

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3316

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## AN ACT

To provide for certain whistleblower incentives and  
protections.

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. SHORT TITLE.**

2 This Act may be cited as the “Anti-Money Laun-  
3 dering Whistleblower Improvement Act”.

4 **SEC. 2. WHISTLEBLOWER INCENTIVES AND PROTECTIONS.**

5 (a) IN GENERAL.—Section 5323 of title 31, United  
6 States Code, as amended by section 6314 of the Anti-  
7 Money Laundering Act of 2020 (division F of Public Law  
8 116–283) is amended by striking subsection (b) and in-  
9 serting the following:

10 “(b) AWARDS.—

11 “(1) IN GENERAL.—In any covered judicial or  
12 administrative action, or related action, the Sec-  
13 retary, under regulations prescribed by the Sec-  
14 retary, in consultation with the Attorney General  
15 and subject to subsection (c), shall pay an award or  
16 awards to 1 or more whistleblowers who voluntarily  
17 provided original information to the employer of the  
18 individual, the Secretary, or the Attorney General,  
19 as applicable, that led to the successful enforcement  
20 of the covered judicial or administrative action, or  
21 related action, in an aggregate amount equal to—

22 “(A) not less than 10 percent, in total, of  
23 what has been collected of the monetary sanc-  
24 tions imposed in the action or related actions;  
25 and

1           “(B) not more than 30 percent, in total, of  
2 what has been collected of the monetary sanc-  
3 tions imposed in the action or related actions.

4           “(2) PAYMENT OF AWARDS.—

5           “(A) IN GENERAL.—Any amount paid  
6 under paragraph (1) shall be paid from the  
7 Fund established under paragraph (3).

8           “(B) RELATED ACTIONS.—The Secretary  
9 may pay awards less than the amount described  
10 in paragraph (1)(A) for related actions in which  
11 a whistleblower may be paid by another whistle-  
12 blower award program.

13           “(3) SOURCE OF AWARDS.—

14           “(A) IN GENERAL.—There shall be estab-  
15 lished in the Treasury of the United States a  
16 revolving fund to be known as the Financial In-  
17 tegrity Fund (referred to in this subsection as  
18 the ‘Fund’).

19           “(B) USE OF FUND.—The Fund shall be  
20 available to the Secretary, without further ap-  
21 propriation or fiscal year limitations, only for  
22 the payment of awards to whistleblowers as pro-  
23 vided in subsection (b).

1           “(C) RESTRICTIONS ON USE OF FUND.—

2           The Fund shall not be available to pay any per-  
3           sonnel or administrative expenses.

4           “(4) DEPOSITS AND CREDITS.—

5           “(A) IN GENERAL.—There shall be depos-  
6           ited into or credited to the Fund an amount  
7           equal to—

8                   “(i) any monetary sanction collected  
9                   by the Secretary or Attorney General in  
10                  any judicial or administrative action under  
11                  this title, chapter 35 or section 4305 or  
12                  4312 of title 50, or the Foreign Narcotics  
13                  Kingpin Designation Act (21 U.S.C. 1901  
14                  et seq.), unless the balance of the Fund at  
15                  the time the monetary sanction is collected  
16                  exceeds \$300,000,000; and

17                   “(ii) all income from investments  
18                  made under paragraph (5).

19           “(B) ADDITIONAL AMOUNTS.—If the  
20           amounts deposited into or credited to the Fund  
21           under subparagraph (A) are not sufficient to  
22           satisfy an award made under this subsection,  
23           there shall be deposited into or credited to the  
24           Fund an amount equal to the unsatisfied por-  
25           tion of the award from any monetary sanction

1 collected by the Secretary of the Treasury or  
2 Attorney General in the covered judicial or ad-  
3 ministrative action on which the award is based.

4 “(C) EXCEPTION.—No amounts to be de-  
5 posited or transferred into the United States  
6 Victims of State Sponsored Terrorism Fund  
7 pursuant to the Justice for United States Vic-  
8 tims of State Sponsored Terrorism Act (34  
9 U.S.C. 20144) or the Crime Victims Fund pur-  
10 suant section 1402 of the Victims of Crime Act  
11 of 1984 (34 U.S.C. 20101) shall be deposited  
12 into or credited to the Fund.

13 “(5) INVESTMENTS.—

14 “(A) AMOUNTS IN FUND MAY BE IN-  
15 VESTED.—The Secretary of the Treasury may  
16 invest the portion of the Fund that is not re-  
17 quired to meet the current needs of the Fund.

18 “(B) ELIGIBLE INVESTMENTS.—Invest-  
19 ments shall be made by the Secretary of the  
20 Treasury in obligations of the United States or  
21 obligations that are guaranteed as to principal  
22 and interest by the United States, with matu-  
23 rities suitable to the needs of the Fund as de-  
24 termined by the Secretary.

1           “(C) INTEREST AND PROCEEDS CRED-  
2           ITED.—The interest on, and the proceeds from  
3           the sale or redemption of, any obligations held  
4           in the Fund shall be credited to, and form a  
5           part of, the Fund.”.

6           (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
7           Section 5323 of title 31, United States Code, is amend-  
8           ed—

9           (1) in subsection (a)—

10           (A) in paragraphs (1) and (5), by striking  
11           “this subchapter or subchapter III” each place  
12           the term appears and inserting “this sub-  
13           chapter, chapter 35 or section 4305 or 4312 of  
14           title 50, the Foreign Narcotics Kingpin Des-  
15           ignation Act (21 U.S.C. 1901 et seq.), or .),  
16           and for conspiracies to violate the aforemen-  
17           tioned provisions”; and

18           (B) in paragraph (4)—

19           (i) by inserting “covered” after “re-  
20           spect to any”;

21           (ii) by striking “under this subchapter  
22           or subchapter III”; and

23           (iii) by striking “action by the Sec-  
24           retary or the Attorney General” and in-  
25           serting “covered action”;

1 (2) in subsection (c)(1)(B)(iii)—

2 (A) by striking “subchapter and sub-  
3 chapter III” and inserting “this subchapter,  
4 chapter 35 or section 4305 or 4312 of title 50,  
5 and the Foreign Narcotics Kingpin Designation  
6 Act (21 U.S.C. 1901 et seq.)”; and

7 (B) by striking “either such subchapter”  
8 and inserting “the covered judicial or adminis-  
9 trative action”; and

10 (3) in subsection (g)(4)(D)(i), by inserting  
11 “chapter 35 or section 4305 or 4312 of title 50, or  
12 the Foreign Narcotics Kingpin Designation Act (21  
13 U.S.C. 1901 et seq.),” after “subchapter,”.

Passed the Senate December 7, 2022.

Attest:

*Secretary.*

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