

SYSTEM NAME AND NUMBER:

Ethics Program Records–FTC (FTC-II-7).

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):

Designated Agency Ethics Official, Office of General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580, email: SORNs@ftc.gov.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Ethics in Government Act of 1978, 5 U.S.C. app.; Ethics Reform Act of 1989, Pub. L. 101-194; 5 CFR parts 735 & 2634, and other applicable ethics-related laws, rules, and Executive Orders.

PURPOSE(S) OF THE SYSTEM:

To meet Federal requirements regarding the filing of employment and financial interest statements; and to assist senior Commission employees and members of the General Counsel’s Office to review statements of employment and financial interests to ascertain whether a conflict of interest or apparent conflict of interest exists and, if so, to ensure that appropriate action is taken to remove the conflict; to ensure that travel reimbursements are accepted only from

qualified non-Federal sources; to comply with other ethics program requirements under Federal law, policy and regulation.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Commission officials and employees required by FTC regulations to file statements of employment and financial interests, to enter into ethics agreements, or to obtain clearance or approval for travel reimbursements or outside employment. This system corresponds to the systems described and covered by the Government-wide system of record notices (SORNs) issued by the Office of Government Ethics (OGE) for agency ethics program records. See OGE/GOVT-1 (Executive Branch Personnel Public Financial disclosure Reports and Other Name-Retrieved Ethics Program Records); OGE/GOVT-2 (Executive Branch Confidential Financial Disclosure Reports). Visit OGE's Web site, www.oge.gov, for more information.

CATEGORIES OF RECORDS IN THE SYSTEM:

Statements of employment and financial interests (containing name, organization, statement of personal and family holdings and other interests in business enterprises and real property, listings of creditors and outside employment, opinions of counsel, and other information related to conflict of interest disclosures and determinations); ethics agreements; and other disclosure forms. This system also includes FTC employee requests for and documentation of ethics clearance or approval of travel reimbursements or outside employment, as well as other name-retrieved ethics records on FTC employees.

RECORD SOURCE CATEGORIES:

The subject individual or a designated person, such as a trustee, attorney, accountant, banker, or relative; federal officials who review the statements to make conflict of interest determinations; and persons alleging conflict of interests or violations of other ethics laws and

persons contacted during any investigation of the allegations.

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

Records in this system may be disclosed for any of the routine uses set forth in OGE/GOVT-1 and OGE/GOVT-2, as applicable. In addition, records in this system may be disclosed to a source when necessary to obtain information relevant to a conflict of interest investigation or determination.

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

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Electronic and paper records.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

By name of Commission official or employee.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

In accordance with GRS-2.8, the National Archives and Records Administration General Records Schedule for ethics program records, these records are generally retained for a period of six years after filing, or for such other period of time as is provided for in that schedule for certain specified types of ethics records. In cases where records are filed by, or with respect to, a nominee for an appointment requiring confirmation by the Senate when the nominee is not appointed and Presidential and Vice-Presidential candidates who are not elected, the records are

generally destroyed one year after the date the individual ceased being under Senate consideration for appointment or is no longer a candidate for office. However, if any records are needed in an ongoing investigation, they will be retained until no longer needed in the investigation. Destruction is by shredding, use of burn bags, or electronic deletion.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access is restricted to agency personnel and contractors whose responsibilities require access. Paper records are maintained in lockable file cabinets and offices. Access to electronic records is controlled by “user ID” and password combination and other access and 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:

None.

HISTORY:

87 FR 964-974 (January 7, 2022)

80 FR 9460-9465 (February 23, 2015)

75 FR 52749–52751 (August 27, 2010)

74 FR 17863-17866 (April 17, 2009)

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