



Office of Commissioner
Rebecca Kelly Slaughter

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

**DISSENTING STATEMENT OF
COMMISSIONER REBECCA KELLY SLAUGHTER**
Regarding Ascension Data & Analytics, LLC

Commission File No. 1923126
December 22, 2021

The Commission is finalizing an order resolving Ascension Data & Analytics, LLC's system-based technology services and products to other companies in its corporate family in which vendors had a major security failure that exposed the personal data of tens of thousands of individuals for many months.

and oversight steps required by its own risk management policies.² Such fundamental failings and lack of care for sensitive personal data is not just a violation of the Safeguards Rule, it is also an unfair practice under Section 5 of the FTC Act.³ Yet, the proposed complaint alleges *only* a rule violation and does not charge an unfairness violation of Section 5.

I have consistently argued that when the FTC fails to plead all relevant law violations

Failure to adequately vet and oversee vendors entrusted with sensitive personal information is unlawful not just for financial institutions covered by the Safeguards Rule, but for all companies governed by the FTC Act. I believe the facts here support a count of unfairness under Section 5, as well as Safeguards Rule violations. Because this action fails to fully plead the violations supported by the facts and the law in this case, I respectfully dissent.