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Source of document:	Freedom of Information Act Request Office of General Counsel Federal Trade Commission 600 Pennsylvania Ave., NW Washington, D.C. 20580 Fax: (202) 326-2477 Email: FOIA@FTC.GOV

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UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

SEP 26 2017

Re: FOIA-2017-01450
FTC Staff Bulletin and Notices

This is in response to your request dated August 31, 2017, under the Freedom of Information Act seeking access to FTC Staff Bulletins and Notices in 2017. In accordance with the FOIA and agency policy, we have searched our records as of September 11, 2017, the date we received your request in our FOIA office.

The Commission's fee regulations specify that fees less than \$25 will be waived. *See* 16 C.F.R. § 4.8(b)(4). Because the fees associated with the processing of your request did not exceed \$25, we have processed your request free of charge. There were no "Staff Bulletins" for 2017.

We have located 51 pages of responsive records. I am granting partial access to the accessible records. Portions of these pages fall within one or more of the exemptions to the FOIA's disclosure requirements, as explained below.

Some responsive records contain internal personnel rules and practices. Those portions are exempt from the FOIA's disclosure requirements by FOIA Exemption 2, 5 U.S.C. § 552(b)(2). *See Milner v. Dep't of the Navy*, 562 US 562 (2011).

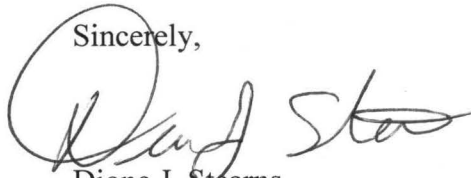
I am denying access to one notice because it concerns the death of a former employee. This is exempt from release under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because individuals' right to privacy outweighs the general public's interest in seeing personal identifying information. *See The Lakin Law Firm v. FTC*, 352 F.3d 1122 (7th Cir. 2003).

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580, within 90 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

You also may seek dispute resolution services from the FTC FOIA Public Liaison Richard Gold via telephone at 202-326-3355 or via e-mail at rgold@ftc.gov; or from the Office of Government Information Services via email at ogis@nara.gov, via fax at 202-741-5769, or via mail at Office of Government Information Services (OGIS), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740.

If you have any questions about the way we handled your request or about the FOIA regulations or procedures, please contact Brian Welke at 202-326-2897.

Sincerely,

A handwritten signature in black ink, appearing to read "Dione J. Stearns". The signature is written in a cursive style with a large, circular initial "D".

Dione J. Stearns
Assistant General Counsel



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

General Counsel

March 1, 2017

NOTICE TO STAFF

Subject: Adjusted Civil Penalty Maximums

In January 2017, the Commission adjusted the dollar amounts of civil penalties under the FTC's jurisdiction to reflect inflation, in accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990 ("FCPIAA"), as amended. These adjusted maximums were published in the *Federal Register* and became effective on January 24, 2017. *See* 82 FR 8135 (January 24, 2017). These adjusted maximums apply to civil penalties assessed after that date (i.e., on or after January 24, 2017), including civil penalties whose associated violation predated the effective date:

- **Clayton Act section 7A(g)(1)**, 15 U.S.C. 18a(g)(1) (premerger filing notification violations under the Hart-Scott-Rodino Improvements Act)—Increase from \$40,000 to \$40,654;
- **Clayton Act section 11(l)**, 15 U.S.C. 21(l) (violations of cease and desist orders issued under Clayton Act section 11(b))—adjusted from \$21,250 to \$21,598;
- **FTC Act section 5(l)**, 15 U.S.C. 45(l) (unfair or deceptive acts or practices)—adjusted from \$40,000 to \$40,654;
- **FTC Act section 5(m)(1)(A)**, 15 U.S.C. 45(m)(1)(A) (unfair or deceptive acts or practices)—adjusted from \$40,000 to \$40,654;
- **FTC Act section 5(m)(1)(B)**, 15 U.S.C. 45(m)(1)(B) (unfair or deceptive acts or practices)—adjusted from \$40,000 to \$40,654;
- **FTC Act section 10**, 15 U.S.C. 50 (failure to file required reports)—adjusted from \$525 to \$534;
- **Webb-Pomerene (Export Trade) Act section 5**, 15 U.S.C. 65 (failure by associations engaged solely in export trade to file required statements)—adjusted from \$525 to \$534;
- **Wool Products Labeling Act section 6(b)**, 15 U.S.C. 68d(b) (failure by wool manufacturers to maintain required records)—adjusted from \$525 to \$534;
- **Fur Products Labeling Act section 3(e)**, 15 U.S.C. 69a(e) (failure to maintain required records regarding fur products)—adjusted from \$525 to \$534;
- **Fur Products Labeling Act section 8(d)(2)**, 15 U.S.C. 69f(d)(2) (failure to maintain required records regarding fur products)—adjusted from \$525 to \$534;
- **Energy Policy and Conservation Act section 333(a)**, 42 U.S.C. 6303(a) (knowing violations of EPCA § 332, including labeling violations)—adjusted from \$433 to \$440;
- **Energy Policy and Conservation Act section 525(a)**, 42 U.S.C. 6395(a) (recycled oil labeling violations)—adjusted from \$21,250 to \$21,598;

- **Energy Policy and Conservation Act section 525(b)**, 42 U.S.C. 6395(b) (willful violations of recycled oil labeling requirements)—adjusted from \$40,000 to \$40,654;
- **Fair Credit Reporting Act section 621(a)(2)**, 15 U.S.C. 1681s(a)(2) (knowing violations of the Fair Credit Reporting Act)—adjusted from \$3,756 to \$3,817;
- **Section 1115(a) of the Medicare Prescription Drug Improvement and Modernization Act of 2003**, Pub. L. No. 108-173, 21 U.S.C. 355 note (failure to comply with filing requirements)—adjusted from \$14,142 to \$14,373; and
- **Section 814(a) of the Energy Independence and Security Act of 2007**, 42 U.S.C. 17304 (violations of prohibitions on market manipulation and provision of false information to federal agencies)—adjusted from \$1,138,330 to \$1,156,953.

The complete list of all FTC civil penalty amounts subject to adjustment under the FCPIAA is set forth in **Commission Rule 1.98, 16 C.F.R. § 1.98**, which is amended by the above-cited *Federal Register* notice. If you have questions, please contact Kenny Wright (x2907) in the Office of the General Counsel.



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

February 9, 2017

MEMORANDUM

TO: Commissioners and Commission Staff

FROM: Commissioner Terrell McSweeney

SUBJECT: Many Thanks to Former Chairwoman Ramirez

Before she departs, I would like to thank former Chairwoman Edith Ramirez for her dedicated and distinguished service to the FTC. She has provided principled and steady leadership as the agency has scored important victories for consumers and competition, including our successful merger challenges in Sysco/US Foods, Staples/Office Depot, and several hospital cases. During her tenure, the FTC also secured a number of important antitrust settlements, including a \$1.2 billion settlement against Cephalon for unlawfully blocking generic drug competition to its blockbuster sleep disorder drug.

On the consumer protection side, former Chairwoman Ramirez has overseen a string of headline-making cases, including our record-breaking \$10 billion settlement with VW, and successful cases against DeVry University and Herbalife. Under her watch, the agency also cemented its status as the leading federal agency with regard to commercial privacy and data security, with expanded in-house technological expertise and research abilities.

These efforts would not have been possible without the incredible professional staff of the FTC and our dedicated leadership team. In particular, I would like to recognize the invaluable contributions of departing Bureau of Consumer Protection Director Jessica Rich, whom I'd also like to thank for her outstanding work over her long career at the agency.

I'd like to thank the former Chairwoman for her friendship and for continuing the agency's long history of independence, collegiality, and bipartisanship. I look forward to working with Acting Chairman Ohlhausen to continue carrying out our important mission. As we all know, serving at the FTC is an extraordinary privilege. During this time of transition, I am pleased to have the opportunity to continue to serve as a Commissioner and will remain a relentless advocate both for the FTC's vital role in standing up for American consumers and protecting competition.

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Office of the Chairman

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

July 28, 2017

MEMORANDUM

FROM: Acting Chairman Maureen K. Ohlhausen
TO: Commission Staff and Commissioners
SUBJECT: FTC Six-Month Accomplishments

As many of you may have seen this week, the FTC released a summary of our accomplishments in the last 6 months. I wanted to thank you, our dedicated staff, for all of your hard work in achieving so much on behalf of American consumers. You should be proud of your efforts, and I greatly appreciate them.

The last six months have been productive and successful:

ECONOMIC LIBERTY – We established an Economic Liberty Task Force to collaborate with state leaders and other stakeholders on occupational licensing reform. The Task Force submitted comments on a state bill to reduce licensing requirements; launched a new website – ftc.gov/econliberty; and conducted dozens of interviews with a variety of stakeholders. The Task Force held a public roundtable yesterday, focusing on license portability, including for the military community, among other issues.

REGULATORY REFORM and AGENCY STREAMLINING – We have been working diligently to minimize or eliminate certain regulations that may no longer be in the public interest and streamline our processes to be even more effective in our work.

SMALL BUSINESS – We launched a new small business website – ftc.gov/SmallBusiness – with information to help small business owners avoid scams and protect their systems and customer data from threats.

We kicked off a new “Engage, Connect, and Protect” initiative, launching a nationwide dialogue on cybersecurity with small businesses. The first event took place on Tuesday in Portland, Oregon, in conjunction with the National Cybersecurity Alliance’s conference on “Understanding your Cybersecurity: 5 Steps to Protect Your Business.” Several other events are forthcoming.

STICK WITH SECURITY – We are publishing lessons from closed investigations, as well as FTC enforcement actions, to help businesses protect and secure consumer data. These posts will build on the FTC’s Start with Security guide.

PRIVACY – In June, we hosted the Connected Cars workshop, with NHTSA, which focused on balancing the privacy and safety impacts of this technology with consumer benefits. And we recently announced the 2018 PrivacyCon, with a new focus on the economics of privacy, including how to quantify the harms that result from information exposures.

CONSUMER PROTECTION ENFORCEMENT – We have continued to pursue our long-standing consumer protection mission, filing or settling 44 consumer protection matters in district court and reaching 14 administrative consents. We have distributed over \$86 million in redress to over 1 million consumers.

We have also expanded the agency’s focus on military consumers. This includes an enhanced military.consumer.gov website, and a series of Military Financial Consumer conferences. And yesterday, the agency welcomed Former Commissioner Orson Swindle to discuss his time in service and remind us why our work for military consumers and their families is so important.

COMPETITION ENFORCEMENT – The FTC has aggressively challenged conduct that abuses government process for anticompetitive purposes. The agency brought a case against ViroPharma Inc. alleging it engaged in sham petitioning to delay the market entry of generic competitors. And we filed an administrative complaint against the Louisiana Board of Real Estate Appraisers alleging that it improperly sought to impose a price floor on real estate appraisal services. On the merger front, the parties in Draft Kings/Fan Duel recently abandoned their planned merger after the FTC sought a preliminary injunction in federal court.

These accomplishments just scratch the surface of all of your hard work, day in and day out. Thank you for your relentless efforts on behalf of our agency and American consumers. Here’s to future successes to come!

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Office of the Chairman

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

May 12, 2017

MEMORANDUM

FROM: Acting Chairman Maureen K. Ohlhausen
TO: Commission Staff and Commissioners
SUBJECT: 2017 Samuel J. Heyman Service to America Medals

Earlier this week, the Partnership for Public Service announced the finalists for the 2017 Samuel J. Heyman Service to America Medals. The Sammies, known as the "Oscars" of government service, are a highly respected honor with a vigorous selection process. I'm proud to share that three of the four finalists in the "Homeland Security and Law Enforcement" category included the FTC's work. This is an enormous testament of our impact. Please join me in congratulating each of the FTC teams:

BCP's IdentityTheft.gov Development Team. Although the FTC has long worked to address identity theft, the team's approach to the problem was new. They looked at the information from the viewpoint of the consumer, put it into plain English, and designed a user-friendly website that provides user-specific recovery plans. The result, [IdentityTheft.gov](#), is a one-stop online resource for anyone who has been a victim of identity theft. Instead of traveling to the police station to file a report, figuring out how to stop more fraudulent accounts from being opened, and then thinking up what to write in letters to creditors, consumers now can find all the information they need on the FTC site. By entering details of how their identity was stolen, users can get a tailored recovery plan identifying what they need to do next.

The IdentityTheft.gov team included Nat Wood (lead), Jessica Skretch, Lisa Schifferle, and Rosario Mendez in DCBE; and Maria Mayo, Nicole Fleming, and Jimena Ruano in the Division of Consumer Response and Operations in DCRO.

I would also like to thank the staff who have taken on significant responsibility for managing and improving IdentityTheft.gov since it launched, including Monica Vaca, DCRO; John Krebs, DPIP; and Seena Gressin, DCBE, and the many FTC staff members in BCP, OED, OPA and OCR who supported the IdentityTheft.gov team.

The IRS Impersonation Scam Team. The Sammie's recognized the team's law enforcement and outreach efforts to dismantle a fraud that has cost U.S. consumers tens of millions of dollars. The team included two Department of Treasury agents as well as OIA's Betsy Broder, whose engagement with U.S. and Indian industry and law enforcement bolstered these efforts.

And finally, the Sammie's recognized the significant contributions of the FTC in stopping a scheme by Volkswagen to evade emissions standards. As you know, it was BCP's Enforcement Division with assistance from the Bureau of Economics who obtained a record setting \$10 billion settlement on behalf of owners and lessees of VW and Audi vehicles resulting from VW's deceptive "clean diesel" claims. Congratulations to Jim Kohm, Frank Gorman, Jonathan Cohen, Megan A. Bartley, Amanda B. Kostner, Elisa Jillson, Simon Han and Michelle Shaeffer in BCP's Enforcement Division and Matthew Jones and Ryan Sandler in BE.

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Office of the Chairman

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

January 26, 2017

MEMORANDUM

FROM: Acting Chairman Maureen K. Ohlhausen
TO: Commission Staff and Commissioners
SUBJECT: Memo to Staff from Acting Chairman Maureen K. Ohlhausen

I am honored to have been selected by President Trump to serve as Acting Chairman of the Federal Trade Commission. The FTC has a unique and important mission to preserve a free, honest, and competitive marketplace. It has a long history as an expert antitrust and consumer protection agency, and I look forward to leading its next chapter. I would like to thank Chairwoman Edith Ramirez for her dedication to the agency and to its core mission. I also look forward to continuing to work with my wonderful colleague, Commissioner Terrell McSweeney, in my new capacity.

As many of you know, before becoming a Commissioner in 2012, I was privileged to work alongside the FTC's remarkable staff for more than a decade in the Office of General Counsel, Office of Commissioner Swindle, and as Director of the Office of Policy Planning, where I led the FTC's Internet Access Task Force.

The FTC staff is its greatest asset. I look forward to working with all of you to continue the important work of the agency to protect consumers, safeguard competition while preserving American innovation, and promote economic liberty for all citizens.

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UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of the Secretary

February 10, 2017

NOTICE TO THE STAFF

SUBJECT: Change in Commissioner Line Up

Effective immediately, the Commissioner line up on official documents should appear as follows:

COMMISSIONERS: **Maureen K. Ohlhausen, Acting Chairman**
 Terrell McSweeney

If it is necessary to revise documents previously submitted to the Commission for approval, you will be contacted by the Office of the Secretary. Thank you for your assistance.

Donald S. Clark
Secretary

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UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

January 26, 2017

MEMORANDUM

TO: Commissioners and Commission Staff

FROM: Donald S. Clark, Secretary

SUBJECT: Change in Commissioner Line Up

Effective immediately, the Commissioner line up on official documents should appear as follows:

COMMISSIONERS: **Maureen K. Ohlhausen, Acting Chairman**
 Edith Ramirez
 Terrell McSweeney

If it is necessary to revise documents previously submitted to the Commission for approval, you will be contacted by the Office of the Secretary. Thank you for your assistance.

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Office of the Chairwoman

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

January 25, 2017

MEMORANDUM

FROM: Chairwoman Edith Ramirez
TO: Commission Staff and Commissioners
SUBJECT: The FTC's New Acting Chairman

I have been informed that Commissioner Ohlhausen has been named Acting Chairman of the FTC. I am confident that, under her leadership, the agency will continue its excellent work on behalf of American consumers.

It has been my great privilege to serve as FTC Chairwoman, and I look forward to working with Maureen to ensure a smooth transition.

Please join me in congratulating Acting Chairman Ohlhausen.

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Office of the Chairwoman

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

January 13, 2017

MEMORANDUM

FROM: Chairwoman Edith Ramirez
TO: Commission Staff and Commissioners
SUBJECT: My Departure from the Agency

I want to share with you that I will be resigning from the Commission effective February 10. Mainly, I write to sincerely thank each and every one of you for your dedicated public service. The talent and dedication I have witnessed at the FTC is, in my view, unrivaled.

It has been a true honor to have served as FTC Chairwoman for the last four years, and prior to that as a Commissioner for three. During my time as Chairwoman, you have obtained billions of dollars in redress for harmed consumers, halted anticompetitive business mergers and practices that would have raised prices and lowered the quality of products and services for hard-working Americans, and advanced significant policy and education initiatives to ensure that the FTC fulfills its dual mission to protect consumers and promote competition in our digital and global economy.

And while our consumer protection and competition work is often in the public eye, we all know that the FTC could not fulfill its mission without the commitment of the many fine staff who provide our operational support.

It has been the privilege of a lifetime to have worked alongside all of you at one of the best-performing government agencies, as ranked by the Partnership for Public Service – as well as by me! I have no doubt that you will continue to ably serve the American public in the months and years ahead.

I would also like to take this opportunity to recognize and thank Commissioner Maureen Ohlhausen and Commissioner Terrell McSweeney for their support and service and to wish them every success for the future.

Finally, I invite you to join me this coming Tuesday at 2pm in Room 432 or by VTC in the regions and CC-5116 for some brief farewell remarks.

Thank you.