

118TH CONGRESS
1ST SESSION

S. 2500

To amend the Commodity Exchange Act to adjust the period during which amounts transferred by the Commodity Futures Trading Commission to the account for customer education initiatives and non-awards expenses shall remain available, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2023

Mr. GRASSLEY (for himself, Ms. HASSAN, Mr. BOOZMAN, Mr. WARNOCK, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Commodity Exchange Act to adjust the period during which amounts transferred by the Commodity Futures Trading Commission to the account for customer education initiatives and non-awards expenses shall remain available, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “CFTC Whistleblower
5 Fund Improvement Act of 2023”.

1 **SEC. 2. COMMODITY FUTURES TRADING COMMISSION CUS-**
 2 **TOMER PROTECTION FUND MODIFICATIONS.**

3 (a) SEPARATE ACCOUNT FOR EDUCATION INITIA-
 4 TIVES AND EXPENSES.—Section 23(g) of the Commodity
 5 Exchange Act (7 U.S.C. 26(g)) is amended—

6 (1) in paragraph (2)(A), by striking “subsection
 7 (a)” and inserting “subsection (b)”; and

8 (2) in paragraph (3)—

9 (A) in subparagraph (A), by striking
 10 “\$100,000,000” and inserting “\$300,000,000”;

11 (B) in subparagraph (B), by striking “sub-
 12 paragraph (A)” and inserting “clause (i)”;

13 (C) by redesignating subparagraphs (A)
 14 through (C) as clauses (i) through (iii), respec-
 15 tively, and indenting the clauses appropriately;

16 (D) in the matter preceding clause (i) (as
 17 so redesignated), by striking “There shall be
 18 deposited into or credited to the Fund:” and in-
 19 serting the following:

20 “(A) IN GENERAL.—There shall be depos-
 21 ited in, or credited to, the Fund the following:”;
 22 and

23 (E) by adding at the end the following:

24 “(B) SEPARATE ACCOUNT FOR EDUCATION
 25 INITIATIVES AND ADMINISTRATIVE EX-
 26 PENSES.—

1 “(i) IN GENERAL.—Any amounts con-
2 tained in, deposited in, or credited to the
3 Fund under subparagraph (A) may be
4 transferred to a separate account in the
5 Fund described in clause (ii), unless the
6 balance of that separate account at the
7 time the amounts are transferred exceeds
8 \$10,000,000.

9 “(ii) USE OF SEPARATE ACCOUNT.—
10 The separate account referred to in clause
11 (i) shall be available to the Commission,
12 without further appropriation or fiscal year
13 limitation, for—

14 “(I) the purpose described in
15 subparagraph (B) of paragraph (2);
16 and

17 “(II) the funding of administra-
18 tive and salary expenses necessary for
19 personnel to carry out the activities
20 described in subparagraphs (A) and
21 (B) of that paragraph.”.

22 (b) COMMODITY FUTURES TRADING COMMISSION
23 WHISTLEBLOWER PROGRAM.—Section 1(b) of Public Law
24 117–25 (135 Stat. 297; 136 Stat. 2133; 136 Stat. 2309)

1 (as amended by section 301 of division HH of Public Law
2 117–328) is amended—

3 (1) in paragraph (3), by striking “until” and all
4 that follows through the period at the end and in-
5 serting “until expended.”; and

6 (2) by striking paragraph (4).

7 (c) TECHNICAL CORRECTIONS.—Section 23 of the
8 Commodity Exchange Act (7 U.S.C. 26) is amended—

9 (1) in subsection (a)(5), by striking “subsection
10 (a)” and inserting “subsection (b)”;

11 (2) in subsection (c)(1)(B)(i)(III), by striking
12 “the Act” each place it appears and inserting “this
13 Act”; and

14 (3) in subsection (f)(3), by striking “section
15 7064” and inserting “section 706”.

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