

AMENDMENT TO THE RULES COMMITTEE PRINT

119-33

OFFERED BY MR. DAVIDSON OF OHIO

In subtitle B of title XVII, add at the end the following:

1 **SEC. 17__ . REPORTS TO CONGRESS ON, AND REVIEW OF**
2 **PROTOCOLS FOR AGENCY ACCESS TO, RE-**
3 **PORTS UNDER THE BANK SECRECY ACT.**

4 (a) IN GENERAL.—Chapter 53 of title 31, United
5 States Code, is amended—

6 (1) in subchapter II, by inserting after section
7 5326 the following:

8 **“§ 5327. Reports to Congress; Review of protocols for**
9 **agency access to reports**

10 “(a) REPORTS TO CONGRESS.—Not later than 180
11 days following the date of the enactment of this section,
12 and annually thereafter, the Secretary of the Treasury
13 shall submit to the Committee on Financial Services of
14 the House of Representatives and the Committee on
15 Banking, Housing, and Urban Affairs of the Senate a re-
16 port containing the following:

17 “(1) The number of reports, by type, filed each
18 year with the Financial Crimes Enforcement Net-

1 work ('FinCEN') under this subchapter since Janu-
2 ary 1, 2022.

3 “(2) The total number of reports filed under
4 this subchapter retained by FinCEN.

5 “(3) A description of any written protocols or
6 guidance from the Secretary to national security,
7 law enforcement, or intelligence agencies regarding
8 agency access to, and retention or dissemination of,
9 information held by FinCEN from reports filed
10 under this subchapter, including—

11 “(A) a description of any updates to the
12 protocols or guidance during the reporting pe-
13 riod;

14 “(B) the number of queries by such agen-
15 cies to access the information during the report-
16 ing period; and

17 “(C) any denials of requests for, or revoca-
18 tions of, access by a national security, law en-
19 forcement, or intelligence agency, or by any em-
20 ployee thereof, with a description of the reasons
21 for the denial or revocation, as the case may be.

22 “(b) REVIEW AND REVISION OF PROTOCOLS.—In
23 consultation with the Director of National Intelligence and
24 the Attorney General, the Secretary of the Treasury shall
25 annually review and, as appropriate, revise any written

1 protocols or guidance described under subsection (a) for
2 the purposes of—

3 “(1) better tailoring the collection, retention,
4 and dissemination of information filed under this
5 subchapter to authorized national security, law en-
6 forcement, or intelligence objectives;

7 “(2) enforcing prohibitions against unauthor-
8 ized disclosure of such information; and

9 “(3) protecting fully the legal rights of all
10 United States persons, including freedoms, civil lib-
11 erties, and privacy rights guaranteed by Federal law.

12 “(c) CONGRESSIONAL REQUESTS; NOTICE OF
13 CHANGES.—

14 “(1) REQUESTS FOR INFORMATION.—Upon re-
15 quest of the chair or ranking member of the Com-
16 mittee on Financial Services of the House of Rep-
17 resentatives or the Committee on Banking, Housing,
18 and Urban Affairs of the Senate, the Secretary shall
19 provide a copy of any written protocols or guidance
20 described in subsection (a)(3).

21 “(2) NOTICE OF REVISIONS.—Not later than 30
22 days after revising any written protocols or guidance
23 described in subsection (a)(3), the Secretary shall
24 provide a copy of such revised written protocols or
25 guidance to the Committee on Financial Services of

1 the House of Representatives and the Committee on
2 Banking, Housing, and Urban Affairs of the Sen-
3 ate.”; and

4 (2) in the table of contents for such chapter, by
5 inserting after the item relating to section 5326 the
6 following:

“5327. Reports to Congress; Review of protocols for agency access to reports.”.

7 (b) SUNSET.—On the date that is the end of the 7-
8 year period beginning on the date of enactment of this
9 Act—

10 (1) section 5327 of title 31, United States
11 Code, is repealed; and

12 (2) the table of contents for chapter 53 of title
13 31, United States Code, is amended by striking the
14 item relating to section 5327.

