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

introduced the following bill; which was read twice and referred to the Committee on

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

SEC. 2. COMMODITY FUTURES TRADING COMMISSION CUST-
OMER PROTECTION FUND MODIFICATIONS.

(a) Separate Account for Education Initiatives and Expenses.—Section 23(g) of the Commodity
Exchange Act (7 U.S.C. 26(g)) is amended—

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

(2) in paragraph (3)—

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

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

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

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

“(A) In General.—There shall be depos-
ited in, or credited to, the Fund the following:”;

and

(E) by adding at the end the following:

“(B) Separate Account for Education
Initiatives and Administrative Ex-
penses.—
“(i) IN GENERAL.—Any amounts contained in, deposited in, or credited to the Fund under subparagraph (A) may be transferred to a separate account in the Fund described in clause (ii), unless the balance of that separate account at the time the amounts are transferred exceeds $10,000,000.

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

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

“(II) the funding of administrative and salary expenses necessary for personnel to carry out the activities described in subparagraphs (A) and (B) of that paragraph.”.

(b) COMMODITY FUTURES TRADING COMMISSION WHISTLEBLOWER PROGRAM.—Section 1(b) of Public Law 117–25 (135 Stat. 297; 136 Stat. 2133; 136 Stat. 2309)
(as amended by section 301 of division HH of Public Law 117–328) is amended—

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

(2) by striking paragraph (4).

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

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

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

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