

117TH CONGRESS
1ST SESSION

S. 409

AN ACT

To provide for the availability of amounts for customer education initiatives and non-awards expenses of the Commodity Futures Trading Commission Whistleblower Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. COMMODITY FUTURES TRADING COMMISSION**
2 **WHISTLEBLOWER PROGRAM.**

3 (a) **IN GENERAL.**—Notwithstanding any other provi-
4 sion of law, there is established in the Treasury a separate
5 account (referred to in this section as the “account”), the
6 amounts in which shall be available for the sole purposes
7 of—

8 (1) carrying out the activities described in sec-
9 tion 23(g)(2)(B) of the Commodity Exchange Act (7
10 U.S.C. 26(g)(2)(B)) (referred to in this section as
11 “customer education initiatives”); and

12 (2) funding the administrative, programmatic,
13 and personnel expenses of the Whistleblower Office
14 and the Office of Customer Education and Outreach
15 of the Commodity Futures Trading Commission (re-
16 ferred to in this section as the “Commission”) in
17 carrying out section 23 of the Commodity Exchange
18 Act (7 U.S.C. 26) (referred to in this section as
19 “non-awards expenses”).

20 (b) **TRANSFERS FROM FUND INTO ACCOUNT.**—

21 (1) **IN GENERAL.**—Notwithstanding any other
22 provision of law, the Commission shall transfer up to
23 \$10,000,000 from the Commodity Futures Trading
24 Commission Customer Protection Fund established
25 under section 23(g)(1) of the Commodity Exchange

1 Act (7 U.S.C. 26(g)(1)) (referred to in this section
2 as the “Fund”) into the account.

3 (2) AVAILABILITY.—Amounts transferred under
4 paragraph (1) shall be available for obligation with-
5 out further appropriation and remain available until
6 October 1, 2022.

7 (3) REMAINING AMOUNTS.—Amounts remain-
8 ing in the account that are unobligated on October
9 1, 2022, shall be returned to the Fund.

10 (c) REQUIREMENT FOR OBLIGATIONS.—The Com-
11 mission may make obligations from the account only when
12 the unobligated balance of the Fund is insufficient to pay
13 non-awards expenses and expenses for customer education
14 initiatives due to awards that the Commission has ordered
15 under section 23(b) of the Commodity Exchange Act (7
16 U.S.C. 26(b)).

17 (d) REPORTS TO CONGRESS.—The Commission shall
18 include in each report required under section 23(g)(5) of
19 the Commodity Exchange Act (7 U.S.C. 26(g)(5)) the
20 same information with respect to the account as the Com-

- 1 mission includes in the report with respect to the Fund,
- 2 to the extent the information is relevant to the account.

Passed the Senate May 28 (legislative day, May 27),
2021.

Attest:

Secretary.

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