
In the Matter of Claims for Award by:)
)
 Redacted (“Claimant 1”),)
 WB-APP Redacted ; and) CFTC Whistleblower Award
) Determination No. 20-WB-02
 Redacted (“Claimant 2”),)
 WB-APP Redacted)
)
 In Connection with)
 Notice of Covered Action No. Redacted)
)
)

ORDER DETERMINING WHISTLEBLOWER AWARD CLAIMS

The Claims Review Staff (“CRS”) issued a Preliminary Determination recommending that Claimant 1 receive a whistleblower award in the amount of *** percent (***) of the monetary sanctions collected in Redacted (“Covered Action”).¹ This recommended award percentage would yield a payment of \$Redacted.

The recommendation of the CRS with respect to Claimant 1 is adopted. We find that the record demonstrates that he/she voluntarily provided original information to the Commission that led to the successful enforcement of the Covered Action pursuant to Section 23(b)(1) of the Commodity Exchange Act. 7 U.S.C. § 26(b)(1) (2018).

Claimant 1, Redacted, provided information that led to a successful enforcement action first by causing the case to be opened, and second by significantly contributing to the investigation. He/she first reported his/her information to another regulator through his/her company’s internal reporting procedures, and then the other regulator referred the case to the CFTC.² Claimant 1 also directly provided Division staff with additional assistance through a CFTC-requested interview with Division staff, and by providing additional documents through his/her employer’s counsel. Claimant 1 voluntarily provided information to the CFTC because Claimant 1’s employer acted as his/her representative in submitting the information to the other

¹ The Preliminary Determination further recommended that the award application submitted by Claimant 2 be denied. Claimant 2 failed to submit a request for reconsideration of the Preliminary Determination, and, therefore, the Preliminary Determination denying his claim for award has become the Final Order of the Commission. 17 C.F.R. § 165.7(h) (2019).

² Claimant 1 initially submitted his/her information to another regulator through his/her employer’s compliance process, but later provided direct assistance to Division of Enforcement (“Division”) staff through an interview that greatly assisted Division staff. We have determined that Claimant 1 has successfully established that he/she was the original source of information that the Division received from Redacted regulator. See 17 C.F.R. § 165.2(j). We have also decided to give credit to Claimant 1 for causing the case to be opened, because the information Claimant 1 provided, albeit up through his/her employer’s compliance process and then over via the other regulator, was sufficiently specific, credible, and timely to cause the Commission to open an investigation. See 17 C.F.R. § 165.2(i)(1).

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regulator, and then Claimant 1 directly provided information to the CFTC both during and subsequent to his/her interview. 17 C.F.R. §§ 165.2(i), (l)(1) & (o)(1). Claimant 1's report to the other regulator should not be considered mandatory under the Rules. 17 C.F.R. § 165.2(o)(2).

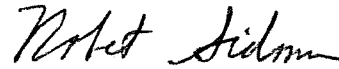
The Commission then brought a successful action based on conduct that was related to the subject of the original information provided by Claimant 1. Although Claimant 1 filed a Form TCR to perfect his/her status as a whistleblower after the conclusion of the investigation, we find that Claimant 1 complied with the form and manner requirements of the Rules per the language of Rule 165.3(a), which does not require a whistleblower to submit information on a Form TCR in his/her initial submission. *See* 17 C.F.R. § 165.3(a).

It is hereby ORDERED that Claimant 1 shall receive an award of*** percent (***) of the monetary sanctions collected, or to be collected, in the Covered Action.

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By the Commission.



Robert Sidman
Deputy Secretary of the Commission
Commodity Futures Trading Commission
1155 21st Street, N.W.
Washington, DC 20581

Dated: December 19, 2019