

### **FTC-I-3**

#### **SYSTEM NAME:**

Informal Advisory Opinion Request and Response Files–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:**

Applicants for informal advisory opinions from FTC staff under § 1.1(b) of the Commission's Rules of Practice, 16 CFR 1.1(b). (Applicants for formal advisory opinions from the Commission under § 1.1(a) of the Rules of Practice, 16 CFR 1.1(a), are covered by FTC-I-1, Nonpublic Investigational and Other Nonpublic Legal Program Records–FTC.)

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

Name, address, and other contact information of requester; correspondence or other documents about the business and the proposed course of action about which an advisory opinion is being sought; FTC staff responses to requests.

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

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

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

To respond to requests for informal advisory opinions; to maintain records of such requests and the staff's responses; for use by staff in coordinating and preparing future advisory opinions and assuring the consistency of such opinions; to make records of such requests and staff responses available within the FTC for historical, legal research, investigational, and similar purposes (see FTC-VII-6, Document Management and Retrieval System–FTC); and also to make appropriate portions of such records available to the public (see FTC-I-6, Public Records–FTC).

#### **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) Referred to appropriate federal or state agencies for advice, for law enforcement, or where law enforcement action may be warranted; and

(2) Disclosed on the FTC's public record under the FTC's Rules of Practice. See FTC-I-6, Public Records–FTC.

See also Appendix I for other ways that the Privacy Act allows 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:

The FTC generally maintains these records in paper format, although it can also maintain them in other electronic or non-electronic formats and media (e.g., microfilm, CD-ROMs, other digital files).

##### RETRIEVABILITY:

Records are indexed by name of requesting party.

##### SAFEGUARDS:

For records other than those made public, 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.

##### RETENTION AND DISPOSAL:

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

##### SYSTEM MANAGER(S) AND ADDRESS:

Director, Records and Filings Office, 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 proprietorship, corporation, or other business organization, counsel seeking or receiving a staff advisory opinion, and FTC employees.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.