



# Climate Change Adaptation Plan

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Prepared by:

**FEDERAL TRADE COMMISSION**  
**Office of Administrative Services**  
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## **FTC CLIMATE CHANGE ADAPTATION POLICY STATEMENT**

The Federal Trade Commission prevents business practices that are anticompetitive or deceptive or unfair to consumers; enhances informed consumer choice and public understanding of the competitive process; and accomplishes this without unduly burdening legitimate business activity.

Climate change may negatively impact the accomplishment of the FTC's mission by preventing the execution of its programs, policies and operations. The FTC is committed to institute adaptation strategies as a component of strategic near- and long-term planning to ensure continuation and success of mission activities.

### **PLANNING REQUIREMENTS**

#### **i. Identification and assessment of climate change related impacts on and risks to the agency's ability to accomplish its mission, operations, and programs**

The FTC is an independent commission with its headquarters offices located in Washington, DC and eight regional offices located in Atlanta, Georgia; New York, New York; Cleveland, Ohio; Chicago, Illinois; Seattle, Washington; San Francisco, California; Los Angeles, California; and Dallas, Texas. The majority of employees (1,002) are located in headquarters facilities, with the remaining 178 employees located throughout the aforementioned regional offices. For the most part, employees work in fully-serviced leased buildings (space for the FTC is acquired by the General Services Administration (GSA)). One exception is the FTC's Headquarters Building (also known as the Apex Building), which is a government-owned facility with delegated operation to the FTC from GSA.

FTC employees are lawyers, economists, and support personnel. Because work dedicated to accomplishing the FTC's mission is legal and/or analytical, much of this work is portable and can be accomplished as long as the FTC network and Internet access are available.

The FTC identified the following climate change impacts that could affect the accomplishment of the agency's mission:

#### *Extreme Weather Conditions Necessitating a City-wide Shutdown*

The impact to the FTC depends on the location. If a shutdown occurs in Washington, DC, this has a medium impact on the agency because of the increased number of employees at headquarters and the associated number of programs and cases focused in this one particular location. The impact for one regional office, or even a group of regional offices at the same time, is considered low because of the smaller number of employees. The largest regional office, New York, has 25 employees; the smallest office, Atlanta, has only 14 employees. These events typically do not last longer than one week.

The risk of such an event is high. In January 2014, different events, and on different dates, both Atlanta and Cleveland offices were shut down for two days due to extreme weather conditions. The Office of Personnel Management closed the federal government in the National Capital Area on January 21, 2014.

### *Atypical/Extreme Temperatures*

Most of the FTC's facilities are comprised of fully-serviced leases, and utilities are included in the monthly, fixed rent fee. In the regional offices, as well as some facilities in the DC area, atypical temperatures represent zero risk, and thus zero impact to the agency. The one exception is the Headquarters Building where the FTC directly pays for electricity (air conditioning) in the cooling season and for steam (heat) during the heating season.

This is a low impact, low risk situation. While temperature fluctuations may negatively impact the FTC's budget, fluctuations also could swing the other way (e.g., an unseasonably cool summer).

### *COOP-Level Event*

There is the very real possibility that a climate event could activate the FTC's Continuity of Operations (COOP) plan. In the summer of 2006, a flood rendered the Robert F. Kennedy (Main Justice) and the Internal Revenue Service Headquarters buildings uninhabitable. These two buildings are only one and two blocks away from the FTC Headquarters Building, respectively (the FTC's building was unaffected during the flood). Depending on the severity and length of such an event, the FTC would activate the agency's COOP plan and inform personnel what actions to take.

The FTC's COOP plan is only in place for Washington, DC. No COOP plans are warranted for regional offices as work could be reassigned to staff from headquarters, to staff from another regional office, or delayed. In other words, the impact to the agency due to a regional office COOP-level event is minimal.

A COOP-level climate change event to headquarters, however, has the potential for extremely high impact. The risk for such an event is low. While the government may shut down occasionally due to severe weather, COOP activation is extremely rare.

**ii. Description of programs, policies, and plans the agency has already put in place, as well as additional actions the agency will take, to manage climate risks in the near term and build resilience in the long term**

*Extreme Weather Conditions Necessitating a City-wide Shutdown*

As noted above, the work accomplished by the FTC is extremely portable. Most FTC employees have signed telework agreements. In the event of a climate change event that prevents access to an FTC facility, employees that are able to may telework.

In order to build resilience in the long term, the FTC is implementing a new telework solution that is more robust than the agency's current telework technology. In addition, the new telework solution will provide employees with greater access to programs as well as an increased number of employees that can log onto the system at the same time.

Finally, the FTC is investigating cloud backups and cloud program access. This will provide greater redundancy in the event that something happens to the agency's primary servers as well as increasing employee access to data and programs.

*Atypical/Extreme Temperatures*

Atypical or extreme temperatures have little impact on FTC programs or policies. In the event of such climate change events, the FTC is prepared to reprogram funds to account for higher utility costs in the Headquarters Building.

The FTC also is prepared to respond, research, and investigate allegations of price fixing or gouging, especially in targeted locales. It is not uncommon for Congress to request FTC research regarding spikes in the price of commodities, such as gasoline.

*COOP-Level Event*

The FTC's participation in COOP exercises and instituting subsequent evaluator feedback improves the agency's plan for mission continuance during a major climate change event. As noted above, during such an event, employees will have the option to telework to continue the FTC's mission.

**iii. Description of how any climate change risk identified pursuant to paragraph (i) of this subsection that is deemed so significant that it impairs an agency's statutory mission or operation will be addressed, including through the agency's reporting requirements**

If a climate change event that completely incapacitated the agency (e.g., a flood that takes out the FTC's headquarters facilities and information technology access), the FTC would activate its COOP plan. Following COOP activation, FTC employees would investigate how to

delay or table ongoing work, especially work with deadlines (e.g., employees may request a continuance if they are in the midst of a court case or administrative hearing). After assessment and subsequent actions to table ongoing work, the FTC would stand down until the conclusion of the event and the agency could return to an operational status.

It should be noted, however, that the FTC does not have any primary mission essential functions.

- iv. Description of how the agency will consider the need to improve climate adaptation and resilience, including the costs and benefits of such improvement, with respect to agency suppliers, supply chain, real property investments, and capital equipment purchases such as updating agency profiles for leasing, building upgrades, relocation of existing facilities and equipment, and construction of new facilities.**

Almost all FTC buildings operate under fully-serviced leases; any real property improvements requested by the FTC are specific only to the Headquarters Building. For this building, the FTC takes guidance from GSA in real property investments and capital equipment purchases.

In the spring of 2014, the FTC will relocate approximately 700 employees from the 601 New Jersey Avenue and 1800 M Street buildings to a LEED-certified building with decreased per capita square footage.

- v. Description of how the agency will contribute to coordinated interagency efforts to support climate preparedness and resilience at all levels of government, including collaborative work across agencies' regional offices and hubs, and through coordinated development of information, data, and tools, consistent with section 4 of this order.**

The FTC actively participates with other similar sized agencies on the Small Agency Council (SAC). The SAC is an ideal forum for identifying best practices, sharing information, and leveraging or creating partnerships to respond to the impacts of climate change.

Regional offices will work with GSA and Federal Executive Boards at their locations to collaborate on coordinated interagency efforts.

#### **OTHER REQUIREMENTS**

- i. Identify and seek to remove or reform barriers that discourage investments or other actions to increase the Nation's resilience to climate change while ensuring continued protection of public health and the environment**

The FTC does not discourage investments that increase climate change resilience; however, the FTC does educate consumers and provide guidance to the public to make informed purchasing decisions. Consumers are increasingly making purchasing decisions based on the environmental impact of products. As a result, marketers are making “green” claims about their products. The FTC continues to bring enforcement actions against marketers to weed out deceptive green claims. The purchase of a greater number of green items, and a reduction of deceptive green products, increases the Nation’s resilience to climate change.

**ii. Reform policies and Federal funding programs that may, perhaps unintentionally, increase the vulnerability of natural or built systems, economic sectors, natural resources, or communities to climate change related risks**

After review of programs, the FTC has no identified policies or funding programs that may increase the vulnerability of natural or built systems, economic sectors, natural resources, or communities.

**iii. Identify opportunities to support and encourage smarter, more climate-resilient investments by States, local communities, and tribes, including by providing incentives through agency guidance, grants, technical assistance, performance measures, safety considerations, and other programs.**

The FTC has a law enforcement mission; it is not the agency’s mission, nor are there any mechanisms to support and encourage smarter, more climate-resilient investments by States, local communities, or tribes.