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of participants and their beneficiaries. As part of these responsibilities, the Board maintains an account for each Plan participant, makes loans, purchases annuity contracts, and provides for the payment of benefits.

For further information, contact the Director of External Affairs, Federal Retirement Thrift Investment Board, 1250 H Street NW., Washington, DC 20005. Phone, 202–942–1640. Internet, http://www.tsp.gov/.

FEDERAL TRADE COMMISSION

Pennsylvania Avenue at Sixth Street NW., Washington, DC 20580
Phone, 202–326–2222. Internet, http://www.ftc.gov/.

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Executive Assistant	JAMES C. HAMILL
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Counsel to the Executive Director	JUDITH BAILEY
Chief Information Officer	KEITH GOLDEN, *Acting*
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Senior Deputy Director	RICHARD PARKER
Deputy Director	WILLARD K. TOM
Director, Bureau of Consumer Protection	JODIE BERNSTEIN
Deputy Directors	LYDIA B. PARNES HUGH STEVENSON, *Acting*
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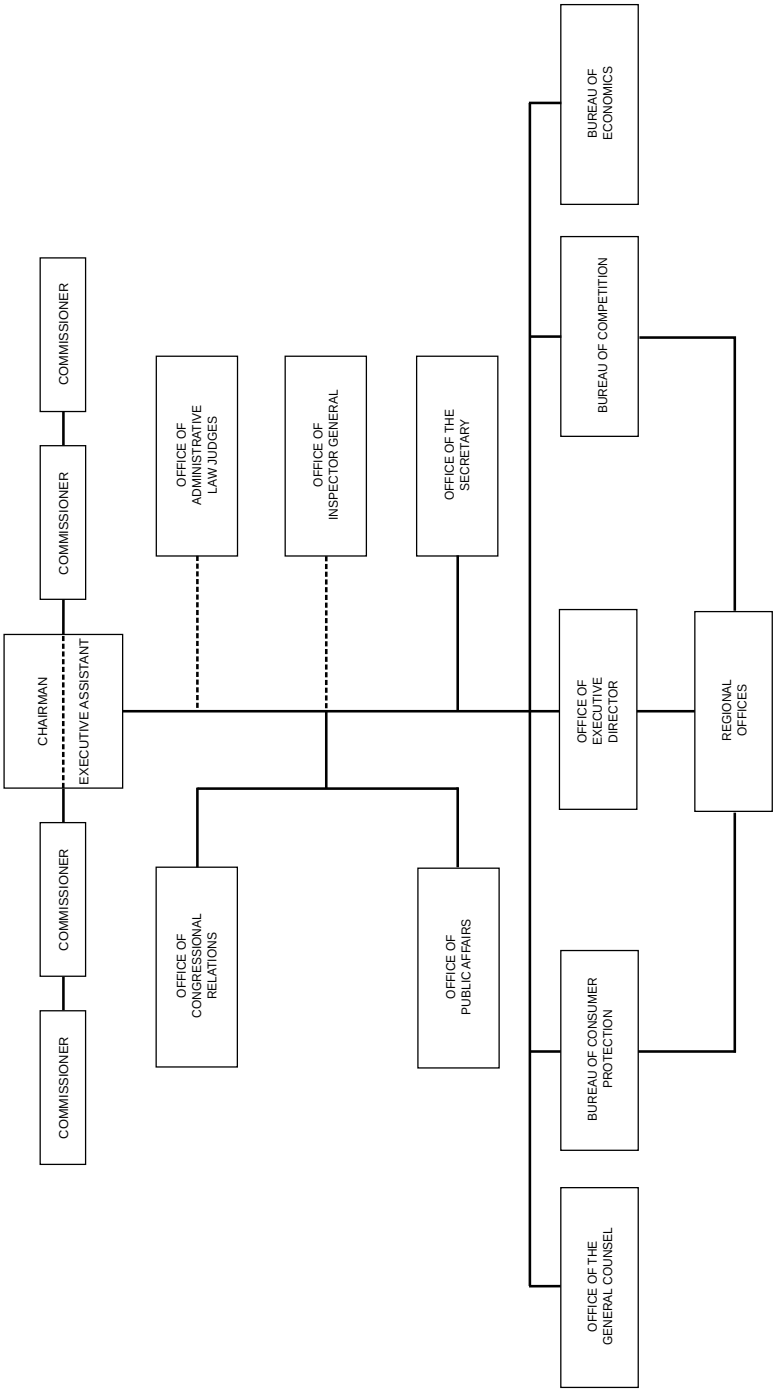
General Counsel	DEBRA A. VALENTINE
Deputy General Counsel	(VACANCY)
Director, Office of Congressional Relations	LORRAINE C. MILLER
Director, Office of Public Affairs	VICTORIA A. STREITFELD
Director, Office of Policy Planning	SUSAN S. DESANTI
Secretary of the Commission	DONALD S. CLARK
Chief Administrative Law Judge	LEWIS F. PARKER
Inspector General	FREDERICK J. ZIRKEL

[For the Federal Trade Commission statement of organization, see the *Code of Federal Regulations,* Title 16, Part 0]

The objective of the Federal Trade Commission is to maintain competitive enterprise as the keystone of the American economic system, and to prevent the free enterprise system from being fettered by monopoly or restraints on trade or corrupted by unfair or deceptive trade practices. The Commission is charged with keeping competition both free and fair.

The purpose of the Federal Trade Commission is expressed in the Federal Trade Commission Act (15 U.S.C. 41–58) and the Clayton Act (15 U.S.C. 12), both passed in 1914 and both successively amended in the years since. The Federal Trade Commission Act prohibits the use in or affecting commerce of ''unfair methods of competition'' and ''unfair or deceptive acts or practices.'' The Clayton Act outlaws specific practices recognized as instruments of monopoly. As an independent administrative agency,

FEDERAL TRADE COMMISSION



acting quasi-judicially and quasi-legislatively, the Commission was established to deal with trade practices on a continuing and corrective basis. It has no authority to punish; its function is to prevent, through cease-and-desist orders and other means, those practices condemned by Federal trade regulation laws. However, court-ordered civil penalties up to $11,000 may be obtained for each violation of a Commission order or trade regulation rule.

Congress has delegated a variety of duties to the Commission under such statutes as the Wheeler-Lea Act, the Clayton Act, the Consumer Credit Protection Act, the Robinson-Patman Act, the Magnuson-Moss Warranty-Federal Trade Commission Improvement Act, the Federal Trade Commission Improvements Act of 1980, the Smokeless Tobacco Health Education Act of 1986, the Telephone Disclosure and Dispute Resolution Act, the Federal Trade Commission Improvements Act of 1994, the International Antitrust Enforcement Assistance Act of 1994, the Telemarketing and Consumer Fraud and Abuse Prevention Act, and the Federal Trade Commission Act Amendments of 1994.

The Commission is composed of five members. Each member is appointed by the President, with the advice and consent of the Senate, for a term of 7 years. Not more than three of the Commissioners may be members of the same political party. One Commissioner is designated by the President as Chairman of the Commission and is responsible for its administrative management.

Activities

The Commission's principal functions are to:

—promote competition in or affecting commerce through the prevention of general trade restraints such as price-fixing agreements, boycotts, illegal combinations of competitors, and other unfair methods of competition;

—safeguard the public by preventing the dissemination of false or deceptive advertisements of consumer products and services, as well as other unfair or deceptive practices;

—prevent pricing discrimination; exclusive-dealing and tying arrangements; corporate mergers, acquisitions, or joint ventures, when such practices or arrangements may substantially lessen competition or tend to create a monopoly; interlocking directorates or officers' positions that may restrain competition; the payment or receipt of illegal brokerage; and discrimination among competing customers by sellers in the furnishing of or the payment for services or facilities used to promote the resale of a product;

—stop various fraudulent telemarketing schemes and protect consumers from abusive and deceptive telephone sales tactics;

—ensure truthful labeling of textile, wool, and fur products;

—supervise the registration and operation of associations of American exporters engaged in export trade;

—require creditors to disclose in writing certain cost information, such as the annual percentage rate, before consumers enter into credit transactions, as required by the Truth in Lending Act;

—protect consumers against circulation of inaccurate or obsolete credit reports and ensure that credit bureaus, consumer reporting agencies, credit grantors, and bill collectors exercise their responsibilities in a manner that is fair and equitable and in conformity with the Fair Credit Reporting Act, the Fair Credit Billing Act, the Equal Credit Opportunity Act, and the Fair Debt Collection Practices Act;

—educate consumers and businesses about their rights and responsibilities under FTC rules and regulations; and

—gather factual data concerning economic and business conditions and make it available to the Congress, the President, and the public.

Enforcement The Commission's law enforcement work falls into two general categories: actions to foster voluntary compliance with the law, and formal administrative or Federal court litigation leading to mandatory orders against offenders.

For the most part, compliance with the law is obtained through voluntary and cooperative action by private companies in response to nonbinding staff advice, formal advisory opinions by the Commission, and guides and policy statements delineating legal requirements as to particular business practices.

Formal litigation is instituted either by issuing an administrative complaint or by filing a Federal district court complaint charging a person, partnership, or corporation with violating one or more of the statutes administered by the Commission. Cases may be settled by consent orders. If the charges in an administrative matter are not contested, or if the charges are found to be true after an administrative hearing in a contested case, an order may be issued requiring discontinuance of the unlawful practices. Such orders may include other related requirements. Federal district court charges are resolved through either settlements or court-ordered injunctive or other equitable relief.

Investigations Investigations by the Commission may originate through complaint by a consumer or a competitor; the Congress; or from Federal, State, or municipal agencies. Also, the Commission itself may initiate an investigation into possible violations of the laws it administers. No formality is required in submitting a complaint. A letter giving the facts in detail, accompanied by all supporting evidence in possession of the complaining party, is sufficient. It is the general policy of the Commission not to disclose the identity of any complainant, except as permitted by law or Commission rules.

Upon receipt of a complaint, various criteria are applied in determining whether the particular matter should be investigated. Within the limits of available resources, investigations are initiated that are considered to best support the Commission's goals of maintaining competition and protecting consumers.

Under the Federal Trade Commission Act, an order issued after an administrative proceeding that requires the respondent to cease and desist or to take other corrective action—such as affirmative disclosure, divestiture, or restitution—becomes final 60 days after date of service upon the respondent, unless within that period the respondent petitions an appropriate United States court of appeals to review the order, and also petitions the Commission to stay the order pending review. If the Commission does not stay the order, the respondent may seek a stay from the reviewing appeals court. The appeals court has the power to affirm, modify, or set the order aside. If the appeals court upholds the Commission's order, the respondent may seek certiorari to the Supreme Court and ask that the appeals court or the Supreme Court continue to stay the order. Violations of a cease-and-desist order, after it becomes effective, subject the offender to suit by the Government in a United States district court for the recovery of a civil penalty of not more than $11,000 for each violation and, where the violation continues, each day of its continuance is a separate violation.

In addition to, or in lieu of, the administrative proceeding initiated by a formal complaint, the Commission may, in some cases, request that a United States district court issue a preliminary or permanent injunction to halt the use of allegedly unfair or deceptive practices, to prevent an anticompetitive merger from taking place, or to prevent violations of any statute enforced by the Commission.

Compliance Activities Through systematic and continuous review, the Commission obtains and maintains compliance with its cease-and-desist orders. All respondents against whom such orders have been issued are required to file reports with the Commission to substantiate their compliance. In the event compliance is not obtained, or if the order is subsequently violated, civil penalty proceedings may be instituted.

Cooperative Procedures In carrying out the statutory directive to ''prevent'' the use in or affecting commerce of unfair practices, the Commission makes extensive use of voluntary and cooperative procedures. Through these procedures business and industry may obtain authoritative guidance and a

substantial measure of certainty as to what they may do under the laws administered by the Commission.

The Commission issues industry guides, which are administrative interpretations in laymen's language of laws administered by the Commission for the guidance of the public in conforming with legal requirements. Guides provide the basis for voluntary and simultaneous abandonment of unlawful practices by members of a particular industry or by industry in general. Failure to comply with the guides may result in corrective action by the Commission under applicable statutory provisions.

Consumer Protection Consumer protection is one of the two main missions of the Commission. The Commission works to increase the usefulness of advertising by ensuring that it is truthful and not misleading; reduce instances of fraudulent, deceptive, or unfair marketing practices; prevent creditors from using unlawful practices when granting credit, maintaining credit information, collecting debts, and operating credit systems; and educate the public about Commission activities. The Commission initiates investigations in many areas of concern to consumers, including health and nutrition claims in advertising; environmental advertising and labeling; general advertising issues; health care, telemarketing, business opportunity, and franchise and investment fraud; mortgage lending and discrimination; enforcement of Commission orders; and enforcement of credit statutes and trade regulation rules.

The Commission has issued and enforces many trade regulation rules important to consumers. The Telemarketing Sales Rule requires telemarketers to make certain disclosures and prohibits certain misrepresentations. The Mail/Telephone Order Merchandise Rule requires companies to ship merchandise that consumers order by mail or telephone within a certain time, and sets out requirements for notifying consumers about delays and offering them the option of agreeing to the delays or canceling their orders. The Care Labeling Rule requires manufacturers and importers of textile clothing and fabrics for home sewing to attach care instructions. The Funeral Rule requires that price and other specific information regarding funeral arrangements be made available to consumers to help them make informed choices and pay only for services they select. The Franchise Rule requires the seller to provide each prospective franchisee with a basic disclosure document containing detailed information about the nature of its business and terms of the proposed franchise relationship. The Used Car Rule requires that dealers display a buyers guide containing warranty information on each vehicle offered for sale to consumers. Under the Cooling-Off Rule, consumers can cancel purchases of $25 or more made door-to-door, or at places other than the seller's usual place of business, within 3 business days of purchase.

Maintaining Competition (Antitrust) The second major mission of the Commission is to encourage competitive forces in the American economy. Under the Federal Trade Commission Act, the Commission seeks to prevent unfair practices that may keep one company from competing with others. Under the Federal Trade Commission Act and the Clayton Act, the Commission attempts to prevent mergers of companies if the result may be to lessen competition. Under some circumstances, companies planning to merge must first give notice to the Commission and the Department of Justice's Antitrust Division and provide certain information concerning the operations of the companies involved.

The Commission also enforces the provisions of the Robinson-Patman Act, a part of the Clayton Act prohibiting companies from discriminating among other companies that are its customers in terms of price or other services provided.

Economic Factfinding The Commission makes economic studies of conditions and problems affecting competition in the economy. Such reports may be used to inform legislative proposals, as part of a rulemaking record, in response to requests of the Congress and statutory directions, or for the information and

guidance of the Commission and the executive branch of the Government as well as the public. The reports have provided the basis for significant legislation and, by spotlighting poor economic or regulatory performance, they have also led to voluntary changes in the conduct of business, with resulting benefits to the public.

Competition and Consumer Advocacy To promote competition, consumer protection, and the efficient allocation of resources, the Commission has an ongoing program designed to advocate the consumer interest in a competitive marketplace by encouraging courts, legislatures, and government administrative bodies to consider efficiency and consumer welfare as important elements in their deliberations.

The Commission uses these opportunities to support procompetitive means of regulating the Nation's economy, including the elimination of anticompetitive restrictions that reduce the welfare of consumers and the implementation of regulatory programs that protect the public and preserve as much as possible the discipline of competitive markets. The competition and consumer advocacy program relies on persuasion rather than coercion.

Regional Offices—Federal Trade Commission

Region	Address	Director
Atlanta, GA—AL, FL, GA, MS, NC, SC, TN, VA	Suite 5M35, 60 Forsyth St. SW., 30303	Anthony E. DiResta
Boston, MA—CT, ME, MA, NH, RI, VT	Suite 810, 101 Merrimac St., 02114–4719	Andrew D. Caverly, *Acting*
Chicago, IL—IA, IL, IN, KY, MN, MO, WI	Suite 1860, 55 E. Monroe St., 60603–5701	C. Steven Baker
Cleveland, OH—DE, DC, MD, MI, OH, PA, WV	Suite 200, 1111 Superior Ave., 44114	John M. Mendenhall, *Acting*
Dallas, TX—AR, LA, NM, OK, TX	Suite 2150, 1999 Bryan St., 75201	Thomas B. Carter
Denver, CO—CO, KS, MT, ND, NE, SD, UT, WY	Suite 1523, 1961 Stout St., 80294–0101	Janice L. Charter, *Acting*
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San Francisco, CA—Northern CA, HI, NV	Suite 570, 901 Market St., 94103	Jeffrey A. Klurfeld
Seattle, WA—AK, ID, OR, WA	Suite 2896, 915 2d Ave., 98174	Charles A. Harwood

Sources of Information

Contracts and Procurement Persons seeking to do business with the Federal Trade Commission should contact the Assistant CFO for Acquisitions, Federal Trade Commission, Washington, DC 20580. Phone, 202–326–2258. Fax, 202–326–3529. Internet, http://www.ftc.gov/ftc/procurement/procure.htm.

Electronic Access Commission consumer and business education publications are available electronically through the Internet, at http://www.ftc.gov/.

Employment Civil service registers are used in filling positions for economists, accountants, investigators, and other professional, administrative, and clerical personnel. The Federal Trade Commission employs a sizable number of attorneys under the excepted appointment procedure. All employment inquiries should be directed to the Director of Human Resource Management, Federal Trade Commission, Washington, DC 20580. Phone, 202–326–2022. Fax, 202–326–2328.

General Inquiries Persons desiring information on consumer protection, or restraint of trade questions, or to register a complaint, should contact the Federal Trade Commission or the nearest regional office.

Publications A copy of *Federal Trade Commission—''Best Sellers,''* which lists publications of interest to the general public, is available free upon request from the Public Reference Section, Federal Trade Commission, Washington, DC 20580. Phone, 202–326–2222. TTY, 202–326–2502.

For further information, contact the Office of Public Affairs, Federal Trade Commission, Pennsylvania Avenue at Sixth Street NW., Washington, DC 20580. Phone, 202–326–2180. Fax, 202–326–3676. Internet, http://www.ftc.gov/.

GENERAL SERVICES ADMINISTRATION

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