

117TH CONGRESS
2D SESSION

S. 3316

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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