

## Committee Print

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(Showing the text of S.409, as passed the Senate on May 28, 2021)

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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”).

1 (b) TRANSFERS FROM FUND INTO ACCOUNT.—

2 (1) IN GENERAL.—Notwithstanding any other  
3 provision of law, the Commission shall transfer up to  
4 \$10,000,000 from the Commodity Futures Trading  
5 Commission Customer Protection Fund established  
6 under section 23(g)(1) of the Commodity Exchange  
7 Act (7 U.S.C. 26(g)(1)) (referred to in this section  
8 as the “Fund”) into the account.

9 (2) AVAILABILITY.—Amounts transferred under  
10 paragraph (1) shall be available for obligation with-  
11 out further appropriation and remain available until  
12 October 1, 2022.

13 (3) REMAINING AMOUNTS.—Amounts remain-  
14 ing in the account that are unobligated on October  
15 1, 2022, shall be returned to the Fund.

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

23 (d) REPORTS TO CONGRESS.—The Commission shall  
24 include in each report required under section 23(g)(5) of  
25 the Commodity Exchange Act (7 U.S.C. 26(g)(5)) the

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