

Request for Records Disposition Authority

Records Schedule Number DAA-0122-2020-0002

Schedule Status Approved

Agency or Establishment Federal Trade Commission

Record Group / Scheduling Group Records of the Federal Trade Commission

Records Schedule applies to Major Subdivision

Major Subdivision Bureau of Competition (BC)

Minor Subdivision Premerger Notification Office (PNO)

Schedule Subject Hart-Scott-Rodino (HSR) files

Internal agency concurrences will be provided No

Background Information The Hart-Scott-Rodino (HSR) Antitrust Improvements Act of 1976, Pub. L. No. 94-435 (“HSR Act” or “the Act”), together with Section 13(b) of the Federal Trade Commission Act and Section 15 of the Clayton Act, enables the Federal Trade Commission (“FTC” or “Commission”) and the Antitrust Division of the Department of Justice (“DOJ”) to obtain effective preliminary relief against anticompetitive mergers, and to prevent interim harm to competition and consumers. The Act requires that parties to mergers or acquisitions above a specific threshold notify the FTC and DOJ before initiating the proposed acquisition. Only one Agency, either DOJ or the FTC, will investigate a particular transaction.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
1	0	1	0

GAO Approval

Outline of Records Schedule Items for DAA-0122-2020-0002

Sequence Number

1

Hart-Scott-Rodino (HSR) Files

Disposition Authority Number: DAA-0122-2020-0002-0001

Records Schedule Items

Sequence Number	
1	<p data-bbox="345 380 776 411">Hart-Scott-Rodino (HSR) Files</p> <p data-bbox="345 432 1149 464">Disposition Authority Number DAA-0122-2020-0002-0001</p> <p data-bbox="345 489 1523 1056">The records received from filing entities include but are not limited to: the original FTC filing form (e.g., FTC Form C4 or its equivalent); cover letters; signed certifications and affidavits; agreements between the entities; covenants not to compete; corporate financials and annual reports; studies, surveys, analyses, and reports prepared by or for any officers or directors for the purpose of evaluating or analyzing the acquisition with respect to market shares and competition; offering memoranda or analyses prepared by investment bankers, consultants, or other third-party advisors; synergy or efficiency analyses; and HSR state and federal waiver letters. Records prepared by the PNO while processing the HSR filing include but are not limited to: a summary sheet for each transaction, correspondence, early termination notices, withdrawal correspondence, second request process documents, merger analyses, decision records by the PNO parent bureau (the Bureau of Competition (BC)) for the request of additional merger documentation, financial refund forms, and decision records by BC to implement a full-phase investigation.</p> <p data-bbox="345 1077 919 1108">Final Disposition Temporary</p> <p data-bbox="345 1129 850 1161">Item Status Active</p> <p data-bbox="345 1182 818 1213">Is this item media neutral? Yes</p> <p data-bbox="345 1234 805 1266">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p data-bbox="345 1381 1068 1686">GRS or Superseded Authority Citation N1-122-92-001 / 1/1 N1-122-92-001 / 1/4 N1-122-92-001 / 1/6 N1-122-92-001 / 1/9 N1-122-92-001 / 1/10 N1-122-92-001 / 1/12 N1-122-92-001 / 2/2 N1-122-92-001 / 2/3</p> <p data-bbox="345 1724 659 1755">Disposition Instruction</p> <p data-bbox="345 1776 1500 1892">Cutoff Instruction Cut off file after approval, party withdrawal, denial of merger, or when the agency decides to enter into a full-phase investigation.</p> <p data-bbox="345 1913 1192 1944">Retention Period Destroy 10 year(s) after cutoff.</p>

Additional Information

GAO Approval

Not Required

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
10/05/2020	Certify	Yvonne Wilson	Records Officer	Federal Trade Commission - Federal Trade Commission
04/23/2021	Submit for Concurrency	Galen Wilson	Senior Appraisal Archivist	National Archives and Records Administration - Records Management Services
04/28/2021	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
05/03/2021	Concur	Laurence Brewer	Chief Records Officer	National Records and Archives Administration - National Records and Archives Administration
05/12/2021	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist