To facilitate better information sharing to assist in the fight against the funding of terrorist activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2016

Mr. Pittenger (for himself and Ms. Maxine Waters of California) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To facilitate better information sharing to assist in the fight against the funding of terrorist activities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Anti-terrorism Information Sharing Is Strength Act”.

SEC. 2. INFORMATION SHARING.

(a) IN GENERAL.—Section 314 of the USA PATRIOT Act (31 U.S.C. 5311 note) is amended—

(1) in subsection (b)—
(A) by striking “terrorist or money laundering activities” and inserting “terrorist acts, money laundering activities, or a specified unlawful activity (as defined under section 1956(c)(7) of title 18, United States Code)”;
and
(B) by striking “activities that may involve terrorist acts or money laundering activities” and inserting “activities that may involve terrorist acts, money laundering activities, or a specified unlawful activity”; and
(2) in subsection (c), by inserting “or a specified unlawful activity (as defined under section 1956(c)(7) of title 18, United States Code)” after “terrorist acts or money laundering activities”.

(b) UPDATE TO REGULATIONS.—Section 314(a) of the USA PATRIOT Act (31 U.S.C. 5311 note) is amended by striking “or money laundering activities” each place such term appears and inserting “, money laundering activities, or a specified unlawful activity (as defined under section 1956(c)(7) of title 18, United States Code)”.

(c) SENSE OF CONGRESS.—Section 314 of the USA PATRIOT Act (31 U.S.C. 5311 note) is amended by adding at the end the following:
“(e) Sense of Congress.—It is the sense of the Congress that, in furtherance of efforts to stop the financing of terror and other forms of illicit financing through increased sharing of information, and consistent with the need to prevent inappropriate dissemination of such information—

“(1) Federal law enforcement agencies and regulators should share information about terrorist activities, money laundering activities, and other specified unlawful activities (as defined under section 1956(c)(7) of title 18, United States Code) to the fullest extent possible and in a timely fashion; and

“(2) financial institutions, including nonbank financial institutions, should share information about such acts and activities with each other to the fullest extent possible and in a timely fashion.”.

SEC. 3. DISCLOSURE LIABILITY.

Section 5318(g)(3)(B) of title 31, United States Code, is amended—

(1) in clause (i), by striking “or” at the end;

(2) in clause (ii), by striking the period and inserting “; or”; and

(3) by adding at the end the following:

“(iii) any duty or requirement of a financial institution or any director, officer,
employee, or agent of such institution to
demonstrate to any person, as used in such
subparagraph, that a disclosure referenced
in such subparagraph is made in good
faith.”.

SEC. 4. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than the end of the 120-
day period beginning on the date of the enactment of this
Act, the Secretary of the Treasury shall report to the
Committee on Financial Services of the House of Rep-
resentatives and the Committee on Banking, Housing, and
Urban Affairs of the Senate regarding—

(1) the Department of the Treasury’s assess-
ment of the risks and benefits of allowing sharing of
information, consistent with appropriate privacy pro-
tections—

(A) between United States financial insti-
tutions and foreign financial institutions;

(B) between United States financial insti-
tutions and their foreign subsidiaries; and

(C) between United States subsidiaries of
foreign financial institutions and their parent
financial institutions; and

(2) whether a financial institution defined
under section 5312(a)(2) of title 31, United States
Code, that is not required under Treasury regulations on the date of the enactment of this Act to maintain an anti-money laundering program, should be authorized to appropriately share information pursuant to subsection (b) of section 314 of the USA PATRIOT Act, if—

(A) the financial institution voluntarily establishes and maintains such an anti-money laundering program;

(B) such program is subject to examination, and has been examined, by the appropriate regulator; and

(C) the Secretary determines such program to be adequately operating.

(b) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the report described under subsection (a) that involves information which is properly classified under criteria established by the President shall be submitted to the committees described under subsection (a) separately in a classified annex and, if requested by the chairman or ranking Member of one of such committees, as a briefing at an appropriate level of security.

SEC. 5. RULEMAKING.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Sec-
retary of the Treasury shall issue regulations to be con-
sistent with the amendments made by this Act.