

July 24, 2023

The Honorable Charles E. Grassley
United States Senate
135 Hart Senate Office Building
Washington, DC 20510

RE: Letter of support of the CFTC Whistleblower Fund Improvement Act

Dear Senator Grassley,

The undersigned whistleblower advocates write in support of the Commodities Futures Trading Commission (“CFTC”) Whistleblower Fund Improvement Act, which would make the CFTC Fund Management Act permanent so the CFTC whistleblower office can continue to operate should the fund carry a low balance and to ensure that funds are available to pay whistleblower awards.

In 2010, Congress established the CFTC’s whistleblower program to collect fines and reward whistleblowers for their disclosures. The whistleblower fund is also used to finance operating expenses and educational initiatives associated with the whistleblower office. The CFTC has granted whistleblower awards associated with enforcement actions that have resulted in monetary sanctions totaling more than \$3 billion. The whistleblower program continues to serve as a vital part of the CFTC’s broader enforcement efforts.

Because of its great success, the whistleblower fund is at risk of being depleted. The increasing size and quantity of fines arising from successful whistleblower disclosures have led to larger reward disbursements. Current law requires that the whistleblower fund be capped at \$100 million, and any fines collected past the cap are remitted to the Treasury’s general fund. The disbursement of larger rewards from a capped fund poses an impending threat to the CFTC whistleblower program’s ability to function.

The sustained support of Congressional leadership on whistleblower protection is essential. This legislation should not be controversial. The CFTC Whistleblower Fund Improvement Act would help keep pace with the needs of a fund that supports a highly successful program that has experienced significant growth in recent years. For that reason, we urge Congress to pass the CFTC Whistleblower Fund Improvement Act. Should you have any questions, please reach out to Samantha Feinstein at Government Accountability Project at samanthaf@whistleblower.org

Sincerely,

Government Accountability Project

Kohn, Kohn and Colapinto

National Whistleblower Center

Taxpayers Against Fraud

Transparency International, U.S.

Whistleblower Network News

Whistleblowers of America