



1           (3) In 2010, the Department of Justice estab-  
2           lished the Kleptocracy Asset Recovery Initiative, to  
3           work in partnership with Federal law enforcement  
4           agencies to forfeit the proceeds of foreign official  
5           corruption and, where appropriate, return those pro-  
6           ceeds to benefit the people harmed by these acts of  
7           corruption and abuse of office.

8           (4) Of the \$20 billion to \$40 billion lost by de-  
9           veloping countries annually through corruption, only  
10          about \$5 billion has been repatriated in the last 15  
11          years.

12          (5) Governments weakened by corruption and  
13          loss of assets due to corruption have fewer resources  
14          to devote to the fight against terrorism and fewer re-  
15          sources to devote to building strong financial, law  
16          enforcement, and judicial institutions to aid in the  
17          fight against the financing of terrorism.

18          (6) The United States has a number of effective  
19          programs to reward individuals who provide valuable  
20          information that assist in the identification, arrest,  
21          and conviction of criminal actors and their associ-  
22          ates, as well as seizure and forfeiture of illicitly de-  
23          rived assets and the proceeds of criminal activity.

24          (7) The Internal Revenue Service has the Whis-  
25          tleblower Program, which pays awards to individuals

1 who provide specific and credible information to the  
2 IRS if the information results in the collection of  
3 taxes, penalties, interest or other amounts from non-  
4 compliant taxpayers.

5 (8) The Department of State administers re-  
6 wards programs on international terrorism, illegal  
7 narcotics, and transnational organized crime with  
8 the goal of bringing perpetrators to justice.

9 (9) None of these existing rewards programs  
10 specifically provide monetary incentives for identi-  
11 fying and recovering stolen assets linked solely to  
12 foreign government corruption, as opposed to crimi-  
13 nal prosecutions or civil or criminal forfeitures.

14 (10) The recovery of stolen assets linked to for-  
15 eign government corruption and the proceeds of such  
16 corruption may not always involve a BSA violation  
17 or lead to a forfeiture action. In such cases there  
18 would be no ability to pay rewards under existing  
19 Treasury Department authorities.

20 (11) Foreign government corruption can take  
21 many forms but typically entails government officials  
22 stealing, misappropriating, or illegally diverting as-  
23 sets and funds from their own government treasuries  
24 to enrich their personal wealth directly through em-  
25 bezzlement or bribes to allow government resources

1 to be expended in ways that are not transparent and  
2 may not either be necessary or be the result of open  
3 competition. Corruption also includes situations  
4 where public officials take bribes to allow govern-  
5 ment resources to be expended in ways which are  
6 not transparent and may not be necessary or the re-  
7 sult of open competition. These corrupt officials  
8 often use the United States and international finan-  
9 cial system to hide their stolen assets and the pro-  
10 ceeds of corruption.

11 (12) The individuals who come forward to ex-  
12 pose foreign governmental corruption and  
13 kleptocracy often do so at great risk to their own  
14 safety and that of their immediate family members  
15 and face retaliation from persons who exercise for-  
16 eign political or governmental power. Monetary re-  
17 wards can provide a necessary incentive to expose  
18 such corruption and provide a financial means to  
19 provide for their well-being and avoid retribution.

20 (b) SENSE OF CONGRESS.—It is the sense of Con-  
21 gress that a Department of the Treasury stolen asset re-  
22 covery rewards program to help identify and recover stolen  
23 assets linked to foreign government corruption and the  
24 proceeds of such corruption hidden behind complex finan-  
25 cial structures is needed in order to—

1           (1) intensify the global fight against corruption;  
2           and

3           (2) serve United States efforts to identify and  
4           recover such stolen assets, forfeit proceeds of such  
5           corruption, and, where appropriate and feasible, re-  
6           turn the stolen assets or proceeds thereof to the  
7           country harmed by the acts of corruption.

8   **SEC. 6003. IN GENERAL.**

9           (a) DEPARTMENT OF THE TREASURY KLEPTOCRACY  
10   ASSET RECOVERY REWARDS PROGRAM.—Chapter 97 of  
11   title 31, United States Code, is amended by adding at the  
12   end the following:

13   **“§ 9706. Department of the Treasury Kleptocracy**  
14                           **Asset Recovery Rewards Program**

15           “(a) ESTABLISHMENT.—

16                   “(1) IN GENERAL.—There is established in the  
17           Department of the Treasury a program to be known  
18           as the ‘Kleptocracy Asset Recovery Rewards Pro-  
19           gram’ for the payment of rewards to carry out the  
20           purposes of this section.

21                   “(2) PURPOSE.—The rewards program shall be  
22           designed to support U.S. Government programs and  
23           investigations aimed at restraining, seizing, for-  
24           feiting, or repatriating stolen assets linked to foreign

1 government corruption and the proceeds of such cor-  
2 ruption.

3 “(3) IMPLEMENTATION.—The rewards program  
4 shall be administered by, and at the sole discretion  
5 of, the Secretary of the Treasury, in consultation, as  
6 appropriate, with the Secretary of State, the Attor-  
7 ney General, and the heads of such other depart-  
8 ments and agencies as the Secretary may find ap-  
9 propriate.

10 “(b) REWARDS AUTHORIZED.—In the sole discretion  
11 of the Secretary and in consultation, as appropriate, with  
12 the heads of other relevant Federal departments or agen-  
13 cies, the Secretary may pay a reward to any individual,  
14 or to any nonprofit humanitarian organization designated  
15 by such individual, if that individual furnishes information  
16 leading to—

17 “(1) the restraining or seizure of stolen assets  
18 in an account at a U.S. financial institution (includ-  
19 ing a U.S. branch of a foreign financial institution),  
20 that come within the United States, or that come  
21 within the possession or control of any United States  
22 person;

23 “(2) the forfeiture of stolen assets in an ac-  
24 count at a U.S. financial institution (including a  
25 U.S. branch of a foreign financial institution), that

1       come within the United States, or that come within  
2       the possession or control of any United States per-  
3       son; or

4             “(3) where appropriate, the repatriation of sto-  
5       len assets in an account at a U.S. financial institu-  
6       tion (including a U.S. branch of a foreign financial  
7       institution), that come within the United States, or  
8       that come within the possession or control of any  
9       United States person.

10       “(c) COORDINATION.—

11             “(1) PROCEDURES.—To ensure that the pay-  
12       ment of rewards pursuant to this section does not  
13       duplicate or interfere with any other payment au-  
14       thorized by the Department of Justice or other Fed-  
15       eral law enforcement agencies for the obtaining of  
16       information or other evidence, the Secretary of the  
17       Treasury, in consultation with the Secretary of  
18       State, the Attorney General, and the heads of such  
19       other agencies as the Secretary may find appro-  
20       priate, shall establish procedures for the offering,  
21       administration, and payment of rewards under this  
22       section, including procedures for—

23             “(A) identifying actions with respect to  
24       which rewards will be offered;

25             “(B) the receipt and analysis of data; and

1           “(C) the payment of rewards and approval  
2           of such payments.

3           “(2) PRIOR APPROVAL OF THE ATTORNEY GEN-  
4           ERAL REQUIRED.—Before making a reward under  
5           this section in a matter over which there is Federal  
6           criminal jurisdiction, the Secretary of the Treasury  
7           shall obtain the written concurrence of the Attorney  
8           General.

9           “(d) PAYMENT OF REWARDS.—

10           “(1) AUTHORIZATION OF APPROPRIATIONS.—  
11           For the purpose of paying rewards pursuant to this  
12           section, there is authorized to be appropriated—

13                   “(A) \$450,000 for fiscal year 2020; and

14                   “(B) for each fiscal year, any amount re-  
15                   covered in stolen assets described under sub-  
16                   section (b) that the Secretary determines is nec-  
17                   essary to carry out this program consistent with  
18                   this section.

19           “(2) LIMITATION ON ANNUAL PAYMENTS.—Ex-  
20           cept as provided under paragraph (3), the total  
21           amount of rewards paid pursuant to this section  
22           may not exceed \$25 million in any calendar year.

23           “(3) PRESIDENTIAL AUTHORITY.—The Presi-  
24           dent may waive the limitation under paragraph (2)  
25           with respect to a calendar year if the President pro-



1       vides written notice of such waiver to the appro-  
2       priate committees of the Congress at least 30 days  
3       before any payment in excess of such limitation is  
4       made pursuant to this section.

5           “(4) PAYMENTS TO BE MADE FIRST FROM STO-  
6       LEN ASSET AMOUNTS.—In paying any reward under  
7       this section, the Secretary shall, to the extent pos-  
8       sible, make such reward payment—

9           “(A) first, from appropriated funds au-  
10       thorized under paragraph (1)(B); and

11           “(B) second, from appropriated funds au-  
12       thorized under paragraph (1)(A).

13       “(e) LIMITATIONS.—

14           “(1) SUBMISSION OF INFORMATION.—No award  
15       may be made under this section based on informa-  
16       tion submitted to the Secretary unless such informa-  
17       tion is submitted under penalty of perjury.

18           “(2) MAXIMUM AMOUNT.—No reward paid  
19       under this section may exceed \$5 million, unless the  
20       Secretary—

21           “(A) personally authorizes such greater  
22       amount in writing;

23           “(B) determines that offer or payment of  
24       a reward of a greater amount is necessary due  
25       to the exceptional nature of the case; and

1           “(C) notifies the appropriate committees of  
2           the Congress of such determination.

3           “(3) APPROVAL.—

4           “(A) IN GENERAL.—No reward amount  
5           may be paid under this section without the  
6           written approval of the Secretary.

7           “(B) DELEGATION.—The Secretary may  
8           not delegate the approval required under sub-  
9           paragraph (A) to anyone other than an Under  
10          Secretary of the Department of the Treasury.

11          “(4) PROTECTION MEASURES.—If the Secretary  
12          determines that the identity of the recipient of a re-  
13          ward or of the members of the recipient’s immediate  
14          family must be protected, the Secretary shall take  
15          such measures in connection with the payment of  
16          the reward as the Secretary considers necessary to  
17          effect such protection.

18          “(5) FORMS OF REWARD PAYMENT.—The Sec-  
19          retary may make a reward under this section in the  
20          form of a monetary payment.

21          “(f) INELIGIBILITY, REDUCTION IN, OR DENIAL OF  
22          REWARD.—

23          “(1) OFFICER AND EMPLOYEES.—An officer or  
24          employee of any entity of Federal, State, or local  
25          government or of a foreign government who, while in

1 the performance of official duties, furnishes informa-  
2 tion described under subsection (b) shall not be eligi-  
3 ble for a reward under this section.

4 “(2) PARTICIPATING INDIVIDUALS.—If the  
5 claim for a reward is brought by an individual who  
6 the Secretary has a reasonable basis to believe know-  
7 ingly planned, initiated, directly participated in, or  
8 facilitated the actions that led to assets of a foreign  
9 state or governmental entity being stolen, misappro-  
10 priated, or illegally diverted or to the payment of  
11 bribes or other foreign governmental corruption, the  
12 Secretary shall appropriately reduce, and may deny,  
13 such award. If such individual is convicted of crimi-  
14 nal conduct arising from the role described in the  
15 preceding sentence, the Secretary shall deny or may  
16 seek to recover any reward, as the case may be.

17 “(g) REPORT.—

18 “(1) IN GENERAL.—Within 180 days of the en-  
19 actment of this section, and annually thereafter for  
20 5 years, the Secretary shall issue a report to the ap-  
21 propriate committees of the Congress—

22 “(A) detailing to the greatest extent pos-  
23 sible the amount, location, and ownership or  
24 beneficial ownership of any stolen assets that,  
25 on or after the date of the enactment of this

1 section, come within the United States or that  
2 come within the possession or control of any  
3 United States person;

4 “(B) discussing efforts being undertaken  
5 to identify more such stolen assets and their  
6 owners or beneficial owners; and

7 “(C) including a discussion of the inter-  
8 actions of the Department of the Treasury with  
9 the international financial institutions (as de-  
10 fined in section 1701(c)(2) of the International  
11 Financial Institutions Act) to identify the  
12 amount, location, and ownership, or beneficial  
13 ownership, of stolen assets held in financial in-  
14 stitutions outside the United States.

15 “(2) EXCEPTION FOR ONGOING INVESTIGA-  
16 TIONS.—The report issued under paragraph (1)  
17 shall not include information related to ongoing in-  
18 vestigations.

19 “(h) DEFINITIONS.—For purposes of this section:

20 “(1) APPROPRIATE COMMITTEES OF THE CON-  
21 GRESS.—The term ‘appropriate committees of the  
22 Congress’ means the Committee on Financial Serv-  
23 ices of the House of Representatives and the Com-  
24 mittee on Banking, Housing, and Urban Affairs of  
25 the Senate.

1           “(2) FINANCIAL ASSET.—The term ‘financial  
2           asset’ means any funds, investments, or ownership  
3           interests, as defined by the Secretary, that on or  
4           after the date of the enactment of this section come  
5           within the United States or that come within the  
6           possession or control of any United States person.

7           “(3) FOREIGN GOVERNMENT CORRUPTION.—  
8           The term ‘foreign government corruption’ includes  
9           bribery of a foreign public official, or the misapprop-  
10          riation, theft, or embezzlement of public funds or  
11          property by or for the benefit of a foreign public of-  
12          ficial.

13          “(4) FOREIGN PUBLIC OFFICIAL.—The term  
14          ‘foreign public official’ includes any person who oc-  
15          cupies a public office by virtue of having been elect-  
16          ed, appointed, or employed, including any military,  
17          civilian, special, honorary, temporary, or uncompen-  
18          sated official.

19          “(5) IMMEDIATE FAMILY MEMBER.—The term  
20          ‘immediate family member’, with respect to an indi-  
21          vidual, has the meaning given the term ‘member of  
22          the immediate family’ under section 36(k) of the  
23          State Department Basic Authorities Act of 1956 (22  
24          U.S.C. 2708(k)).

