



Office of the Chief
Records Officer for the
U.S. Government

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August 14, 2023

Cynthia Savage
Acting Agency Records Officer
Federal Trade Commission
600 Pennsylvania Ave., NW
Room H-158A
Washington, DC 20580

Dear Cynthia Savage,

The National Archives and Records Administration (NARA) has recently become aware of an allegation of unauthorized disposition of Federal Trade Commission (FTC) records. On June 5, 2023, a Fox News article reported that the House Judiciary Committee Chairman, Representative Jim Jordan (R-Ohio), asserted that the FTC deleted critical documents related to the agency's implementation of a new rule that would prohibit non-compete clauses for workers.

Chairman Jordan further asserted that FTC staff explained that the FTC had deleted relevant documentation prior to the Committee's request and that the deleted materials included files of the Consumer Financial Protection Bureau (CFPB) employee who the FTC brought on to lead FTC's rulemaking, as well as materials of other employees, including the CFPB employee who led the team, supervised drafting of the proposed rule, ensured that drafts were circulated among Commission senior leadership, and oversaw any legal research.

NARA requests that the FTC investigate the allegations outlined above to determine whether the FTC has destroyed the records in question. If an unauthorized disposition of FTC records has occurred, please provide a comprehensive report within 30 days of this letter in accordance with 36 CFR 1230. Your report should include a complete description of the records mentioned in the allegation, including volume and dates of the records, applicable records schedule, and specific details describing the unauthorized disposition incident. Additionally, please include in your report any salvage, recovery, or restoration efforts, and safeguards that will be implemented to prevent the future unauthorized disposition of agency records.

Thank you for your attention to this matter. If you wish to discuss further, please do not hesitate to contact me at Laurence.Brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence N. Brewer". The signature is written in a cursive style with a large initial 'L' and a distinct 'N'.

LAURENCE BREWER
Chief Records Officer
for the U.S. Government