


# **Congressional Review of the BSA/AML/Sanctions Landscape in 2018**

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**John Byrne & Dennis Lormel**

# Congressional Consensus Regarding BSA

- BSA legislation should or must be updated
- Concerns regarding the effectiveness & efficiency of BSA reporting
- Multiple Congressional committees assessing numerous issues and considering legislation
  - More bipartisan than not
- Congressional interest is gaining momentum



Bank Secrecy Act



# Concerns, Prior Experience & Possibilities

- **Concerns**
  - Congressional will / motivation / understanding
  - Stakeholder engagement
  - Getting it right
- **Prior experience dealing with the Hill**
  - John
  - Dennis
- **Possibilities**
  - Potential legislation in due course
  - Potential legislation driven by 9/11 like event
    - PATRIOT Act 2.0

# Role of Congressional Committees

- Committees are essential part of legislative process
  - Monitor ongoing governmental operations
  - Identify issues suitable for legislative review
  - Gather and evaluate information
  - Recommend course of action



# Committee Types

- **Three types of committees**
  - Standing committees
  - Select or special committees
  - Joint committees
- **Number of committees**
  - 21 in House of Representatives
  - 20 in Senate
  - Four joint House and Senate committees
  - Many committees have subcommittees



# Players Engaged with Committees

- Congressional members
- Congressional staff
- Lobbyists
- Advocates
- Witnesses
  - Industry
  - Law enforcement
  - Regulators
  - Subject matter experts
  - Others



# Key Issues & Testimony

- **Key issues**

- AML reporting requirements / thresholds
- Safe Harbor / information sharing
- CDD / beneficial ownership
- Financial inclusion / de-risking
- Terrorist financing
- Transnational crime
- Human trafficking
- Other matters



- **Congressional testimony**

- John (House Subcommittee on Terrorism and Illicit Finance and House Subcommittee on Financial Institution and Consumer Credit) (November 29, 2017)
- Dennis (Senate Banking Committee) (January 9, 2018)

# Takeaways

- Updating and enhancing BSA legislation is gaining momentum in Congress
- The right stakeholders must be engaged in the deliberations leading to legislative action
- We should all be cognizant of proposed legislation and speak out to ensure they get it right

