - National Conference on Weights and Measures ..... 9.9.1.1
  - rulemaking authority ..... 7.2.1, 9.9
  - Secretary of Commerce responsibilities ..... 9.9
  - state regulation ..... 9.9.1.1
- FDA (*see* Food and Drug Administration)
- liaison with Commission ..... 14.1
  - access to records requests ..... 15.2.1.2
  - investigations referral ..... 3.2.4.3.3
- Federal Cigarette Labeling and Advertising Act ..... 1.2.1
- Federal Records Act ..... 15.12.1
- Federal Register* (*see also* illustrations, Ch. 3; industry guides, procedures) ..... 1.2.3, 1.2.4, 1.2.5
- FTC documents published ..... 18.7
- Federal Reporter* ..... 1.2.3
- Federal Reports Act, amended by Paperwork Reduction Act of 1980 ..... 3.1.3.6.1
- Federal Republic of Germany, co-operative agreement with ..... 3.1.3.8
- Federal Reserve Board (*see* Equal Credit Opportunity Act)
- Federal Rules of Civil Procedure ..... 10.7
- Federal Rules of Evidence (*see* administrative litigation)
- federal-state/local relations program, General Counsel coordination ..... 14.2.1
- Federal Supplement* ..... 1.2.3
- Federal Trade Commission
- internal staff operations ..... 1.2.7
  - organization ..... 1.2.4
- Federal Trade Commission Act
- express amendments ..... 10.13.4.2
  - investigational powers ..... 3.1.2.1
  - investigational resolutions ..... 3.3.6.7.4.1
- Section
- 5, orders jurisdiction ..... 5.3.2.1, 5.3.2.3
  - 5(1), order enforcement ..... 11.2.1
  - 5(m), civil penalties ..... 11.2.2.3.1
  - 6, investigational powers ..... 3.1.2.1
  - 6(b), investigational resolutions ..... 3.3.6.7.4.1
  - 6(b), investigations, compulsory procedures ..... 3.3.6.7.1
  - 6(b), orders to file special reports ..... 7.3.5.4.5.1
  - 6(g), rulemaking authority ..... 7.2.3
  - 9, investigational powers ..... 3.1.2.1
  - 10, investigational powers ..... 3.1.2.1
  - 12, orders jurisdiction ..... 5.3.2.2, 5.3.2.3
  - 13(a), judicial enforcement ..... 11.5.2.1, 11.5.3.1
  - 12(b), judicial enforcement ..... 11.5.2.2, 11.5.3.2
  - 19, investigational resolutions ..... 3.3.6.7.4.1
  - 20, investigational powers ..... 3.1.2.1
  - 20, investigational resolutions ..... 3.3.6.7.4.1
  - 21(f), confidential treatment requests ..... 15.1.3
  - 21(f), FOIA disclosure exemption ..... 15.2.5
  - statutory authority ..... 1.2.1
- Federal Trade Commission Decisions* ..... 1.2.3
- Federal Trade Commission Improvements Act (*see* Manguson-Moes Warranty-Federal Trade Commission Improvements Act)
- Federal Trade Commission Improvements Act of 1980
- compliance proceedings, reopening ..... 12.8.1
  - confidential treatment requests ..... 15.1.3
  - document handling in investigations ..... 3.3.6.6.4.3
  - FTC statutory authority ..... 1.2.1
- Federal Trade Commission Organization, Procedures, Rules of Practice* ..... 1.2.1
- federal travel regulations ..... AM 2.100
  - files responsibility, investigation files ..... 3.2.4.7
  - financial records (*see* confidentiality and access, illustrations, Ch. 15; Right to Financial Privacy Act of 1978; subpoenas) ..... 1.2.1
  - Flammable Fabrics Act ..... 1.2.1
  - FOIA (*see* Freedom of Information Act)
  - Food and Drug Administration, liaison with Commission ..... 14.1.1
  - foreign corporations, nationals or interests ..... 3.1.3.7, 4.14.6.10
  - foreign countries
    - administrative complaints ..... 4.14.6.10
    - investigation agreements ..... 3.1.3.7-3.1.3.9
  - form letters (*see* standard language materials)
  - format of orders
    - jurisdiction ..... 5.3.2
    - parties ..... 5.3.4
    - preamble ..... 5.3.1
    - products ..... 5.3.3
  - forms (*see also* illustrations, Ch. 3, 17)
    - changes, investigations ..... 3.1.3.12
    - Clearance Request application ..... 3.3.6.3, 18.3
    - complaints ..... 16.10.1
    - consumer redress, selection ..... 11.3.1.2
    - FTC Form 6-14, FTC Survey Sheet for Consumer Commodities Under the FPLA ..... 9.9.2
    - OMB clearance ..... 3.1.3.6.3
    - orders ..... 3.3.6.7.8.3
    - Record of Outside Contact ..... 16.10.7
    - S42, clearance request application ..... 18.3
    - "Speakers Bureau Form" ..... 17.4.2, 17.6.2
    - subpoenas ..... 3.3.6.7.5.4, 18.11
  - FPLA (*see* Fair Packaging and Labeling Act)
  - FRA (*see* Federal Reports Act)

## Index

- franchisees, licensees, distributors ..... 5.3.4.2
- Freedom of Information Act (*see also* confidentiality and access) ..... 10.13.6.4.2, 16.8.7, 16.10.6
- access to records requests ..... 15.2
- disclosure ..... 15.1.1, 15.1.2.1
- exemptions ..... 15.2.4, 15.2.5, 15.3
- identification of documents not to be released
- from investigatory files ..... 15.2.3
- investigatory files ..... 3.2.3.3
- interview reports ..... 3.3.6.6.4.2
- rulemaking investigations information ..... 7.3.10.3.1
- FTC (*see* Federal Trade Commission)
- FTCA (*see* Federal Trade Commission Act)
- FTC Survey Sheet for Consumer Commodities (FTC Form 6-41) (*see also* illustrations, Ch. 9) ..... 9.9.2
- Fur Products Labeling Act (*see also* illustrations, Ch. 9)
- bonding ..... 9.11.7
- continuing guaranty ..... 9.11.6
- false advertising ..... 9.11.3
- FTC statutory authority ..... 1.2.1
- jurisdiction ..... 9.11.1
- recordkeeping ..... 9.11.5
- rulemaking statutory authority ..... 7.2.1
- rule violations ..... 9.11.4
- General Counsel (*see also* industry guidance, staff opinion letter preparation procedure)
- advisory opinions ..... 8.4.7, 8.4.9.2
- case preparation guidelines ..... 13.7
- clearance request authority ..... 18.3
- court action
- against FTC, notification ..... 13.4
- planning ..... 13.6
- proposed by FTC, notification ..... 13.5
- receipt of service process ..... 13.7.5
- federal-state relations policy responsibility ..... 14.2.1
- responsibility ..... 13.3
- general guidelines
- charges, support ..... 4.2.2
- complaint allegations-order provisions interrelationship ..... 4.2.1
- pleadings, standards ..... 4.2.3
- Germany (*see* Federal Republic of Germany)
- government privilege, FOIA exemption ..... 15.2.4.3
- Hart-Scott-Rodino Antitrust Improvements Act ..... 1.2.1
- hearings (*see* illustrations, Ch. 3; investigations, hearings; rulemaking, hearings)
- Hobby Protection Act
- complaints
- jurisdiction ..... 9.6.1.2
- laying the foundation ..... 9.6.1.3
- statutory basis ..... 9.6.1.1
- FTC statutory authority ..... 1.2.1
- orders ..... 9.6.2
- Immunity procedures (*see* administrative litigation, immunity procedures; Appendix A, Ch. 3; illustrations, Ch. 3)
- inconsistent language, avoidance ..... 5.2.5
- indexing (*see* documents)
- Industry guidance
- advisory opinions
- appropriateness ..... 8.4.5, 8.4.6
- characteristics ..... 8.4.2
- compliance with an order ..... 8.4.9.3
- effect ..... 8.4.3
- formulation procedures ..... 8.4.9
- Office of the General Counsel ..... 8.4.7
- opinion letters files ..... 8.4.11.2
- public records ..... 8.4.11.1
- scope ..... 8.4.1
- special statutes and rules ..... 8.4.9.5
- staff opinion letter ..... 8.4
- witness, immunity procedures
- Commission interpretations ..... 8.6.1
- concept ..... 8.1
- criteria ..... 8.2
- enforcement policy statements
- basis ..... 8.5.4
- characteristics ..... 8.5.2
- contents ..... 8.5.6
- form ..... 8.5.5
- issuance procedure ..... 8.5.7
- purpose ..... 8.5.3
- scope ..... 8.5.1
- guide characteristics ..... 8.3.2
- interpretations and guidelines ..... 8.6
- reports
- credit and acknowledgments ..... 8.7.6
- definition ..... 8.7.2
- publication ..... 8.7.5
- purpose and uses ..... 8.7.3
- scope ..... 8.7.1
- staff recommendation ..... 8.7.4
- scope ..... 8.3.1
- staff guidelines ..... 8.6.2
- Trade Regulation Reporter (*see also* compliance reports, rulemaking, staff report) ..... 8.3.2
- Industry guides
- appropriateness ..... 8.3.3, 8.3.4
- compliance ..... 8.3.7
- form ..... 8.3.5
- numbering scheme ..... 18.8.1.5
- procedures
- Federal Register notice ..... 8.3.6.8
- initiation ..... 8.3.6.1
- placing documents on public record ..... 8.3.6.7
- promulgation by FTC ..... 8.3.6.8
- responsibilities of Bureau ..... 8.3.6.2
- Information Disclosure Statement (*see also* disclosure of information; illustrations, Ch. 15; Privacy Act) ..... 15.4.2.1
- Information gathering (*see* rulemaking)
- Information, public (*see* confidentiality and access; Freedom of Information Act; Privacy Act; public information program)
- Information sources
- FTC internal information ..... 1.2.6
- Injunctions (*see* judicial appearances and procedures, injunctions; judicial enforcement, injunctions)
- Inquiries (*see* correspondence)
- Interlibrary loans ..... AM 1.800
- Interlocutory appeals (*see* administrative litigation, appeals)



## Index

- interpretations (*see* industry guidance)  
 intervention (*see* administrative litigation, intervention)  
 interviews (*see* investigations, interviews; Jencks Act; rulemaking interviews)  
 investigations (*see also* civil penalties; compulsory process; consent agreements; consents; consumer redress; Freedom of Information Act; illustrations, Ch. 3, 11, 18)  
   access to files requests ..... 15.2.1.4  
   advertising of books ..... 3.1.3.13  
   broadcasters ..... 3.1.2.4.2  
   Bureau of Economic research support ..... 3.1.3.2, 18.5  
   case selection criteria ..... 1.3.2  
   civil investigative demands  
     civil penalties from nonrespondent ..... 11.2.2.5  
     claims of privilege ..... 3.3.6.7.5.5  
     clearance exemptions ..... 3.1.3.6.1  
     criteria ..... 3.3.6.7.5.3  
     document handling ..... 3.3.6.7.6.5  
     extensions of time ..... 3.3.6.7.5.6  
     to federal employees ..... 14.1.2  
     FOIA exemption ..... 15.2.4.1  
     forms and procedures ..... 3.3.6.7.5.4  
     general ..... 3.3.6.7.5.1  
     hearings ..... 3.3.6.7.6.3.1, 3.3.6.7.6.3.2  
     petition to quash or limit ..... 3.3.6.7.5.7  
     procedures for preparing and processing ..... 18.11.1  
     rulemaking ..... 7.3.5.4.5.1  
     types ..... 3.3.6.7.5.3  
   clearance requirements for FTC employees ..... 18.3  
   closing of  
     clearance and approval ..... 3.3.7.4.2  
     closing memorandum ..... 3.3.7.4.4  
     competition matters ..... 3.2.4.1.2  
     compliance investigations ..... 12.4.7  
     consumer protection matters ..... 3.2.4.1.1  
     disclosure of information ..... 16.9.4  
     full investigations ..... 3.3.7.4  
     initial phase investigations ..... 3.2, 3.2.4.6  
     letters ..... 3.2.4.6, 3.3.7.4.5  
     reasons for ..... 3.3.7.4.3  
   competition matters  
     closing of ..... 3.2.4.1.2  
     form letters ..... 3.2.3.2  
     full investigations ..... 3.3.5.1.3  
     liaison with Department of Justice ..... 12.4.5  
     rulemaking ..... 7.4  
   compliance ..... 3.3.4.1  
     affidavits ..... 12.4.6  
     closing of ..... 12.4.7  
     general ..... 12.4.1  
     liaison with Dept. of Justice ..... 12.4.5  
     orders ..... 1.3.8.1, 12.4.2, 12.4.4  
     with trade regulation rules ..... 12.4.3  
   computer support services ..... 18.2  
   conduct ..... 3.2.3  
   confidentiality of information ..... 3.3.6.6.4.3  
   consumer protection matters ..... 3.2.2.1.2  
     closing of ..... 3.2.4.1.1  
     form letters ..... 3.2.3.2  
     full investigations ..... 3.3.5.1.2  
     contacts with outsiders ..... 3.1.3.14  
     corrective actions, recommendations ..... 1.3.5.6  
     data collection ..... 3.3.4.3  
     disposition of ..... 3.3.7  
       recommendation for complaint ..... 3.3.7.2  
       recommendation for other forms of  
         enforcement or corrective action ..... 3.3.7.3  
         documents, unauthorized ..... 3.3.6.6.4.4  
         enforcement mechanisms ..... 3.1.3.4  
         exhibits ..... 3.3.6.7.5.1  
         marking and identifying ..... 3.3.6.7.6.6  
         purchase of ..... 3.1.3.11, 18.6  
         Federal Republic of Germany, agreements with ..... 3.1.3.8  
         files responsibility ..... 3.2.4.7  
         foreign countries ..... 3.1.3.7-3.1.3.9  
     full ..... 1.3.4.3  
       clearance and approval ..... 3.3.5.1, 3.3.5.1.4  
       closing of ..... 3.3.7.4  
       conduct policies ..... 3.3.6  
       disposition of ..... 1.3.4.4, 3.3.7  
       nonpublic ..... 3.3.3.1  
       policy ..... 3.3.2  
       public ..... 3.3.3.2  
       purpose ..... 3.3.1, 3.3.4  
   hearings  
     civil investigative demand ..... 3.3.6.7.6.3.1, 3.3.6.7.6.3.2  
     conduct of ..... 3.3.6.7.6.2  
     managing submitted documents ..... 3.3.6.7.6.5  
     participation of staff ..... 3.3.6.7.6.3  
     Presiding Officer's responsibilities ..... 3.3.6.7.6.4  
     purpose and scope ..... 3.3.6.7.6.1  
     rulemaking ..... 7.3.5.4.5.2  
     transcripts ..... 3.3.6.7.6.8  
     witnesses immunity procedures ..... 3.3.6.7.6.9  
     witnesses' rights ..... 3.3.6.7.6.7  
   information obtained, treatment of ..... 3.3.6.6.4.3  
   initial phase ..... 1.3.4.2  
     clearance and approval ..... 3.2.2.1  
     closing ..... 3.2  
     closing letters ..... 3.2.4.6  
     competition matters ..... 3.2.2.1.3  
     consent settlements ..... 3.2.4.5  
     consolidation with another investigation ..... 3.2.4.4  
     consumer protection matters ..... 3.2.2.1.2  
     contacts with respondents, limitations ..... 3.2.2.2  
     data collection ..... 3.2.3.1  
     disclosure of information ..... 16.9.1  
     disposition ..... 3.2.4  
     files responsibility ..... 3.2.4.7  
     general ..... 3.2.1  
     information sources ..... 3.2.3.1  
     opening ..... 3.2.2  
     referral ..... 3.2.4.3  
     techniques and procedures ..... 3.2.3.2  
     utilization of existing data ..... 3.2.3.1  
     voluntary procedures ..... 3.2.3.2  
   initiation of ..... 1.3.3, 3.1.3.12, 3.2.2  
   interviews  
     interview reports ..... 3.3.6.6.4.2, 10.13.6.4.6, 15.8

## Index

- purpose ..... 3.3.6.6.4.1  
 introduction to case process ..... 1.3.1  
 investigatory powers ..... 1.3.4.1  
 large scale ..... 3.1.2.4.1  
 law enforcement, FOIA exemptions ..... 15.2.5  
 liaison with other agencies ..... 3.1.2.5  
 noncompulsory process ..... 3.3.6.6  
 nonpublic nature of ..... 3.1.2.3  
 numbering scheme ..... 18.8.1.2  
 offers of unauthorized documents ..... 3.3.6.6.4.4  
 OMB clearance requirements ..... 3.1.3.6.1  
 Paperwork Reduction Act of 1980 ..... 3.1.3.6.1  
 planning of ..... 3.1.3  
 policy (*see also* policy and enforcement priorities,  
 policy protocols)  
   general ..... 3.1.2.1  
   large scale ..... 3.1.2.4.1  
   liaison with other agencies ..... 3.1.2.5  
   nonpublic nature ..... 3.1.2.3  
   protocols ..... 2.3, 3.1.3.5  
   publishers and broadcasters ..... 3.1.2.4.2  
   records search ..... 3.1.2.6  
   respondent notification ..... 3.3.6.1  
   status reports ..... 3.1.2.7  
   subject matter ..... 3.1.2.2  
 Postal Service ..... 3.3.6.8  
 procedures ..... 3.1.3.1  
   noncompulsory process ..... 3.3.6.6  
   public ..... 3.3.3.2  
   publishers ..... 3.1.2.4.2  
 Purpose and scope ..... 3.1.1  
 questionnaires ..... 3.1.3.6.1, 3.3.6.6.2  
 records search ..... 3.1.2.6  
 request for ..... 16.10.2  
 respondents ..... 3.1.3.12, 3.2.2.2, 3.3.6.1  
 status reports ..... 3.1.2.7  
 surveys ..... 3.3.6.6.3  
 Jencks Act (*see also* administrative litigation, discovery)  
   disclosure of information ..... 15.1.1  
   investigation interview reports ..... 3.3.6.6.4.2,  
     10.13.6.4.6, 15.8  
   procedures ..... 15.8  
 judicial appearances and procedures  
   amicus briefs ..... 13.7.4  
   case preparation guidelines ..... 13.7  
   Commission review and approval ..... 13.9  
   contempt orders ..... 13.7.6  
   court action  
     notification to Commission for review approval ..... 13.10  
     notification to General Counsel ..... 13.4, 13.5  
     planning with General Counsel ..... 13.6  
     enforcement of compulsory process ..... 13.7.2  
     injunctions ..... 13.7.3  
     notification to Attorney General ..... 13.11  
     representation ..... 13.2  
       in civil penalties ..... 13.8.1  
       in consumer redress ..... 13.8.2  
     response to process ..... 13.7.5  
     scope ..... 13.1  
     supervision and coordination ..... 13.12  
   judicial enforcement (*see also* enforcement activities)  
   orders  
     case planning ..... 11.1.2  
     introduction ..... 11.1, 11.1.1  
   injunctions  
     case selection and investigation ..... 11.5.5  
     civil and criminal contempt for violation of ..... 12.5.6  
     compliance contempt ..... 12.5.6  
     forms of relief ..... 11.5.4  
     general ..... 11.5.1  
     interpretations ..... 11.5.3  
     permanent ..... 11.5.7  
     review procedures ..... 11.5.6  
     statutory provisions ..... 11.5.2  
   orders, civil penalties from nonrespondents ..... 11.2.2  
   trade regulation rules ..... 11.4  
 Justice, Dept. of (*see* Department of Justice, U.S.)  
 lack of public interest (*see* administrative litigation,  
 answers)  
 Lanham Trade-Mark Act ..... 1.2.1  
 law enforcement activities (*see also* judicial  
 enforcement)  
   compliance investigations ..... 3.3.4.1  
   consumer protection ..... 2.1.1  
   economic ..... 2.1.1  
   enforcement mechanisms ..... 3.1.3.4  
   FOIA exemption ..... 15.2.5  
   maintaining competition ..... 2.1.1  
   Truth-in-Lending Act violations ..... 3.3.4.2  
 law review articles (*see* publication by staff)  
 LB (*see* Line of Business)  
 legal information retrieval system ... FTC Information Handbook  
 lender as respondent ..... 4.5.7  
 letters (*see* correspondence)  
 LEXIS system ..... 1.2.3, 5.7, 10.8  
 liaison officers (*see also* Appendix A, Ch. 14) ..... 14.1.1, 14.1.5  
 liaison with (*see also* Appendix A, Ch. 14)  
   Attorney General  
     in civil penalty actions ..... 12.5.1  
     notice letter of civil penalty action ..... 11.2.2.8  
   Department of Justice  
     Commission policy ..... 14.1.1  
     in competition matters ..... 12.4.5  
     on criminal violations of Sherman Act ..... 3.3.6.9  
   federal agencies ..... 14.1.3  
     Commission policy ..... 14.1.1  
     disclosure of information ..... 14.1.4  
     testimony from officials, use of compulsory  
     process ..... 14.1.2  
   Food and Drug Administration, Commission policy ..... 14.1.1  
   other agencies, on investigations ..... 3.1.2.5  
   Postal Service  
     Commission policy ..... 14.1.1  
     on investigations  
       box holder information ..... 3.3.6.8.5  
       bulk rate mail volume readings ..... 3.3.6.8.4  
       clearance ..... 3.3.6.8.2  
       general ..... 3.3.6.8.1  
       mail covers ..... 3.3.6.8.3  
       monitoring of metered mail ..... 3.3.6.8.6

## Index

- state and local agencies  
 advocacy of legislation ..... 14.2.3.7  
 compendium of state and local laws ..... 14.2.3.3  
 consumer protection coordinating committees ..... 14.2.3.8  
 effect of trade regulation rules on state and  
 local laws ..... 14.2.3.9  
 exchange of information ..... 14.2.3.2  
 list of officials ..... 14.2.3.5  
 policy ..... 14.2.1  
 referral of matters ..... 3.2.4.3.3 14.2.3.1  
 requests for advice or assistance ..... 14.2.3.6  
 testimony from officials, use of compulsory process .... 14.2.2  
 training of law enforcement personnel ..... 14.2.3.4
- Library ..... AM 1.800
- Line of Business, confidentiality of ..... 15.14.2
- litigated orders (see orders litigated)
- local government (see liaison with state and local agencies)
- Magnuson-Moss Warranty Act ..... 8.4.11.2, 9.7
- Magnuson-Moss Warranty-Federal Trade Commission Act  
 civil penalties ..... 1.3.5.3, 11.2.2.1  
 consumer redress ..... 1.3.5.2.1  
 FTC authority ..... 1.2.1  
 rulemaking ..... 7.2, 7.3
- mailing lists (see illustrations, Ch. 7; rulemaking)
- maintenance of records (see records)
- Management Information System ..... 18.2
- media (see administrative litigation, conduct of counsel;  
 investigations, policy, publishers and broadcasters; news)
- Memorandum Initiating Investigation FTC Information Handbook
- memorandum of law (see administrative litigation, motions;  
 administrative litigation, proposed findings)
- memorandum recommending complaint  
 body of the memorandum ..... 4.14.6  
 accompanying documents ..... 4.14.6.12  
 alternatives to complaint ..... 4.14.6.9  
 charges ..... 4.14.6.3  
 defenses anticipated ..... 4.14.6.4  
 foreign corporations, nationals or interests ..... 4.14.6.10  
 injunctive authority, use ..... 4.14.6.7  
 jurisdiction ..... 4.14.6.2  
 legal theory supporting charges ..... 4.14, 6.5  
 news release ..... 4.14.6.13  
 parties ..... 4.14.6.1  
 policy protocols ..... 4.14.6.8  
 proposed remedy ..... 4.14.6.6  
 public inquiry and economic impact ..... 4.14.6.7  
 summary conclusion ..... 4.14.6.11  
 clearance and approval ..... 4.14.2  
 heading ..... 4.14.3  
 post-complaint discovery ..... 4.14.5  
 purpose and scope ..... 4.14.1  
 summary ..... 4.14.4
- mergers (see Confidential and access; Freedom of  
 Information Act; screening for mergers;  
 MIS (see Management Information System)
- "Mississippi River" Treatment (see illustrations,  
 Ch. 10; orders, protective)
- Model State Packaging and Labeling Regulation ..... 9.9.1.1
- most favored respondent clause ..... 5.2.11
- motions (see administrative litigation, motions  
 illustrations, Ch. 10; investigations, civil  
 investigative demands; investigations, subpoenas;  
 petition to quash or limit)
- National Bureau of Standards ..... 9.9
- National Conference on Weights and Measures ..... 9.9.1.1
- negotiating safeguards ..... 6.6
- negotiations (see consent negotiations)
- news  
 briefings ..... 17.2.3  
 mailing lists ..... 17.2.4  
 media inquiries ..... 17.2.5  
 rulemaking ..... 7.3.10.1, 7.3.12.3.1  
 news releases ..... 17.2.2  
 investigation closings ..... 3.3.7.4.6  
 public investigations ..... 3.3.3.2  
 rulemaking ..... 7.3.10.1, 7.3.12.3.1  
 newspaper orders ..... AM 1.800.2  
 nonprofit associations as organizations ..... 4.5.6  
 nonprogrammed activities ..... 2.1.5  
 nonpublic investigations (see also illustrations,  
 Ch. 11) ..... 3.3.3.1  
 nonrespondents (see administrative complaints, nonrespondents)
- notice letters (see civil penalties, from  
 nonrespondents, illustrations, Ch. 11)
- notice of contemplated relief (see administrative complaints,  
 notice of contemplated relief; illustrations, Ch. 5)
- Notice of default (see administrative litigation, default;  
 illustrations, Ch. 3; orders, special report)
- notice of proposed rulemaking (see illustrations, Ch. 7;  
 rulemaking, notice of)
- notice order (see administrative complaints, notice  
 order; illustrations, Ch. 4, 5)
- notice to customer  
 Commission request for financial records ..... 15.10.2.1  
 Commission transfer of financial records ..... 15.10.3  
 delayed notice ..... 15.10.2.1.2
- notices (see illustrations, Ch. 3, 4, 5, 7, 11, 12, 15;  
 rulemaking)
- numbering system (see also records) ..... 18.8
- OECD (see Organization for Economic Cooperation  
 and Development)
- offers of proof (see administrative litigation,  
 testimony; illustrations, Ch. 10)
- Office of Congressional Relations ..... 3.1.3.6.4
- Office of Management and Budget  
 advance notice of rulemaking ..... 7.3.9  
 authority to review ..... 3.1.3.6.1  
 clearance requirements ..... 3.1.3.6, 3.3.6  
 procedures ..... 3.1.3.6.3  
 control numbers ..... 3.1.3.6.2  
 letter regarding rulemaking ..... 7.3.8.2.4, 7.3.24.2.5  
 paperwork clearance for rulemaking ..... 3.1.3.6, 7.3.24.2.4  
 regulatory analysis ..... 7.3.11.2.4  
 enforcement priorities)
- Office of Public Affairs  
 consents ..... 6.13.1  
 general ..... 17.2.1  
 news releases ..... 17.2.2

## Index

- Office of the General Counsel (*see* General Counsel)  
Office of the Secretary (*see* Records)  
OMB (*see* Office of Management and Budget)  
omnibus resolutions (*see* illustrations, Ch. 3, 11;  
resolutions, investigational)  
open-end credit (*see* special statutes)  
**Operating Manual**  
changes ..... 1.1.3.2, 1.1.3.3.2  
changes index ..... 1.1.3.3.2  
function and authority ..... 1.1.1  
how to use ..... 1.1.2  
maintenance ..... 1.1.3.3, 1.1.3.3.1.2  
transmittal sheets ..... 1.1.3.3.1.1  
updating authority ..... 1.1.3.1  
updating procedures ..... 1.1.3.2  
oral argument (*see* administrative litigation, appeals)  
oral presentations (*see* illustrations, Ch. 7;  
rulemaking, oral presentations)  
orders (*see also* civil penalties; compliance;  
consent orders; illustrations, Ch. 3, 5, 9, 10;  
investigations, compliance; Magnuson-Moss Warranty—  
Federal Trade Commission Improvements Act)  
access orders ..... 3.3.6.6.7.7  
advisory opinions requests ..... 12.6  
cease and desist ..... 1.3.6.4  
appellate review ..... 1.3.6.5  
consumer redress ..... 11.3  
finality and enforcement of ..... 12.2.1.1  
monitoring compliance ..... 1.3.8.1  
reopening and modification of ..... 1.3.7  
reopening proceedings ..... 12.7, 12.8  
violations ..... 1.3.8.2  
decision and order ..... 1.3.6.4, 5.6, 6.10.5  
denying summary decision ..... 10.13.11  
discovery ..... 10.1  
distribution ..... 5.5.4  
drafting suggestions ..... 5.2  
final ..... 1.3.6.4  
appellate review ..... 1.3.6.5  
compliance monitoring ..... 1.3.8.1  
finality and enforcement of ..... 12.2.1.1  
format ..... 5.3  
Hobby Protection Act ..... 9.6  
introduction ..... 5.1  
injunctive ..... 1.3.8.2  
litigated, finality and enforcement of ..... 12.2.1.1  
notice order ..... 4.12, 10.9.2  
notice accompanying complaint preamble ..... 11.3.1.9  
notification of charge  
business or employment ..... 5.5.2  
corporate structure ..... 5.5.3  
parties  
advertising agency ..... 5.3.4.3  
franchises, licensees, distributors ..... 5.3.4.2  
third parties ..... 5.3.4.1  
trade associations and their members ..... 5.3.4.4  
petition to quash or limit ..... 3.3.6.7.5.7  
prehearing ..... 10.13.3  
pretrial conferences, results of ..... 10.1, 10.13.3  
protective  
general ..... 10.13.6.6.1  
"Mississippi River" Treatment ..... 10.13.6.4.7.7, 10.13.6.6.2  
reopening and modification of ..... 1.3.7  
special report  
clearance and approval ..... 3.3.6.7.8.2  
extensions of time to file ..... 3.3.6.7.8.5  
forms and procedures ..... 3.3.6.7.8.3  
notice of default ..... 3.3.6.7.8.7  
petition to quash or limit ..... 3.3.6.7.8.6  
purpose and scope ..... 3.3.6.7.8.1  
service of ..... 3.3.6.7.8.4  
standard "further ordered" paragraphs ..... 5.5  
substantive order provisions ..... 5.4  
violations ..... 1.3.8.2  
different statutes ..... 5.2.2  
nonrespondents ..... 12.5.3  
successor or related corporations ..... 12.5.2  
**Organization for Economic Cooperation and  
Development** ..... 4.14.6.10  
notification of investigations of foreign countries ..... 3.1.3.7  
**Organized Crime Control Act, witness immunity**  
(*see also* illustrations, Ch. 3) ..... 3.3.6.7.6.9  
**Packers and Stockyards Act, amendments** ..... 1.2.1  
**Paperwork Reduction Act of 1980**  
assessing paperwork or reporting burden ..... 3.1.3.6.4  
collection of information ..... 3.1.3.6-3.1.3.6.4, 7.3.24.2.4  
definitions ..... 3.1.3.6.1  
OMB clearance  
authority to review ..... 3.1.3.6.1  
control numbers ..... 3.6.3.6.2  
notices required ..... 3.1.3.6.2  
procedures and forms ..... 3.1.3.6.3  
rulemaking ..... 7.3.24.2.4  
parents and subsidiaries ..... 4.5.3  
parties (*see* administrative complaints; illustrations,  
Ch. 4; orders)  
periodicals and newspapers  
orders ..... AM 1.800.2, 18.5.4, 18.5.5  
petition to quash or limit (*see also* investigations,  
illustrations, Ch. 3; civil investigative demands;  
investigations, subpoenas) ..... 3.3.6.7.5.7, 3.3.6.7.8.3, 3.3.6.7.8.6  
**Petroleum Marketing Practices Act, rulemaking**  
statutory authority ..... 7.2.1  
pleadings (*see* administrative litigation, pleadings)  
policy and enforcement priorities (*see also* industry  
guidance, investigations, policy)  
Bureau Director ..... 2.5.1  
Bureau of Competition procedures  
Assistant Director for regional operations ..... 2.5.2.5  
Associate Director for evaluation ..... 2.5.2.4  
economic comment ..... 2.5.2.8  
evaluation committee ..... 2.5.2.3  
evaluation office ..... 2.5.2.2  
evaluation of other matters ..... 2.5.2.7  
investigations ..... 3.3.5.1.3  
liaison with Dept. of Justice ..... 12.4.5  
merger screening activity ..... 2.5.2.6  
workload review ..... 2.5.2.1  
Bureau of Consumer Protection procedures  
evaluation committee ..... 2.5.3.2

## Index

- evaluation responsibilities ..... 2.5.3.1  
 program advisors ..... 2.5.3.3  
 Bureau of Economics  
   economic comment ..... 2.5.2.8  
   evaluation committees ..... 2.5.3.2  
   evaluation responsibilities ..... 2.5.3.3  
 current programs (*see also* industry guidance;  
 investigations, policy) ..... 2.1.3  
 disclosure of information ..... 15.1.2, 16.7  
 investigational strategy and planning ..... 2.4  
 new program development ..... 2.1.5  
 nonprogrammed activities ..... 2.2  
 Office of Policy Planning ..... 2.6  
 program budgeting ..... 2.1.3  
 programmed activities ..... 2.1  
 review process and evaluation ..... 2.5  
 policy protocols ..... 4.14.6.8  
   and case selection criteria  
     approval protocols ..... 2.3.3  
     formulation and use ..... 2.3.2  
     purpose ..... 2.3.1  
   investigational tool ..... 3.1.3.5  
 policy statements (*see* industry guidance,  
 enforcement policy statements)  
 postal investigation (*see* illustrations, Ch. 3;  
 investigations, Postal Service; liaison with Postal Service)  
 post-complaint discovery ..... 4.14.5  
 Postal Service (*see* liaison with Postal Service)  
 PRA (*see* Paperwork Reduction Act of 1980)  
 prehearing procedures (*see* administrative  
 adjudications, prehearing procedures)  
 pre-merger notification reports ..... 2.5.2.6  
 Presiding Officer (*see* rulemaking proceedings;  
 rulemaking, hearings)  
 press releases (*see* news releases)  
 pretrial conferences (*see* administrative litigation,  
 pretrial procedures; illustrations, Ch. 10; orders, pretrial)  
 pretrial hearings (*see* illustrations, Ch. 10; orders,  
 prehearing)  
 pretrial procedures (*see* administrative litigation,  
 pretrial procedures; administrative litigation,  
 discovery)  
 Privacy Act (*see also* illustrations, Ch. 15; records)  
   authority for collecting information ..... 15.4.2.2  
   collection and maintenance of personal  
   information ..... 15.4.2  
   description of routine uses ..... 15.4.2.5  
   disclosure of information ..... 15.1.1  
   disclosure of records ..... 15.4.3  
   information  
     principal purposes ..... 15.4.2.4  
     requested and not provided, effects ..... 15.4.2.6  
     solicitation, mandatory or voluntary ..... 15.4.2.3  
   investigation  
     files ..... 3.2.3.3  
     interviews ..... 3.3.6.6.4  
     questionnaires ..... 3.3.6.6.2  
     surveys ..... 3.3.6.6.3  
     system of notices ..... 15.4.2.7  
   procedures, general ..... 15.4.1  
   rulemaking investigatory materials ..... 7.3.10.3.1  
   Procedures and Rules of Practice ..... 12.4, 1.2.6  
     case selection criteria (*See also* Federal Trade  
     Commission Organization, Procedures, Rules of  
     Practice and Statutes) ..... 1.3.2  
   program advisors ..... 2.5.3.3  
   programmed activities  
     concept ..... 2.1.1  
     current programs ..... 2.1.4  
     new program development ..... 2.1.5  
     program budgeting ..... 2.1.3  
     program management ..... 2.1.2  
   projects  
     numbering scheme ..... 18.8.1  
   proposed rulemaking (*see* rulemaking)  
   protective orders (*see* illustrations, Ch. 10; orders,  
   protective)  
   protocols (*see* advertising; bait and switch; policy  
   protocols)  
   provisions, prohibited  
     most favored respondent ..... 6.8.3.3  
     nonconsenting persons ..... 6.8.3.2  
     "solely for purposes of this agreement ...." ..... 6.8.3.1  
   public comment  
     analysis (*see also* compliance, public comment;  
     illustrations, Ch. 6, 7; rulemaking comment) ..... 6.10.6  
   Public Health Cigarette Smoking Act ..... 1.2.1  
   public information program ..... 17.2.1  
   public interest groups ..... 16.10.3.2  
   public investigations ..... 3.3.3.2  
   public participation ..... 7.3.12.3  
   public records (*see* records)  
   Public Reference Section ..... 16.10.4  
   publication by staff  
     articles ..... 15.16, 17.5.1, 17.5.2  
     law review articles ..... 17.5.1, 17.5.2  
     speeches ..... 15.5  
   publication of Commission documents ..... 18.7  
   publicity, education, and voluntary compliance (*see*  
   compliance reports; industry guidance)  
   publishers, investigations policy ..... 3.1.2.4.2  
   "purchaser" or "sale" language, avoidance ..... 5.4.4.3  
   questionnaires (*see also* illustrations, Ch. 3)  
     analysis ..... 18.2  
     OMB clearance requirements ..... 3.1.3.6.1, 3.3.6.6.2  
     rulemaking ..... 7.3.5.4.3.1  
   readability (*see* consumer disclosure notices,  
   readability; illustrations, Ch. 5)  
   "reason to believe" (*see* administrative litigation, answers)  
   Record of Outside Contact (*see also*  
   illustrations, Ch. 16) ..... 3.1.3.14, 7.3.5.3, 16.10.7  
   record rooms (*see* Bureau of Competition; Bureau  
   of Consumer Protection Records Room)  
   records  
     maintenance ..... 5.4.2  
     numbering system ..... 18.8.1  
     Privacy Act ..... 15.4.5  
     public ..... 6.13.2, 8.4.11, 15.2.6  
     Public Records Section, subpoenas mailing ..... 18.11  
     Records Branch ..... 18.8

## Index

- requests to reopen compliance proceedings ..... 12.8.2  
retention ..... 18.8  
segregation of investigatory files ..... 15.2.3  
transcripts indexing ..... 18.9
- Regional Offices**  
compulsory process procedures ..... 18.11  
correspondence ..... 18.3.3  
Headquarters staff field activities, notification of ..... 17.4.4  
liaison with state and local agencies ..... 14.2  
Public Information Officer ..... 17.2.1
- Regulation B (See Equal Credit Opportunity Act)**  
**Regulation Z (see special statutes)**  
regulatory analysis (see illustrations, Ch. 7; rulemaking)  
**Regulatory Flexibility Act** ..... 7.3.11.2.4, 7.3.24.2.3  
reporting services ..... 18.9  
reports (see compliance reports; industry guidance)  
**Reproduction Branch services** ..... AM 4.700  
resolutions (see also illustrations, Ch. 3, 11; rulemaking, compulsory process)  
investigational ..... 3.3.6.7.1, 3.3.6.7.2, 3.3.6.7.3  
blanket ..... 3.3.6.7.4.3  
general ..... 3.3.6.7.4.1  
omnibus ..... 3.3.6.7.4.2, 11.2.2.3.3  
special ..... 3.3.6.7.4.4
- respondents (see also consumer redress; investigations, respondents)  
as class representatives ..... 4.5.5  
disclosure of identity ..... 16.9.3, 18.9.5  
indigent ..... 10.21  
lender ..... 4.5.7  
listing of ..... FTC Information Handbook
- restraint of trade matters (see trade regulation rules)  
review process and evaluation (see policy and enforcement priorities)
- Right to Financial Privacy Act of 1978 (see also illustrations, Ch. 15)**  
certificate of compliance ..... 15.10.2.1.1, 15.10.2.2  
customer notice  
delay of ..... 15.10.2.1.2  
exceptions ..... 15.2.1.1  
definitions ..... 15.10.1.1  
exceptions ..... 15.10.1.2  
general ..... 15.10.1  
notice of transfer ..... 15.10.3, 15.10.3.1  
transfer of records ..... 15.10.3  
violations, remedies and sanctions for ..... 15.10.4
- Robinson-Patman Act** ..... 1.2.1, 4.6, 6.8.2
- rulemaking (see illustrations, Ch. 7; investigations, civil investigative demands; Warranty Act; investigations, competitive matters; Magnuson-Moss Warranty Act; Magnuson-Moss Warranty—Federal Trade Improvements Act; resolutions, trade regulation rules)  
advance notice ..... 7.3.8.2.3  
affected groups ..... 7.3.10.2, 7.3.12.3.2  
publication of ..... 7.3.9  
advantages over adjudication ..... 7.1, 7.3.1  
clearance requirements ..... 7.3.24.2.4  
closing, proceedings ..... 7.3.25  
communications ..... 7.3.12.5  
compensation program ..... 7.3.14  
compliance ..... 7.3.24.2, 7.3.24.2.2, 7.3.28.1  
compulsory process ..... 7.3.5.4.5  
civil investigative demands ..... 7.3.5.4.5.2  
investigational hearings ..... 7.3.5.4.5.3  
Presiding Officer's recommendations ..... 7.3.20.2.1  
resolutions ..... 7.3.20.2.2  
staff requests for ..... 7.3.20.2.2  
computer services ..... 7.3.5.2.1, 7.3.6.2, 18.2  
Congressional Review ..... 7.3.26  
consultants, use in ..... 7.3.5.4.4.1  
contractors ..... 7.3.5.4.4.2  
copying materials and records ..... 7.3.13.3  
cost benefit analysis ..... 7.3.24.2.3  
cost summary of proceedings ..... 7.3.8.2.2  
disclosure of information ..... 7.3.10.3  
disclosure of staff documents ..... 7.3.10.3  
designation of issues ..... 7.3.15  
disposition of investigation ..... 7.3.15  
document indexing ..... 7.3.6.1, 7.3.6.2, 18.2  
draft initial notice ..... 7.3.11.2.1  
enforcement of TRRs ..... 7.3.18.2  
environmental impact assessment ..... 7.3.11.2.3  
experts ..... 7.3.5.4.4.1  
Fair Packaging and Labeling Act ..... 7.2.1, 9.9  
**Federal Register** ..... 18.7  
final determination ..... 7.3.24  
final notice, preparation and publication ..... 7.3.18  
FOIA ..... 7.3.10.3.1  
general ..... 7.1  
hearings  
control and conduct ..... 7.3.20  
cross-examination ..... 7.3.20.1  
date selection ..... 7.3.16  
direct examination ..... 7.3.20.1  
elements of proof ..... 7.3.19.1  
Presiding Officer's decision ..... 7.3.22  
selection of group representatives ..... 7.3.19.2  
site selection ..... 7.3.16  
witnesses  
general ..... 7.3.19.3.2.1  
prehearing contact ..... 7.3.19.3.4  
scheduling ..... 7.3.19.3.2  
securing of ..... 7.3.19.3.1  
selection ..... 7.3.19.3.1  
support services ..... 7.3.19.4  
testimony ..... 7.3.19.3.2  
time and place for filing ..... 7.3.19.3.2.2  
written rebuttal period ..... 7.3.20.4
- information gathering  
general ..... 7.3.5.4.1  
published and other existing sources ..... 7.3.5.4.2  
voluntary requests ..... 7.3.5.4.3
- interim notices ..... 7.3.17  
interlocutory appeals ..... 7.3.20.3  
interpretive statements ..... 7.3.24.2.2  
interviews ..... 7.3.5.4.3.1  
investigational hearings ..... 7.3.5.4.5.3  
investigatory materials ..... 7.3.10.3.1  
Judicial review ..... 7.3.27  
letters to Congress ..... 7.3.8.2.4

## Index

- final notice and regulatory analysis ..... 7.3.24.2.5  
 letters to OMB ..... 7.3.8.2.4; 7.3.24.2.5  
 letters to SBA ..... 7.3.8.2.4  
   final notice and regulatory analysis ..... 7.3.24.2.5  
 mailing list of interested persons ..... 7.3.5.5  
 news briefings ..... 7.3.10.1, 7.3.12.3.1  
 news releases ..... 7.3.10.1, 7.3.12.3.1  
 notice of, final ..... 7.3.18  
 notice of, interim ..... 7.3.17  
 numbering scheme ..... 18.8.1.5  
 oral presentations ..... 7.3.18  
 outside contacts ..... 7.3.5.3  
 Paperwork Reduction Act of 1980, OMB clearance ... 7.3.24.2.4  
 Petroleum Marketing Practices Act ..... 7.2.1  
 prehearing conferences ..... 7.3.19.5  
 Privacy Act ..... 7.3.10.3.1  
 procedures  
   advance notice of proposed rulemaking ..... 7.3.2  
   Bureau of Economics support services ..... 7.3.5.2.1, 18.5  
   computer support services ..... 7.3.5.2.2, 18.2  
   investigational strategy memorandum ..... 7.3.5.1  
   investigations ..... 7.3.2  
   notice of proposed rulemaking ..... 7.3.2  
   petitions to initiate ..... 7.3.3  
   services of other Commission officers and  
   other agencies ..... 7.3.5.2.3  
 proceedings  
   alternative procedures ..... 7.3.11.2.1.1  
   Commissioners, communicating with ..... 7.3.12.5.2  
   initial notice ..... 7.3.12.1  
   Presiding Officer ..... 7.3.10.2, 7.3.12.2  
     appointment ..... 7.3.12.2  
     communications with ..... 7.3.12.5.1  
     notification of Presiding Officer ..... 7.3.11.2.5  
     transmittal of relevant staff documents ..... 7.3.12.3.3  
   public comment ..... 7.3.10, 7.3.12, 7.3.12.4, 7.3.13.2, 7.3.23  
   questionnaires ..... 7.3.5.4.3.1  
   regulatory analysis ..... 7.3.11.2.2, 7.3.24.2.3  
   Regulatory Flexibility Act ..... 7.3.11.2.4, 7.3.24.2.3  
   staff report  
     Bureau of Economic's concurrences ..... 7.3.8.3  
     Bureau Review ..... 7.3.8.1.2, 7.3.8.2  
     distribution of copies ..... 7.3.10.3.2.1  
     Evaluation Committee Review ..... 7.3.8.1.2  
     final ..... 7.3.21  
     forwarding memorandum ..... 7.3.8.2.1  
     material's accompanying ..... 7.3.8.2  
     placement on public record ..... 7.3.10.3.2  
     preparation and contents ..... 7.3.8.1.1  
     supplemental materials accompanying ..... 7.3.11.2  
     supplemental, preparation and contents ..... 7.3.11.1.1  
     statement of basis and purpose ..... 7.3.12.2.1  
     statutory authority ..... 7.2  
     witnesses ..... 7.3.19.3  
   rulemaking record  
     Commission Review ..... 7.3.24.1  
     copying materials ..... 7.3.13.3  
     document receipt and transmittal ..... 7.3.13.2  
     maintenance ..... 7.3.13  
     organization ..... 7.3.13.1  
     public comments ..... 7.3.13.2  
   Rules of Practice ..... 1.2.4, 7.1  
   sample pleadings ..... 4.3  
   samples (see standard language materials)  
   sanctions (see administrative litigation, motions;  
   illustrations, Ch. 10)  
   SBA (see Small Business Administration)  
   screening for mergers ..... 2.5.2.6  
   Secretary of Commerce (see Fair Packaging and  
   Labeling Act)  
   settlement (see consent settlements; docketed  
   cases, settlement)  
   Sherman Act ..... 3.3.6.9  
   Small Business Administration (see also illustrations, Ch. 7)  
     advance notice of rulemaking ..... 7.3.9  
     letters regarding rulemaking ..... 7.3.8.2.4, 7.3.24.2.5  
   sources of information (see information sources)  
   "Speakers Bureau Form," (see also illustrations,  
   Ch. 17) ..... 17.4.2, 17.6.2  
   special report orders (see illustrations, Ch. 3;  
   orders, special report)  
   special resolutions (see illustrations, Ch. 3;  
   resolutions, investigational)  
   special statutes (see also industry guidance, staff  
   opinion letter)  
     Consumer leasing Act ..... 1.2.1, 9.4  
     Credit Insurance Orders ..... 9.2.2.1  
     criminal prosecutions ..... 9.2.3.5  
     criminal violations ..... 9.2.3  
     Department of Justice ..... 9.2.3.2, 9.2.3.5, 9.2.3.7  
     Equal Credit Opportunity Act ..... 9.8  
     Fair Credit Billing Act ..... 9.3  
     Fair Credit Reporting Act ..... 1.2.1, 9.5  
     Fair Packaging and Labeling Act ..... 1.2.1, 7.2.1, 9.9  
     Fur Products Labeling Act ..... 1.2.1, 7.2.1, 9.11  
     general information ..... 9.1  
     Hobby Protection Act ..... 1.2.1, 9.6  
     investigation file establishment ..... 9.2.3.4  
     open-end credit ..... 9.2.2.2  
     Regulation Z, recession under section 226.9 ..... 9.2.2.3  
     Textile Fiber Products Identification Act ..... 1.2.1, 7.2.1, 9.12  
     Truth-in-Lending Act ..... 1.2.1, 3.3.4.2, 8.4.4.2, 9.2  
     Wool Products Labeling Act ..... 1.2.1, 7.2.1, 9.10  
   speeches  
     clearance and approval ..... 17.4.2  
     policy ..... 17.4.1  
     "Speakers Bureau Form," ..... 17.4.2, 17.6.2  
   staff authority limitation (see consents)  
   staff guidelines (see industry guidance)  
   staff operations ..... 1.2.7  
   staff opinion letters ..... 16.8.6  
   staff report (see rulemaking, staff reports; trade  
   regulation rules, staff report)  
   standard language materials ..... 1.1.2.2  
   Standard Language Materials Index ..... 1.1.3.3.2  
   state and local governments  
     access to records requests ..... 15.2.1.2  
     investigation referral ..... 3.2.4.3.3  
     legislation ..... 14.2.3  
     liaison with Commission ..... 14.2

## Index

- list of cooperating officials ..... 14.2.3.5  
trade regulation rules ..... 7.3.4  
statute of limitations (see statutory limitations)  
**Statutes and Decisions—Federal Trade Commission** (see under latter name *Court Decisions—Federal Trade Commission*)  
statutory authority (see also Equal Credit Opportunity Act; illustrations, Ch. 11; special statutes)  
civil penalties ..... 11.2.2.4, 11.4.1.1, 11.4.2.1  
consumer redress ..... 11.3.1.1, 11.3.2, 11.4.2.1  
Federal Trade Commission ..... 1.2.1  
injunctions ..... 11.5.2  
rulemaking ..... 7.1, 7.2  
trade regulation rules violations ..... 11.4.1.1, 11.4.2.1  
statutory jurisdiction ..... 4.6  
statutory limitations, consumer redress (see also illustrations, Ch. 11) ..... 11.3.1.4  
statutory sources ..... 1.2.2  
stenographic services ..... 18.9  
stipulations between counsel (see administrative litigation, stipulations between counsel; illustrations, Ch. 10)  
submissions to Commission ..... 18.10  
subpoenas (see also illustrations, Ch. 10, 15, 18)  
of "All Documents," ..... 10.13.6.4.7.9  
*ad testificandum* ..... 10.13.6.4.7.1  
Bureau of Competition ..... 3.3.6.7.5.6  
civil penalties ..... 11.2.2.5  
claims of privilege ..... 3.3.6.7.5.5  
clearance exemptions ..... 3.1.3.6.1, 3.1.3.6.2  
clearance requirements ..... 3.1.3.6.1  
criteria ..... 3.3.6.7.5.2  
document handling ..... 3.3.6.7.6.5  
*duces tecum* ..... 10.13.6.4.7.1, 10.13.6.4.7.3, 10.13.6.4.7.4, 10.13.6.4.7.6  
enforcement ..... 10.13.6.4.7.13  
extensions of time ..... 3.3.6.7.5.6  
federal employees ..... 14.1.2  
financial records ..... 15.10.2  
forms and procedures ..... 3.3.6.7.5.4, 18.11.2.1, 18.11.2.2  
general ..... 3.3.6.7.5.1, 10.13.6.4.7.1  
petition to quash or limit ..... 3.3.6.7.5.7  
of public agencies ..... 10.13.6.4.7.2  
returns ..... 10.13.6.4.7.10-10.13.6.4.7.12, 10.13.6.4.7.14  
of third parties ..... 10.13.6.4.7.6, 10.13.6.4.7.8  
substantive area synopses (see also illustrations Ch. 11) ..... 11.2.2.3  
substantive order provisions  
access to and maintenance of records ..... 5.4.2  
advertising substantiation ..... 5.4.1  
prohibition on acquisitions ..... 5.4.4  
time periods ..... 5.4.3  
**Sunshine Act**  
disclosure of information ..... 15.1.1  
procedures ..... 15.9  
support services (see also Administrative Manual)  
accountants ..... 18.1  
contracting with third parties ..... AM 4.500  
court reporter ..... 18.9  
economist ..... 18.5  
printing and duplication ..... AM 4.700  
records search ..... FTC Information Handbook  
stenographic services ..... 18.9  
**Supreme Court Reporter** ..... 1.2.3, 18.9  
surveys (see also illustrations, Ch. 9)  
investigations ..... 3.3.6.6.3, 18.2  
OMB clearance ..... 3.1.3.6.1  
Paperwork Reduction Act of 1980 ..... 3.1.3.6.1  
synopses ..... 11.2.2.3  
testimony (see also administrative litigation, testimony; witnesses)  
before Congressional Committees ..... 14.1.6  
before state legislatures ..... 17.6  
**Textile Fiber Products Identification Act** (see also illustrations, Ch. 9)  
bonding ..... 9.12.7  
continuing guaranty ..... 9.12.6  
false advertising ..... 9.12.2  
FTC statutory authority ..... 1.2.1  
jurisdiction ..... 9.12.1  
labels substitution ..... 9.12.4  
recordkeeping ..... 9.12.5  
rule violations ..... 9.12.3  
rulemaking statutory authority ..... 7.2.1  
**Thesaurus** (see documents, indexing, documents, preparation)  
third parties  
contracting with ..... AM 4.500  
subpoenas ..... 10.13.6.4.7.6-10.13.6.4.4.7.8  
trade association and their members ..... 5.3.4.4  
**Trade Regulation Reporter** ..... 1.2.3, 8.3.2  
trade regulation rules (see also civil penalties, statutory authority; rulemaking)  
closing procedures ..... 7.2.5.3  
compliance investigations ..... 12.4.3  
consent settlements ..... 11.4.1.5  
development and preparation ..... 7.3.7  
effect on state and local laws ..... 14.2.3.9  
enforcement ..... 7.3.28.2  
initiation of TRR proceedings ..... 7.2, 16.10.2  
investigative support ..... 3.3.4.3  
news briefings ..... 7.3.10.1, 7.3.12.3.1  
notice of proposed rulemaking ..... 7.3.8.2.3  
promulgation of ..... 1.3.5.4, 7.3.24.2  
restraint ..... 6.9.1  
staff advice ..... 16.8.8  
staff reports  
Bureau Review ..... 7.3.8.1.2, 7.3.8.2  
Evaluation Committee Review ..... 7.3.8.1.2  
preparation and contents ..... 7.3.8.1.1  
state and local governments ..... 7.3.4  
violations  
case selection criteria ..... 11.4.2.3  
consumer redress ..... 12.5.4  
continuing ..... 11.3.1.5  
enforcement actions ..... 1.3.5.5  
judicial enforcement ..... 11.4  
"Knowledge" need not be shown ..... 11.4.2.4  
selection of appropriate form ..... 11.4.2.2  
trade secrets  
FOIA exemption ..... 15.2.4.1, 15.2.4.2  
handling in compliance reports ..... 12.2.10.1



## Index

- training, state and local law enforcement personnel ..... 12.2.3.4  
 Trans-Alaska Pipeline Authorization Act, FTC  
   statutory authority ..... 1.2.1  
 transcripts ..... 18.9  
   indexing ..... 18.2  
 transmittal memorandum ..... 6.10.1  
 transmittal sheets, *Operating Manual* ..... 1.1.3.3.1.1  
 travel expenses and regulations (*see also* illustrations) ..... AM 2.100, 17.4.3  
 TRR (*see Trade Regulation Reporter*)  
 TRR (*see trade regulation rules*)  
 Truth-in-Lending Act ..... 1.2.1, 8.4.11.2, 9.2  
   credit advertising, finance charge identification ..... 9.2.1  
   credit insurance orders ..... 9.2.2.1  
     meaningful sequence requirements ..... 9.2.2.4  
     open-end credit disclosure ..... 9.2.2.2  
     recession under section 226.9 ..... 9.2.2.3  
   criminal violations ..... 9.2.3  
     conducting criminal prosecutions ..... 9.2.3.5  
     declination of prosecution ..... 9.2.3.3  
     deferment to criminal proceedings ..... 9.2.3.9  
     evaluations ..... 9.2.3.10  
     investigations ..... 3.3.4.2  
     refusal to produce evidence ..... 9.2.3.6  
     simultaneous administrative proceedings ..... 9.2.3.8  
   to general rule, exceptions ..... 9.2.2  
   unilateral settlement offers ..... 6.7  
   *United States Code* ..... 1.2.2  
   *United States Code annotated* ..... 1.2.2  
   *United States Reports* ..... 1.2.2, 1.2.3  
   *United States Statutes at Large* ..... 1.2.2  
   unnecessary provisos, avoidance ..... 5.2.7  
   USLIFE Credit Corporation ..... 9.2.2.1  
 Warranty Act (*see Magnuson-Moss Warranty—Federal Trade Commission Improvements Act*)  
 witnesses (*see also* administrative litigation, depositions; administrative litigation, subpoenas; administrative litigation, testimony; illustrations, Ch. 3, 10.)  
   expert  
     from other federal agencies ..... 14.1.1  
     hiring policies and procedures ..... AM 3.200  
     rulemaking hearings ..... 7.3.5.4.4.1  
     travel expenses ..... AM 3.100  
   immunity procedures ..... 10.20  
     during hearings ..... 3.3.6.7.6.9  
   interviews by complaint counsel ..... 10.13.6.3.4  
   interviews by respondents ..... 10.13.6.3.3  
   lists of ..... 10.13.6.3.2  
     regular ..... AM 3.200  
     rights of, during investigational hearings ..... 3.3.6.7.6.7  
   rulemaking hearings ..... 7.3.19.3  
   testimony from federal employees ..... 14.1.2  
   vouchers ..... 10.22  
 Wool Products Labeling Act (*see also* illustrations, Ch. 9)  
   bonding ..... 9.10.6  
   continuing guaranty ..... 9.10.5  
   FTC statutory authority ..... 1.2.1  
   invoices ..... 9.10.7  
   jurisdiction ..... 9.10.1  
   misbranding/mislabeling ..... 9.10.2  
   notices to customers ..... 9.10.9  
   recordkeeping ..... 9.10.4  
   rule violations ..... 9.10.3  
   rulemaking statutory authority ..... 7.2.1  
   understatement of wool ..... 9.10.8  
   zero base budgeting ..... 2.1.3