

Request for Records Disposition Authority

Records Schedule Number DAA-0266-2019-0003

Schedule Status Approved

Agency or Establishment Securities and Exchange Commission

Record Group / Scheduling Group Records of the Securities and Exchange Commission

Records Schedule applies to Major Subdivision

Major Subdivision Division of Enforcement

Minor Subdivision Office of the Whistleblower

Schedule Subject Whistleblower Application Files

Internal agency concurrences will be provided No

Background Information

The Whistleblower Program was created by Congress to provide monetary incentives for individuals who voluntarily provide original information that leads to the success of an SEC enforcement action in which a judgment over \$1 million is obtained. Under the program, eligible whistleblowers are entitled to an award of between 10% and 30% of the monetary sanctions collected in the underlying action, as well as any related actions brought by certain law enforcement or regulatory agencies based on the same whistleblower information. Awards are available only in connection with information submitted to the SEC after the enactment of Dodd-Frank on July 21, 2010. The Office of the Whistleblower ("OWB") was established to administer the SEC's Whistleblower Program.

The OWB posts Notices of Covered Action for each SEC action where a final judgment or order, by itself or together with other prior judgments or orders in the same action issued after July 21, 2010, results in monetary sanctions exceeding \$1 million. Once a Notice of Covered Action is posted, individuals have 90 calendar days to apply for an award. OWB reviews the application for award and makes a recommendation to grant or deny a whistleblower award. That recommendation is reviewed by a claims review staff, which issues a preliminary determination. An applicant may request to review the record upon which the claims review staff relied in issuing the preliminary determination. An applicant may also request reconsideration of a denial, or of an award in pursuit of a larger award percentage. Recommendations for awards and all reconsideration requests are sent to the Commission, and the Commission issues a Final Order. A redacted public version of the Final Order is published.

on SEC gov/whistleblower. The applicant who is denied an award can appeal the Final Order through the judicial system.

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-0266-2019-0003

Sequence Number

1

Whistleblower Application Files

Disposition Authority Number: DAA-0266-2019-0003-0001

Records Schedule Items

Sequence Number	
1	<p>Whistleblower Application Files</p> <p>Disposition Authority Number DAA-0266-2019-0003-0001</p> <p>Including but not limited to whistleblower applications and attachments, letters of acknowledgement or deficiency, recommendation for or against award, preliminary determinations, commission final orders, reconsideration requests, appeal documents from a denied award.</p> <p>Final Disposition Temporary</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>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>Disposition Instruction</p> <p>Cutoff Instruction Cut off after the whistleblower's appeals of decisions are exhausted or after the last award payment to the whistleblower is made, whichever is applicable and whichever is later.</p> <p>Retention Period Destroy 10 years after cutoff.</p> <p>Additional Information</p> <p>GAO Approval Not Required</p>

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
05/10/2019	Certify	Curt Francisco	Records Officer	Office of Support - Office of Records Management Services
11/21/2019	Submit for Concurrency	Lloyd Beers	Appraisal Archivist	National Archives and Records Administration - ACNR Records Management Services
11/27/2019	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
12/02/2019	Concur	Laurence Brewer	Chief Records Officer	National Records and Archives Administration - National Records and Archives Administration
12/04/2019	Approve	David Ferrero	Archivist of the United States	Office of the Archivist - Office of the Archivist