

## **V. FTC Access Requests**

### **FTC-V-1**

#### **SYSTEM NAME:**

Freedom of Information Act Requests and Appeals–FTC.

#### **SECURITY CLASSIFICATION:**

Not applicable.

#### **SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580. See Appendix III for other locations where records may be maintained or accessed.

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

Individuals filing requests for access to information under the Freedom of Information Act (FOIA); individuals named in the FOIA request; FTC staff assigned to help process, consider, and respond to such requests, including any appeals.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Communications (e.g., letters, e-mails) to and from the requesting party; agency documents generated or collected during processing and consideration of the request, including scanned copies of materials responsive to the FOIA request.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Federal Trade Commission Act, 15 U.S.C. 41 et seq.; Freedom of Information Act, 5 U.S.C. 552.

#### **PURPOSE(S):**

To consider requests and appeals for access to records under the Freedom of Information Act; to determine the status of requested records; to respond to the requests and appeals; to make copies of FOIA requests and frequently requested records available publicly, under the FTC's Rules of Practice and FOIA; to maintain records, documenting the consideration and disposition of the requests for reporting, analysis, and recordkeeping purposes.

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

- (1) Request and appeal letters, and agency letters responding thereto, are placed on the

FTC's public record and available to the public for routine inspection and copying. See FTC-I-6 (Public Records-FTC).

(2) As required by the FOIA, records that have been "frequently requested" and disclosed under the FOIA within the meaning of that Act, as determined by the FTC, are made available to the public for routine inspection and copying. See FTC-I-6 (Public Records-FTC).

See also Appendix I for other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency.

#### DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None, except as authorized under 5 U.S.C. 552a(b)(12) when trying to collect a claim of the Government. See Appendix I. For public portions of this system, see the system notice for FTC-I-6.

#### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

Records are maintained electronically using a commercial software application run on the agency's internal servers. Temporary paper files are destroyed once the request is complete. System records compiled or generated prior to fiscal year 2004 are maintained in paper format.

##### RETRIEVABILITY:

Indexed by name of requesting party and subject matter of request. Records can also be searched by name, address, phone number, fax number, and e-mail of the requesting party, subject matter of the request, requestor organization, FOIA number, and staff member assigned to the request.

##### SAFEGUARDS:

Requests, appeals, and responses available to the public, as described above. Access to nonpublic system records is restricted to FTC personnel or contractors whose responsibilities require access. Nonpublic paper records are temporary, maintained in lockable file cabinets or offices, and destroyed once the request is complete. Access to electronic records is controlled by "user ID" and password combination and other 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.

##### RETENTION AND DISPOSAL:

Records are retained and disposed of in accordance with General Records Schedule 14.11-14.15, issued by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

FOIA/PA Supervisor, Office of General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

NOTIFICATION PROCEDURE; RECORD ACCESS PROCEDURES; AND CONTESTING RECORD PROCEDURES:

See Appendix II.

RECORD SOURCE CATEGORIES:

Individual about whom the record is maintained and agency staff assigned to help process, review, or respond to the access request, including any appeal.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

Records contained in this system that have been placed on the FTC public record are available upon request, as discussed above. However, pursuant to 5 U.S.C. 552a(k)(2), records in this system, which reflect records that are contained in other systems of records that are designated as exempt, 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).