

AMENDMENT TO RULES COMMITTEE PRINT
117-54
OFFERED BY MR. LYNCH OF MASSACHUSETTS

At the end of title LIV of division E, add the following:

1 **SEC. 54___ . STRENGTHENING AWARENESS OF SANCTIONS.**

2 Section 312 of title 31, United States Code, is
3 amended by adding at the end the following:

4 “(i) OFAC EXCHANGE.—

5 “(1) ESTABLISHMENT.—The OFAC Exchange
6 is hereby established within OFAC.

7 “(2) PURPOSE.—The OFAC Exchange shall fa-
8 cilitate a voluntary public-private information shar-
9 ing partnership among law enforcement agencies,
10 national security agencies, financial institutions, and
11 OFAC to—

12 “(A) effectively and efficiently administer
13 and enforce economic and trade sanctions
14 against targeted foreign countries and regimes,
15 terrorists, international narcotics traffickers,
16 those engaged in activities related to the pro-
17 liferation of weapons of mass destruction, and
18 other threats to the national security, foreign

1 policy, or economy of the United States by pro-
2 moting innovation and technical advances in re-
3 porting—

4 “(i) under subchapter II of chapter 53
5 and the regulations promulgated under
6 that subchapter; and

7 “(ii) with respect to other economic
8 and trade sanctions requirements;

9 “(B) protect the financial system from il-
10 licit use, including evasions of existing economic
11 and trade sanctions programs; and

12 “(C) facilitate two-way information ex-
13 change between OFAC and persons who are re-
14 quired to comply with sanctions administered
15 and enforced by OFAC, including financial in-
16 stitutions, business sectors frequently affected
17 by sanctions programs, and non-government or-
18 ganizations and humanitarian groups impacted
19 by such sanctions programs.

20 “(3) REPORT.—

21 “(A) IN GENERAL.—Not later than 1 year
22 after the date of enactment of this subsection,
23 and once every 2 years thereafter for the next
24 5 years, the Secretary of the Treasury shall
25 submit to the Committees on Banking, Hous-

1 ing, and Urban Affairs and Foreign Relations
2 of the Senate and the Committees on Financial
3 Services and Foreign Affairs of the House of
4 Representatives a report containing—

5 “(i) an analysis of the efforts under-
6 taken by the OFAC Exchange, which shall
7 include an analysis of—

8 “(I) the results of those efforts;
9 and

10 “(II) the extent and effectiveness
11 of those efforts, including the extent
12 and effectiveness of communication
13 between OFAC and persons who are
14 required to comply with sanctions ad-
15 ministered and enforced by OFAC;

16 “(ii) recommendations to improve effi-
17 ciency and effectiveness of targeting, com-
18 pliance, enforcement, and licensing activi-
19 ties undertaken by OFAC; and

20 “(iii) any legislative, administrative,
21 or other recommendations the Secretary
22 may have to strengthen the efforts of the
23 OFAC Exchange.

1 “(B) CLASSIFIED ANNEX.—Each report
2 under subparagraph (A) may include a classi-
3 fied annex.

4 “(4) INFORMATION SHARING REQUIREMENT.—
5 Information shared under this subsection shall be
6 shared—

7 “(A) in compliance with all other applica-
8 ble Federal laws and regulations;

9 “(B) in such a manner as to ensure the
10 appropriate confidentiality of personal informa-
11 tion; and

12 “(C) at the discretion of the Director, with
13 the appropriate Federal functional regulator, as
14 defined in section 6003 of the Anti-Money
15 Laundering Act of 2020.

16 “(5) PROTECTION OF SHARED INFORMATION.—

17 “(A) REGULATIONS.—OFAC shall, as ap-
18 propriate, promulgate regulations that establish
19 procedures for the protection of information
20 shared and exchanged between OFAC and the
21 private sector in accordance with this section,
22 consistent with the capacity, size, and nature of
23 the financial institution to which the particular
24 procedures apply.

1 “(B) USE OF INFORMATION.—Information
2 received by a financial institution pursuant to
3 this section shall not be used for any purpose
4 other than identifying and reporting on activi-
5 ties that may involve the financing of terrorism,
6 proliferation financing, narcotics trafficking, or
7 financing of sanctioned countries, regimes, or
8 persons.

9 “(6) RULE OF CONSTRUCTION.—Nothing in
10 this subsection may be construed to create new in-
11 formation sharing authorities or requirements relat-
12 ing to the Bank Secrecy Act.”.

