

Request for Records Disposition Authority

Records Schedule Number DAA-0180-2021-0001
Schedule Status Approved

Agency or Establishment Commodity Futures Trading Commission
Record Group / Scheduling Group Records of the Commodity Futures Trading Commission
Records Schedule applies to Agency-wide
Schedule Subject Landmark Events
Internal agency concurrences will be provided No

Background Information This schedule covers landmark or significant cases or matters such as investigations or litigations that involve persons or companies in violation of the Commodity Exchange Act or Commission regulations; significant litigation activities to which the Commission or Commission staff are a party; or audits or investigations of agency employees or contractors and others associated with CFTC programs and operations which have a significant outcome.

As a regulator, CFTC comes across situations in which ordinary, routine activities may shed light on or document events or periods of market upheaval, illicit actions or other items of significant impact to the markets or that may be of significant interest to the public. The updated schedule is designed to cover those events, actions or activities or circumstances that are perceived to be of historical value and warrant permanent retention. The schedule will also consolidate those events into one overarching schedule as they have similar criteria.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items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

GAO Approval

Outline of Records Schedule Items for DAA-0180-2021-0001

Sequence Number

1

Landmark Inquiries, audits, investigations, litigations and similar events Disposition Authority Number: DAA-0180-2021-0001-0001

Records Schedule Items

Sequence Number	
1	<p data-bbox="345 380 1349 411">Landmark Inquiries, audits, investigations, litigations and similar events</p> <p data-bbox="345 432 1151 464">Disposition Authority Number DAA-0180-2021-0001-0001</p> <p data-bbox="345 489 1503 1056">Records in this series include Inquiries, audits, investigations, litigations, or other actions or activities (collectively referred to as cases or matters) that: Were subject to significant or extensive review or extensive litigation; or resulted in new legislation or regulations or substantive changes to existing legislation, regulations or agency policy; or drew significant public interest such as wide-spread media attention; or drew significant interest by Congress, and/or market participants. Decisions issued or sanctions imposed that set significant precedent or involve, as subjects, the Chairman, Commissioners, Division Directors, or Office Heads; Decisions reviewed at length in the narrative portion of the CFTC annual report. Documents in this series may include: - Opening/closing reports - Memos to the Commission and the attachments - Requests for confidential treatment - Dispositive or Substantive Motions - Dispositive Orders or Orders on Substantive Issues - Pleadings - Supporting memoranda - Exhibits - Trial transcripts - Notices of appeal - Appeal briefs - Memos to the Commission (if any) and the attachments - Other records (if any) that summarize the nature and scope of the case or matter</p> <p data-bbox="345 1077 922 1108">Final Disposition Permanent</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 818 1360">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p> <p data-bbox="345 1381 818 1476">Do any of the records covered by this item exist as structured electronic data? Yes</p> <p data-bbox="345 1497 1154 1686">GRS or Superseded Authority Citation N1-180-00-001 / 410/B DAA-0180-2012-0003-0002 DAA-0180-2012-0003-0005 DAA-0180-2016-0003-0001 DAA-0180-2016-0003-0003</p> <p data-bbox="345 1717 659 1749">Disposition Instruction</p> <p data-bbox="345 1780 1081 1812">Cutoff Instruction Cutoff after final action</p> <p data-bbox="345 1833 1455 1896">Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after Cutoff</p>

Additional Information

First year of records accumulation **1983**

What will be the date span of the initial transfer of records to the National Archives? **From 1983 To 2004**

How frequently will your agency transfer these records to the National Archives? **Unknown**
We propose to transfer annually by fiscal year but there may be years where no records will meet the criteria

	Estimated Current Volume	Annual Accumulation
Electronic/Digital	8 GB	1 GB
Paper	370 Cubic feet	
Microform		
Hardcopy or Analog Special Media		

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
11/03/2020	Certify	Crystal Zeh	Records Management Officer	Office of the Executive Director - Executive Secretariat Branch
02/19/2021	Return for Revision	Esther Hidalgo	Archives Specialist	National Archives and Records Administration - ACR1 AC Appraisal Team 1
06/23/2021	Submit For Certification	Kimberly Neutzling	Records Specialist	CFTC - CFTC
06/23/2021	Certify	Crystal Zeh	Records Management Officer	Office of the Executive Director - Executive Secretariat Branch
07/26/2021	Submit for Concurrence	Esther Hidalgo	Archives Specialist	National Archives and Records Administration - ACR1 AC Appraisal Team 1
07/30/2021	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
07/30/2021	Concur	Laurence Brewer	Chief Records Officer	National Records and Archives Administration - National Records and Archives Administration
08/04/2021	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist

New Bucket Schedule Title	New Record Description	New Medium	New Retention	New Series Level Cut off Instructions, where applicable	Superseded Record Title	Superseded Record Description	Temp/Perm	Superseded Retention	Superseded Authority	Medium	RCR PERMANENT RECORDS Office of Record*
Landmark inquiries, audits, investigations, inquiries and similar events	<p>Records in this series include:</p> <p>Inquiries, audits, investigations, litigations, or other actions or activities (collectively referred to as cases or matters) that:</p> <ul style="list-style-type: none"> Were subject to significant or extensive litigation; or Resulted in new legislation or regulations or substantive changes to existing legislation, regulations or agency policy; or Drew significant public interest such as wide-spread media attention; or Drew significant interest by Congress, and/or market participants. Decisions issued or sanctions imposed that set significant precedent or involve, as subjects, the Chairman, Commissioners, Division Directors, or Office Heads. Decisions reviewed at length in the narrative portion of the CFT Annual Report. Documents in this series may include: <ul style="list-style-type: none"> Opening/closing reports Memoranda to the Commission and attachments Requests for confidential treatment Dispositive or Substantive Motions Dispositive Order or Order on Substantive Issues Headings Supporting memoranda Exhibits Trial transcripts Notices of appeal Appeal briefs Other records (if any) that summarize the nature and scope of the case or matter 	Media Neutral	Transfer to the National Archives 15 years after cut-off	Cutoff after final action	Historically-significant audit case files	Relevant criteria for designating a file as historically significant include those that involve, as subjects, the Chairman, Commissioners, Division Directors, or Office Heads, those that result in substantive changes to agency policy, or investigations that draw significant public interest as reflected in wide-spread news media attention, Congressional interest, and/or market participant inquiries.	Permanent	Cut off files at the end of the fiscal year in which the audit is completed. Transfer to the National Archives in 5 year blocks 30 years after cut off.	DAAG-0180-2016-0003-0001	Media Neutral	Office of the Inspector General
					Historically-significant investigation case files	Relevant criteria for designating case files as historically significant include those that involve, as subjects, the Chairman, Commissioners, Division Directors, or Office Heads, those that result in substantive changes to agency policy, or investigations that draw significant public interest as reflected in wide-spread news media attention, Congressional interest, and/or market participant inquiries.	Permanent	Cut off files at the end of the fiscal year in which the investigation is completed. Transfer to the National Archives in 5 year blocks 30 years after cut off.	DAAG-0180-2016-0003-0003	Media Neutral	Office of the Inspector General
					Investigatory files	Historically-significant Investigations meet one or more of the following criteria: 1. Is the subject of significant public interest as reflected in wide-spread news media attention, Congressional interest, and/or market participant inquiries. 2. Resulted in new legislation or regulations or substantive changes to existing legislation or regulations. 3. Prosecuted as a criminal case by the Department of Justice. The permanent records of a historically-significant Investigation may include the following: • Opening/closing reports. • Memoranda to the Commission (if any) and attachments. • Requests for confidential treatment (if any). Other records (if any) that summarize the nature and scope of the Investigation.	Permanent	Cut off after last action, as described in the Division of Enforcement procedures. Transfer electronic records to the National Archives for pre-accessioning 5 years after last action. Transfer to the National Archives in 10 year blocks after last action.	DAAG-0180-2012-0003-0002	Media Neutral	Division of Enforcement
					Enforcement Case Files	Historically-significant Enforcement Cases meet one or more of the following criteria: 1. Is the subject of significant public interest as reflected in wide-spread news media attention, Congressional interest, and/or market participant inquiries. 2. Resulted in new legislation or regulations or substantive changes to existing legislation or regulations. 3. Decision issued or sanctions imposed set precedent. 4. Prosecuted as a criminal case by the Department of Justice. The permanent records of a historically-significant Enforcement Case may include the following: • Opening/closing reports. • Memos to the Commission and the attachments (including those from the Investigatory phase). • Requests for confidential treatment (if any). • Dispositive or Substantive Motions. • Supporting memoranda. • Dispositive Order or Order on Substantive Issues. • Headings. • Trial transcripts. • Exhibits. • Notices of appeal. • Other records (if any).	Revisable	Cut off after last action, as described in the Division of Enforcement procedures. Transfer electronic records to the National Archives for pre-accessioning 5 years after last action. Transfer to the National Archives in 10 year blocks after last action.	DAAG-0180-2012-0003-0005	Media Neutral	Division of Enforcement
					ODC Litigation Files	Cases selected by CFTC with concurrence of NARA using the following criteria: The case was subject to extensive litigation. The case received wide-spread news media attention. The case was reviewed at length in the narrative portion of the CFT Annual Report.	Permanent	Transfer off-site storage when 3 years old. Off to NARA in 10 year blocks when 20 years old.	N/A, LRD-00-1-1109	Paper	Office of General Counsel