AMENDMENT TO THE RULES COMMITTEE PRINT

117–13

OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

In title LI, add at the end the following:

SEC. 5106. BANKING TRANSPARENCY FOR SANCTIONED PERSONS.

(a) REPORT ON FINANCIAL SERVICES BENEFITTING STATE SPONSORS OF TERRORISM, HUMAN RIGHTS ABUSERS, AND CORRUPT OFFICIALS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall issue a report to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that includes—

(A) a copy of any license issued by the Secretary in the preceding 180 days that authorizes a financial institution to provide financial services benefitting a state sponsor of terrorism; and
(B) a list of any foreign financial institutions that, in the preceding 180 days, knowingly conducted a significant transaction or transactions, directly or indirectly, for a sanctioned person included on the Department of the Treasury’s Specially Designated Nationals And Blocked Persons List who—

(i) is owned or controlled by, or acts on behalf of, the government of a state sponsor of terrorism; or

(ii) is designated pursuant to any of the following:

(I) Section 404 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112208).


(III) Executive Order No. 13818.
(2) Form of report.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(b) Waiver.—The Secretary of the Treasury may waive the requirements of subsection (a) with respect to a foreign financial institution described in paragraph (1)(B) of such subsection—

(1) upon receiving credible assurances that the foreign financial institution has ceased, or will imminently cease, to knowingly conduct any significant transaction or transactions, directly or indirectly, for a person described in clause (i) or (ii) of such subparagraph (B); or

(2) upon certifying to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that the waiver is important to the national interest of the United States, with an explanation of the reasons therefor.

(c) Definitions.—For purposes of this section:

(1) Financial institution.—The term “financial institution” means a United States financial institution or a foreign financial institution.
(2) FOREIGN FINANCIAL INSTITUTION.—The term “foreign financial institution” has the meaning given that term under section 561.308 of title 31, Code of Federal Regulations.

(3) KNOWINGLY.—The term “knowingly” with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) UNITED STATES FINANCIAL INSTITUTION.—The term “United States financial institution” has the meaning given the term “U.S. financial institution” under section 561.309 of title 31, Code of Federal Regulations.

(d) SUNSET.—The reporting requirement under this section shall terminate on the date that is the end of the 7-year period beginning on the date of the enactment of this Act.