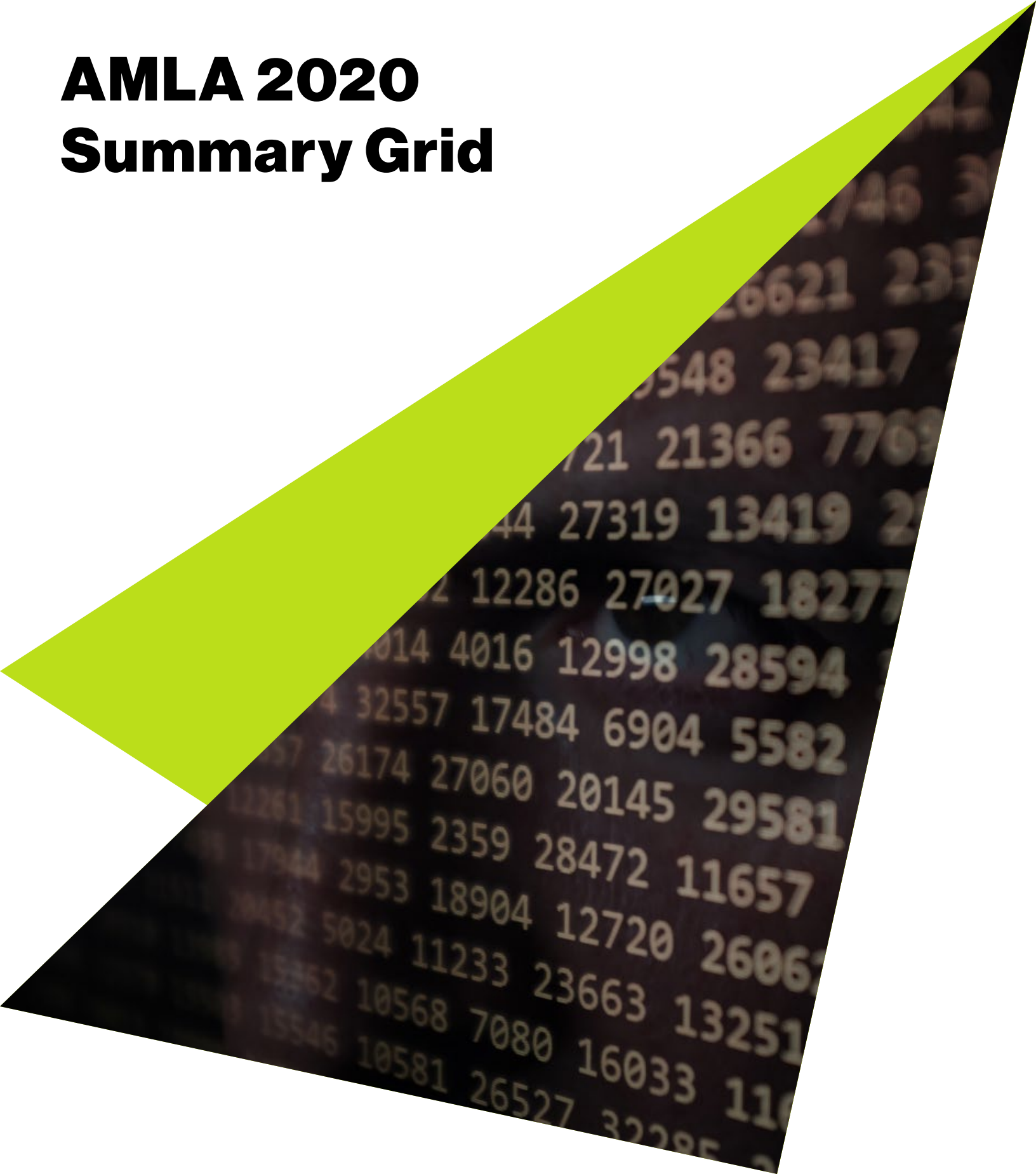


# **AMLA 2020 Summary Grid**



# Contents

## Anti-Money Laundering Act of 2020 (Division F, sec 6001-6511)



**Division F—Anti-Money  
Laundering**

**Title LXI— Strengthening  
Treasury Financial  
Intelligence, Anti-Money  
Laundering, and Countering  
the Financing of Terrorism  
Programs**

**Title LXII— Modernizing  
the AML and CTF  
Reporting System**



**Title LXIII— Improving  
AML and CTF  
Communication, Oversight  
and Processes**

**Title LIV— Establishing  
Beneficial Ownership  
Information Reporting  
Requirements**

**Title LXV—  
Miscellaneous**

# Table of Contents—Sections

## **Title LXI—Strengthening Treasury Financial Intelligence, Anti-Money Laundering, and Countering the Financing of Terrorism Programs**

- Sec. 6101. Establishment of national exam and supervision priorities.
- Sec. 6102. Strengthening FinCEN. Sec.
- Sec. 6103. FinCEN Exchange.
- Sec. 6104. Interagency anti-money laundering and countering the financing of terrorism personnel rotation program.
- Sec. 6105. Terrorism and financial intelligence special hiring authority.
- Sec. 6106. Treasury Attache´ program.
- Sec. 6107. Establishment of FinCEN Domestic Liaisons.
- Sec. 6108. Foreign Financial Intelligence Unit Liaisons.
- Sec. 6109. Protection of information exchanged with foreign law enforcement and financial intelligence units.
- Sec. 6110. Bank Secrecy Act application to dealers in antiquities and assessment of Bank Secrecy Act application to dealers in arts.
- Sec. 6111. Increasing technical assistance for international cooperation.
- Sec. 6112. International coordination.

## **Title LXII—Modernizing the AML and CTF Reporting System**

- Sec. 6201. Annual reporting requirements.
- Sec. 6202. Additional considerations for suspicious activity reporting requirements.
- Sec. 6203. Law enforcement feedback on suspicious activity reports.
- Sec. 6204. Streamlining requirements for currency transaction reports and suspicious activity reports.
- Sec. 6205. Currency transaction reports and suspicious activity reports thresholds review.
- Sec. 6206. Sharing of threat pattern and trend information.
- Sec. 6207. Subcommittee on Innovation and Technology.
- Sec. 6208. Establishment of Bank Secrecy Act Innovation Officers.
- Sec. 6209. Testing methods rulemaking.
- Sec. 6210. Financial technology assessment.
- Sec. 6211. Financial crimes tech symposium.
- Sec. 6212. Pilot program on sharing of information related to suspicious activity reports within a financial group.
- Sec. 6213. Sharing of compliance resources.
- Sec. 6214. Encouraging information sharing and public-private partnerships.
- Sec. 6215. Financial services de-risking.
- Sec. 6216. Review of regulations and guidance.

## **Title LXIII—Improving Anti-money Laundering and Countering the Financing of Terrorism Communication, Oversight, and Processes**

- Sec. 6301. Improved interagency coordination and consultation.
- Sec. 6302. Subcommittee on Information Security and Confidentiality.
- Sec. 6303. Establishment of Bank Secrecy Act Information Security Officers.
- Sec. 6304. FinCEN analytical hub.
- Sec. 6305. Assessment of Bank Secrecy Act no-action letters.
- Sec. 6306. Cooperation with law enforcement.
- Sec. 6307. Training for examiners on anti-money laundering and countering the financing of terrorism.
- Sec. 6308. Obtaining foreign bank records from banks with United States correspondent accounts.
- Sec. 6309. Additional damages for repeat Bank Secrecy Act violators.
- Sec. 6310. Certain violators barred from serving on boards of United States financial institutions.
- Sec. 6311. Department of Justice report on deferred and non-prosecution agreements.
- Sec. 6312. Return of profits and bonuses.
- Sec. 6313. Prohibition on concealment of the source of assets in monetary transactions.
- Sec. 6314. Updating whistleblower incentives and protection.

## **Title LXIV—Establishing Beneficial Ownership Information Reporting Requirements**

- Sec. 6401. Short title.
- Sec. 6402. Sense of Congress.
- Sec. 6403. Beneficial ownership information reporting requirements.

## **Title LXV—Miscellaneous**

- Sec. 6501. Investigations and prosecution of offenses for violations of the securities laws.
- Sec. 6502. GAO and Treasury studies on beneficial ownership information reporting requirements.
- Sec. 6503. GAO study on feedback loops.
- Sec. 6504. GAO CTR study and report.
- Sec. 6505. GAO studies on trafficking.
- Sec. 6506. Treasury study and strategy on trade-based money laundering.
- Sec. 6507. Treasury study and strategy on money laundering by the People's Republic of China.
- Sec. 6508. Treasury and Justice study on the efforts of authoritarian regimes to exploit the financial system of the United States.
- Sec. 6509. Authorization of appropriations.
- Sec. 6510. Discretionary surplus funds.
- Sec. 6511. Severability.



## Division F—Anti-Money Laundering

National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Division F—Anti-Money Laundering</b>				
<b>Short Title</b>	6001	This title may be referred to as the Anti-Money Laundering Act of 2020 (AMLA)	Signed into law on January 1, 2021	<p>It is important to note that while the AMLA was signed into law on January 1, 2021, not all of its provisions become effective or operational on that date.</p> <p>Certain provisions become effective or operational only upon the effective date of rules developed and drafted by regulatory agencies.</p> <p>Certain provisions commission regulatory agencies to conduct a study and provide a report to Congress that may result in the issuance of guidance or new rules.</p>
<b>Purposes</b>	6002	Purposes of the AMLA are to: <ol style="list-style-type: none"> <li>1. Improve agency coordination and information sharing.</li> <li>2. Adapt laws to new and emerging threats.</li> <li>3. Encourage technological innovation.</li> <li>4. Reinforce the nature of “risk-based” programs.</li> <li>5. Establish beneficial ownership requirements designed to increase transparency, prevent use of shell companies, and assist national security and law enforcement efforts.</li> <li>6. Establish a beneficial ownership database.</li> </ol>	Signed into law on January 1, 2021	See Section 6101



## Title LXI—Strengthening Treasury Financial Intelligence, Anti-Money Laundering, and Countering the Financing of Terrorism Programs

National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXI—Strengthening Treasury Financial Intelligence, Anti-Money Laundering, and Countering the Financing of Terrorism Programs</b>				
<b>Establishment of national exam and supervision priorities</b>	6101	Requires the secretary of the Treasury to publish a report outlining AML/CFT policy priorities and requires that exams evaluate a financial institution's (FI) incorporation of the identified priorities into their risk-based AML/CFT programs.	June 30, 2021	Secretary of the Treasury must publish the first report by June 30, 2021, and provide an updated report at least once every four years.
<b>Establishment of national exam and supervision priorities</b>	6101	Requires FinCEN to provide regulations to carry out publication of the updated AML/CTF priorities.	December 27, 2021	FinCEN must provide corresponding regulations within 180 days of the report published by the secretary of the Treasury.
<b>Strengthening FinCEN</b>	6102	Removes the word "international" to broaden the term <i>terrorism</i> to account for both domestic and international incidents.	January 1, 2021	Effective January 1, 2021
<b>Strengthening FinCEN</b>	6102	Revises the definition of "money transmitting business" to include entities that provide services involving "value that substitutes for currency" – a category that includes stored value and virtual currency instruments:  <ol style="list-style-type: none"> <li>1. Changed "funds," with "currency, funds, or value that substitutes for currency."</li> <li>2. Changed "currency or funds denominated in the currency of any country" to "currency, funds, or value that substitutes for currency."</li> <li>3. Changed "currency or funds, or the value of the currency or funds," to "currency, funds, or value that substitutes for currency."</li> </ol>	January 1, 2021	Effective January 1, 2021





National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXI—Strengthening Treasury Financial Intelligence, Anti-Money Laundering, and Countering the Financing of Terrorism Programs</b>				
<b>FinCEN Exchange</b>	6103	Establishes the FinCEN exchange to promote voluntary public-private information sharing.	January 1, 2021	Effective January 1, 2021
<b>FinCEN Exchange</b>	6103	FinCEN is required to promulgate regulations that establish procedures for sharing information pursuant to the establishment of the FinCEN Exchange.	TBD	FinCEN must promulgate regulations as appropriate.
<b>FinCEN Exchange</b>	6103	Requires that Treasury publish a report regarding the effectiveness of the FinCEN exchange and recommendations to strengthen FinCEN.	January 1, 2022	Secretary of the Treasury must publish the report by January 1, 2022 and provide an updated report once every two years thereafter for the next five years.
<b>Interagency anti-money laundering and countering the financing of terrorism personnel rotation program</b>	6104	Establishes a personnel rotation program between the federal functional regulators and the Department of Justice, the FBI, Department of Homeland Security, Department of Defense, and other agencies to enhance efficiency and effectiveness in combatting AML/CTF.	January 1, 2021	Effective January 1, 2021
<b>Terrorism and financial intelligence special hiring authority</b>	6105	Allows the secretary of the Treasury to appoint candidates directly into positions in FinCEN and the Office of Terrorism and Financial Intelligence without going through the usual federal government hiring processes.	January 1, 2021	Effective January 1, 2021
<b>Terrorism and financial intelligence special hiring authority</b>	6105	Requires the Treasury secretary to submit a report that includes the number of new employees hired, along with their titles and pay grades.	January 1, 2022	Secretary of the Treasury must submit a report by January 1, 2022. Secretary of the Treasury must provide an updated report once every two years thereafter for the next five years.



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXI— Strengthening Treasury Financial Intelligence, Anti-Money Laundering, and Countering the Financing of Terrorism Programs</b>				
<b>Treasury attaché program</b>	6106	Facilitates hiring and use of attachés abroad to enhance reach and effectiveness of US AML/CTF efforts.	January 1, 2021	Effective January 1, 2021
<b>Establishment of FinCEN Domestic Liaisons</b>	6107	Establishes a FinCEN Office of Domestic Liaison, headed by the Chief Domestic Liaison, to communicate with FIs and non-financial institutions and federal and state regulators to: <ol style="list-style-type: none"> <li>1. Promote consistency of supervisory guidance.</li> <li>2. Communicate regarding information sharing.</li> <li>3. Establish confidentiality of communications.</li> <li>4. Propose changes to regulations and guidance.</li> </ol>	January 1, 2021	Effective January 1, 2021
<b>Establishment of FinCEN Domestic Liaisons</b>	6107	Requires director of FinCEN to submit a report to Congress on the objectives of the Office of the Domestic Liaison for the following fiscal year, and activities of the immediate prior year.	January 1, 2022	Director of FinCEN must submit a report by January 1, 2022, and provide an updated report once every two years thereafter for the next five years.
<b>Foreign financial intelligence unit liaisons</b>	6108	Facilitates hiring of at least six foreign FIU liaisons to Egmont and FATF to promote international coordination and cooperation.	January 1, 2021	Effective January 1, 2021
<b>Protection of information exchanged with foreign law enforcement and financial intelligence units</b>	6109	Establishes that Freedom of Information Act requests do not apply to communication between the Department of the Treasury and foreign law enforcement, foreign financial intelligence unit, or foreign AML and CTF authority. Such information may only be provided to the US Congress or by an order of a US court.	January 1, 2021	Effective January 1, 2021



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXI— Strengthening Treasury Financial Intelligence, Anti-Money Laundering, and Countering the Financing of Terrorism Programs</b>				
<b>Expands BSA Application to antiquities dealers</b>	6110	Amends BSA to include persons engaged in antiquities trading, advisory, consulting, or any other related businesses engaged in solicitation or sale and requires the secretary of the Treasury to issue proposed rules to carry out the amendments no later than 360 days after the act is enacted.	December 27, 2021	Secretary of Treasury required to issue proposed rules by December 27, 2021. BSA amendment takes effect once the final rules are issued.
<b>Study of BSA application to art dealers</b>	6110	Requires the secretary of the Treasury to conduct a study on the facilitation of money laundering and financing of terrorism through art trade and submit a report of the findings and determinations no later than 360 days after the act is enacted.	December 27, 2021	Secretary of Treasury required to conduct the study and submit a report by December 27, 2021.
<b>Increasing technical assistance for international cooperation</b>	6111	Authorizes appropriation of \$60 million each year from 2020 to 2024 to provide technical assistance to foreign countries and financial institutions in foreign countries to promote compliance with international standards and best practices in establishing an effective AML and CTF programs.	January 1, 2021	Effective January 1, 2021
<b>Increasing technical assistance for international cooperation</b>	6111	Requires the secretary of the Treasury provide Congress with reports on the assistance provided, to whom assistance was provided, and who provided the assistance (other than government staff).	January 1, 2022	Secretary of the Treasury must submit a report by January 1, 2022. Secretary of the Treasury must provide an updated report once every two years thereafter for the next five years.
<b>International coordination</b>	6112	Requires the secretary of the Treasury work with foreign counterparts, including FATF, IMF, World Bank, Egmont Group, OECD, Basel, and UN to promote stronger AML frameworks and enforcement of AML laws.	January 1, 2021	Effective January 1, 2021





## Title LXII—Modernizing the AML and CTF Reporting System

National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII—Modernizing the AML and CTF Reporting System</b>				
<b>Annual reporting requirements</b>	6201	<p>Requires AG in consultation with other agencies provide an annual report to the secretary of the Treasury that:</p> <ol style="list-style-type: none"> <li>Evaluates the usefulness of BSA reporting to law enforcement.</li> <li>Addresses money laundering and terrorist financing trends associated with BSA reporting.</li> </ol> <p>The reports shall be used to assess the usefulness of BSA reporting and enhance communication between the government and financial institutions.</p>	January 1, 2022	Attorney General must submit an annual report for a period of five years, with first report issued by January 1, 2022. Attorney General must provide an updated report once every five years thereafter.
<b>Additional considerations for SAR reporting requirements</b>	6202	Requires that regulators consider Treasury priorities, BSA purposes, and means of reporting, including burdens associated with filing, when imposing and considering revisions to SAR reporting requirements.	January 1, 2021	Effective January 1, 2021
<b>Additional considerations for SAR reporting requirements (Compliance Program Requirements)</b>	6202	Requires that SAR filings by FIs be guided by their compliance program, including their risk assessment processes.	January 1, 2021	Effective January 1, 2021



National Defense Authorization Act Title Name and Number	AML/ NDA/ Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Additional considerations for SAR reporting requirements (Streamlined Data and Real-Time Reporting)</b>	6202	Requires the secretary of the Treasury, acting through director of FinCEN to establish streamlined (automated) processes to file “non-complex” reports in order to reduce burdens on FIs while not compromising the usefulness of SAR information. [As an aside: “non-complex” is not defined].	TBD	No official date is provided for when the streamlined process must be established.
<b>Law enforcement feedback on SARs</b>	6203	Requires FinCEN, to the extent practicable, to solicit feedback from BSA officers at FIs to review SARs and discuss trends observed by FinCEN and that FinCEN share feedback with functional regulators, state bank supervisors, and credit union supervisors.	Periodic	FinCEN must periodically solicit feedback.
<b>Law enforcement feedback on SARs (Sharing with FIs)</b>	6203	Requires FinCEN, to the extent practicable, to periodically disclose to FIs summary SAR information that proved useful to law enforcement.	Periodic	FinCEN must periodically disclose SAR information.



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Streamlining requirements for CTRs and SARS</b>	6204	<p>Requires that the secretary of the Treasury, in consultation with regulators and other relevant stakeholders, conduct a formal review of SAR and CTR requirements and deliver a report that includes proposed rules (as appropriate) to reduce burdens on FIs and improve reports. The review will include:</p> <ol style="list-style-type: none"> <li>1. Whether the circumstances to file a continuing SAR, and/or the processes followed to file a continuing SAR, should be streamlined or adjusted.</li> <li>2. Whether different thresholds should apply to different categories of activities.</li> <li>3. Whether the number or nature of the SAR and CTR form fields should be adjusted.</li> <li>4. The categories, types, and characteristics of SARs and CTRs that are of the greatest value to law enforcement and national security agencies.</li> <li>5. The increase of exemption provisions to reduce CTRs that aren't useful to law enforcement.</li> <li>6. The most appropriate ways to promote financial inclusion and consequences of de-risking entire categories of relationships, including charities, embassy accounts, and money service businesses and certain groups of correspondent banks, without conducting a proper assessment of the specific risk of each individual member of these populations.</li> <li>7. The current reporting requirements under BSA, and regulations and guidance implementing the BSA.</li> </ol>	January 1, 2022	Report must include findings as well as proposed rules.



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Streamlining requirements for CTRs and SARS</b>	6204	<p>8. Whether the process for the electronic submission of reports could be improved, including allowing for automatic population of report fields and the automatic submission of transaction data for suspicious transactions, without bypassing the obligation of each reporting financial institution to assess the specific risk of the transactions reported.</p> <p>9. The appropriate manner in which to ensure the security and confidentiality of personal information.</p> <p>10. How to improve the cross-referencing of individuals or entities operating at multiple financial institutions and across international borders.</p> <p>11. Whether there are ways to improve CTR aggregation for entities with common ownership.</p> <p>12. Whether financial institutions should be permitted to streamline or otherwise adjust, with respect to particular types of customers or transactions, the process for determining whether activity is suspicious or the information included in the narrative of a suspicious activity report.</p> <p>13. Any other matter the secretary determines is appropriate.</p>	January 1, 2022	Report must include findings as well as proposed rules.



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>CTR and SAR dollar threshold reviews</b>	6205	Requires the secretary of the Treasury, in consultation with regulators and other relevant stakeholders, to publish a report addressing whether the dollar thresholds, including aggregate thresholds, for CTR and SARs should be adjusted.	January 1, 2022	Secretary of the Treasury must publish a report by January 1, 2022, that contains proposed rulemakings. Report must be updated at least once every five years for the 10-year period starting January 1, 2021.
<b>Sharing of threat pattern and trending information</b>	6206	Requires the director of FinCEN to publish a semi-annual report on threat patterns and trends based on SAR filings.  In each publication, the director shall provide financial institutions and the federal functional regulators with typologies, including data that can be adapted in algorithms if appropriate, relating to emerging money laundering and terrorist financing threat patterns and trends.	TBD	No official start date is provided for the first report.
<b>Subcommittee on innovation and technology</b>	6207	Requires that the Bank Secrecy Act Advisory Group establish a “Subcommittee on Innovation and Technology.” The purpose of the subcommittee is to:  1. Advise the secretary of the Treasury how supervisory agencies can most effectively encourage and support technological innovations for AML and CTF purposes.  2. Reduce foreseeable obstacles to innovation that may arise from existing regulations, guidance, and examination practices applicable to financial institutions complying with BSA.	January 1, 2021	Effective January 1, 2021, the BSAAG must establish the subcommittee. The subcommittee will sunset on January 1, 2026, with an option to renew annually after the fifth year.



National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Establishment of Bank Secrecy Act innovation officers</b>	6208	<p>Requires FinCEN and each federal functional regulator to appoint an “Innovation Officer” who will coordinate with other Innovation Officers to:</p> <ol style="list-style-type: none"> <li>1. Conduct outreach to law enforcement, supervisory agencies, financial institutions, and those associated with financial institutions (e.g., service providers, vendors, technology companies) regarding innovative methods, processes, and new technologies that will benefit compliance with BSA obligations.</li> <li>2. Provide technical assistance or guidance on implementing innovative and new technology by financial institutions, professional associations, and parties related to financial institutions to comply with BSA requirements.</li> <li>3. Explore private-public partnership opportunities.</li> <li>4. Develop metrics of success.</li> </ol>	Dependent on when FinCEN promulgates regulations under Section 6103 and they become effective	Under Section 6103, FinCEN is required to promulgate regulations on information sharing. FinCEN and federal functional regulators shall make appointments within one year of the effective date of FinCEN’s promulgated regulations.





National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Testing methods and rulemaking</b>	6209	<p>Requires the secretary of the Treasury to issue a rule specifying standards for FIs testing of BSA compliance technology and related internal processes and FFIEC to update the FFIEC Manual accordingly. The standards may include:</p> <ol style="list-style-type: none"> <li>1. An emphasis on using innovative approaches such as ML or other enhanced data analytics processes.</li> <li>2. Risk-based testing, oversight, and other risk management approaches of the regime, prior to and after implementation, to facilitate calibration of relevant systems and prudently evaluate and monitor the effectiveness of their implementation.</li> <li>3. Specific criteria for when and how risk-based testing against existing processes should be considered to test and validate the effectiveness of relevant systems and situations and standards for when other risk management processes, including those developed by or through third-party risk and compliance management systems, and oversight may be more appropriate.</li> <li>4. Specific standards for a risk governance framework for financial institutions to provide oversight and to prudently evaluate and monitor systems and testing processes both pre- and post-implementation.</li> <li>5. Requirements for appropriate data privacy and information security.</li> <li>6. A requirement that the system configurations, including any applicable algorithms and any validation of those configurations used by the regime be disclosed to the Financial Crimes Enforcement Network and the appropriate federal functional regulator upon request.</li> </ol>	Requires FinCEN issue a rule	No specific date is provided for the issuance of the rule or updates to the manual.



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Financial technology assessment</b>	6210	Requires the secretary of the Treasury, in consultation with regulators and other relevant parties, to prepare and submit a report assessing the impact of technology on financial crime compliance.	January 1, 2022	Secretary of the Treasury must submit a report by January 1, 2022.
<b>Financial crimes tech symposium</b>	6211	<p>Requires the secretary of the Treasury, in coordination with the BSAAG Subcommittee on Technology and Innovation, to hold a periodic global symposium to promote greater international collaboration on using new technology to prevent, detect, and investigate financial crime and other illicit activity.</p> <p>Attendees will include domestic and international regulators, senior executives of regulated firms, technology providers, law enforcement and national security agencies, academics, and other relevant experts and parties.</p> <p>Symposium will include panels that will review new technologies and demonstrate the proof of concept and Treasury will provide reports providing policy clarity and guidance regarding the new technologies and practices presented at each symposium.</p>	Periodic	Secretary of the Treasury must periodically hold a symposium.



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Financial crimes tech symposium</b>	6211	<p>Requires FinCEN to brief Congress on emerging technologies (e.g., AI, digital identity, distributed ledger), including:</p> <ol style="list-style-type: none"> <li>1. Status and implementation of emerging technologies within FinCEN.</li> <li>2. Whether new technologies can be further leveraged to make data analysis by FinCEN more efficient and effective.</li> <li>3. Whether FinCEN could better use new technologies.</li> <li>4. Any identified best practices or significant concerns related to the new technologies with respect to the US AML and anti-illicit financing efforts</li> <li>5. Policy recommendations to improve communication between private sector, FinCEN, and government agencies using new technologies.</li> </ol>	April 1, 2021	Director of FinCEN must conduct a briefing by April 1, 2021.
<b>Pilot program on sharing SAR information with foreign affiliates</b>	6212	Requires secretary of the Treasury to issue rules establishing a pilot program that would allow FIs to share SAR information with their foreign affiliates. The pilot program is to terminate three years after the enactment of AMLA, except the secretary of the Treasury may extend the pilot program for no more than two years after submitting a report to Congress on the necessity, value, and operations of the program.	Requires the FinCEN issue a rule January 1, 2022	Secretary of the Treasury shall issue rules by January 1, 2022. The pilot program will terminate January 1, 2024, with the option to extend for up to two more years.



National Defense Authorization Act Title Name and Number	AMLA/ NDA A Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Pilot program on sharing SAR information with foreign affiliates</b>	6212	Secretary of the Treasury shall provide updates on the pilot program: <ol style="list-style-type: none"> <li>The degree of any information-sharing permitted under the pilot program and a description of criteria used by the secretary to evaluate the appropriateness of the information sharing.</li> <li>The effectiveness of the pilot program in identifying or preventing the violation of a United States law or regulation and mechanisms that may improve that effectiveness.</li> <li>Any recommendations to amend the design of the pilot program.</li> </ol>	Within 360 days of issuance of the rules establishing the pilot program	Secretary of the Treasury shall issue rules by January 1, 2022. Updates to the pilot program are required within 360 days of the secretary of the Treasury issuing rules and annually for three years thereafter.
<b>Financial institutions' sharing of compliance resources</b>	6213	Permits FIs to share compliance resources in accordance with the October 3, 2018, Interagency Statement on Sharing BSA Resources.  OUTREACH.—The secretary of the Treasury and the appropriate supervising agencies shall carry out an outreach program to provide financial institutions with information, including best practices.	January 1, 2021	Effective January 1, 2021
<b>Encouraging of information-sharing and public-private partnerships</b>	6214	Requires periodic meetings between the secretary of the Treasury, supervisory agencies, private sector experts, national security, law enforcement, and other stakeholders to examine ways to increase cooperation between private and public sectors.	Periodic	Supervisory Team must meet periodically.



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) (Note that many dates are tied to the completion of other action items)	Notes Relating to Relevant Date(s)
<b>Title LXII – Modernizing the AML and CTF Reporting System</b>				
<b>Financial de-risking</b>	6215	Requires comptroller general to conduct an analysis and submit a report to Congress regarding de-risking and the development of a strategy to reduce consequences of de-risking. It also requires the Treasury to report on the comptroller general's findings and strategy to reduce de-risking.	January 1, 2022	Comptroller general shall submit a report by January 1, 2022. Secretary of the Treasury must propose changes and submit a report to Congress within one year of the comptroller general submitting a report.
<b>Review of regulations and guidance</b>	6216	Requires the secretary of the Treasury to review the BSA to ensure maintenance of proper safeguards to protect the financial system by: <ol style="list-style-type: none"> <li>1. Conducting a review.</li> <li>2. Making appropriate changes to the regulations and guidance.</li> <li>3. Soliciting public comment.</li> <li>4. Submitting a report to Congress.</li> </ol>	January 1, 2022	Secretary of the Treasury must submit a report by January 1, 2022.

## Title LXIII—Improving AML and CTF Communication, Oversight and Processes

National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXIII—Improving AML and CTF Communication, Oversight and Processes</b>				
<b>Improved interagency coordination and consultation</b>	6301	Requires the secretary of the Treasury to include appropriate state bank and credit unions to participate in interagency discussions relating to new/modified rules.	January 1, 2021	Effective January 1, 2021
<b>Subcommittee on information security and confidentiality</b>	6302	Creates a BSA Advisory Group subcommittee called “Subcommittee on Information Security and Confidentiality” to advise Treasury on information security and confidentiality implications of regulations and guidance.	January 1, 2021	The subcommittee sunsets January 1, 2026, with an option to renew annually after the fifth year.
<b>Establishment of Bank Secrecy Act information security officers</b>	6303	<p>Requires FinCEN, federal functional regulators, and the IRS to appoint BSA Information Security Officers who shall be consulted:</p> <ol style="list-style-type: none"> <li>1. Each time BSA regulations affecting information security or disclosure of BSA information are being developed or reviewed.</li> <li>2. On information sharing policies under BSA.</li> <li>3. On coordination and clarity between proposed BSA regulations and information security and confidentiality requirements.</li> <li>4. On the development of new technology that may benefit info security and BSA compliance and protection of information collected by each federal regulator for BSA.</li> <li>5. Develop metrics of program success.</li> </ol>	Dependent on when FinCEN promulgates regulations and they become effective	Under Section 6103, FinCEN is required to promulgate regulations on information sharing. FinCEN, federal functional regulators, and IRS shall make appointments within one year of the effective date of FinCEN's promulgated regulations.





National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXIII – Improving AML and CTF Communication, Oversight and Processes</b>				
<b>FinCEN analytical hub</b>	6304	Requires FinCEN maintain financial experts who will identify, track, and trace money laundering and terrorism financing networks in order to conduct and support civil and criminal AML and CTF investigations conducted by the US government.	January 1, 2021	Effective January 1, 2021
<b>No-action letter process</b>	6305	<p>Requires FinCEN to conduct an assessment determining whether to establish a formal no-action letter process and the secretary of the Treasury to provide a report and proposed rule-makings. The assessment shall include:</p> <ol style="list-style-type: none"> <li>1. Timeline for the process to reach a final determination by FinCEN, in response to a request by a person for a no-action letter.</li> <li>2. Whether improvements in the current process are necessary.</li> <li>3. Whether a formal no-action letter process would help to mitigate or accentuate illicit finance risks in the US.</li> <li>4. Any other matter the secretary determines is appropriate.</li> </ol>	June 30, 2021	Secretary of the Treasury shall submit a report and proposed rules, if appropriate, by June 30, 2021.

National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXIII – Improving AML and CTF Communication, Oversight and Processes</b>				
<b>Cooperation with law enforcement</b>	6306	<p>Requires law enforcement agencies to notify FinCEN that they intend to request that FIs keep an account open. Also provides FIs a safe harbor for keeping account open provided they comply with the process that is established.</p> <p>Letter Termination Date: Any keep-open request submitted under subsection (b) shall include a termination date, after which that request shall no longer apply.</p> <p>Recordkeeping: Any federal, state, tribal, or local law enforcement agency that submits to a financial institution a keep-open request shall, not later than two business days after the date on which the request is submitted to the financial institution:</p> <ol style="list-style-type: none"> <li>1. Submit a copy of the request to FinCEN.</li> <li>2. Alert FinCEN if the financial institution has implemented the request.</li> </ol>	January 1, 2021	Effective January 1, 2021
<b>Training for examiners on anti-money laundering and countering the financing of terrorism</b>	6307	Requires that federal examiners who have BSA responsibility participate in annual training. The secretary of the Treasury must establish appropriate training materials and standards for use in the training.	January 1, 2021	Effective January 1, 2021



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXIII – Improving AML and CTF Communication, Oversight and Processes</b>				
<b>Obtaining foreign bank records from banks with United States correspondent accounts</b>	6308	<p>Allows the secretary of the Treasury/AG to issue subpoenas to any foreign bank maintaining a correspondent account in the US and request any relevant records.</p> <p>The claim that that compliance with a subpoena would conflict with a provision of foreign secrecy or confidentiality law shall not be a sole basis for quashing or modifying the subpoena.</p> <p>A covered financial institution shall terminate any correspondent relationship with a foreign bank within 10 business days after the date on which the covered financial institution receives written notice from the secretary of the Treasury or the attorney general if they determine that the foreign bank has failed to comply with the subpoena or failed its court challenge (and appeal, as applicable) on the subpoena.</p>	January 1, 2021	Effective January 1, 2021
<b>Additional damages for repeat BSA violators</b>	6309	<p>Allows imposition of additional civil penalties for repeat violators. For each additional violation may have penalties up to the greater of the following:</p> <ol style="list-style-type: none"> <li>1. 3x the profit gained or loss avoided by such person as a result of the violation.</li> <li>2. 2x the maximum penalty with respect to the violation.</li> </ol> <p>The determination of previous violations only includes violations occurring after date of enactment of the act.</p>	January 1, 2021	Effective January 1, 2021



National Defense Authorization Act Title Name and Number	AMLA/ NDAAs Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXIII – Improving AML and CTF Communication, Oversight and Processes</b>				
<b>Certain violators barred from serving on boards of US financial institutions</b>	6310	Allows imposition of bar from serving on corporate board for 10 years, beginning from the date of conviction for BSA violations.	January 1, 2021	Effective January 1, 2021
<b>Department of Justice report on deferred and non-prosecution agreements</b>	6311	<p>Requires the attorney general submit a report to Congress containing:</p> <ol style="list-style-type: none"> <li>1. A list of BSA-related deferred prosecution agreements and nonprosecution agreements that the AG entered into, amended, or terminated during the covered year.</li> <li>2. Justification for entering into, amending, or terminating each agreement.</li> <li>3. The list of factors that were considered for the ultimate determination made by the AG.</li> <li>4. The extent the AG coordinated with the secretary of the Treasury, federal regulators, or state regulators before entering into, amending, or terminating each agreement.</li> </ol>	January 1, 2022	Attorney general must submit the first annual report by January 1, 2022, and provide subsequent annual reports for the four years thereafter.
<b>Return of profits and bonuses</b>	6312	<p>Allows for claw backs of profits against BSA violators.</p> <p>The bonus may also be repaid by the violator if the financial institution determines that the party engaged in unethical, but noncriminal, activities.</p>	January 1, 2021	Effective January 1, 2021



National Defense Authorization Act Title Name and Number	AML/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXIII – Improving AML and CTF Communication, Oversight and Processes</b>				
<b>Prohibition on concealment of the source of assets in monetary transactions</b>	6313	Prohibits: <ol style="list-style-type: none"> <li>1. Concealment of material facts concerning ownership of assets involved in a transaction if the person is a PEP and the aggregate value of the assets involved in the transaction is not less than \$1 million.</li> <li>2. Concealment of material facts concerning the source of funds involved in a transaction that involves a PEP or an entity.</li> </ol> <p>A person convicted of such an offense, or a conspiracy to commit an offense, shall be imprisoned for not more than 10 years, fined not more than \$1 million, or both, and may be subject to criminal and or civil forfeiture.</p>	January 1, 2021	Effective January 1, 2021
<b>Updating whistleblower incentives and protection</b>	6314	Allows for whistleblower recoveries of up to 30% of collected sanctions. Whistleblowers are also protected from retaliation.	January 1, 2021	Effective January 1, 2021

## Title LIV—Establishing Beneficial Ownership Information Reporting Requirements

National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Short title</b>	6401	This title may be referred to as the Corporate Transparency Act (CTA).	January 1, 2021	Effective January 1, 2021
<b>Sense of Congress</b>	6402	Requires the secretary of the Treasury to: <ol style="list-style-type: none"> <li>1. Maintain beneficial ownership information in a secure, nonpublic database, with information security methods and techniques that are appropriate to protect nonclassified information at the highest security level.</li> <li>2. Take steps, including auditing, to ensure government authorities accessing beneficial ownership information is aligned with authorized purposes of this title.</li> </ol>	TBD	No specific date or reference provided as to when the database has to be established.
<b>Beneficial ownership information reporting requirements</b>	6403	Requires the secretary of the Treasury to promulgate regulations implementing the beneficial ownership no later than January 1, 2022.  The beneficial ownership reporting requirements will take effect on the effective date of those regulations.	January 1, 2022	Secretary of the Treasury must promulgate regulations on beneficial ownership by January 1, 2022.





National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Sense of Congress</b>	6402	<p>Directs the secretary of the Treasury, in prescribing regulations to provide for the reporting of beneficial ownership information, to:</p> <ol style="list-style-type: none"> <li>1. Seek to minimize burdens on reporting companies associated with the collection of beneficial ownership information.</li> <li>2. Provide clarity to reporting companies concerning the identification of their beneficial owners.</li> <li>3. Collect information in a form and manner that is reasonably designed to generate a database that is highly useful to national security, intelligence, and law enforcement agencies and federal functional regulators.</li> </ol>	January 1, 2022	Provides additional guidance to Treasury issuing regulations in Section 6103, which must be promulgated by January 1, 2022.
<b>Beneficial ownership information reporting requirements</b>	6403	<p>Establishes requirements for reporting companies to report certain beneficial ownership information, as well as exceptions to the definition of reporting companies, and puts in place safeguards to protect beneficial ownership information.</p> <p>Who must report:</p> <p>The CTA requires corporations created under the laws of a state or indian tribe, or created under the laws of a foreign country but registered to do business in the US under the laws of a state or indian tribe, to report to FinCEN, its beneficial owners. Beneficial owners are individuals who directly or indirectly own or control no less than 25% of the Reporting Entities ownership interest.</p>	January 1, 2021	Effective January 1, 2021



National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Beneficial ownership information reporting requirements</b>	6403	<p>What must be reported:</p> <p>Reporting Entities covered under the CTA will be required to report, directly to FinCEN, the full legal name, date of birth, current residential or business address, and government-issued identification number of all its beneficial owners. In lieu of a government-issued identification number, the Reporting Entity and/or its beneficial owner(s) can request an identification number through FinCEN (FinCEN Identifier).</p> <p>Access to Information:</p> <p>The CTA establishes strict limits to the access and use of beneficial ownership information. Beneficial ownership information reported to FinCEN can be accessed by:</p> <ol style="list-style-type: none"> <li>1. Federal agencies engaged in national security, intelligence, and law enforcement activity.</li> <li>2. State, local, and tribal law enforcement through court order (with appropriate jurisdiction).</li> <li>3. Federal agencies on behalf of another country's law enforcement agency, prosecutor, or judge, provided that the foreign country has the appropriate treaties with the US or is a trusted foreign country.</li> <li>4. Federal functional regulators or other appropriate regulatory agencies.</li> <li>5. Financial institutions subject to customer due diligence (CDD) requirements, but only with the consent of the reporting entity and for the purpose of facilitating compliance with CDD requirements.</li> </ol>	January 1, 2021	Effective January 1, 2021



National Defense Authorization Act Title Name and Number	AMLA/ NDA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Beneficial ownership information reporting requirements for entities formed AFTER the effective date of the beneficial ownership requirements</b>	6403	Requires a reporting company that is formed or registered after the effective date of the regulations promulgated under this subsection to submit a report to FinCEN at the time of formation or registration.	Dependent on when secretary of the Treasury promulgates regulations and they become effective.	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Each new reporting entity that is formed after the effective date of the regulations prescribed by the secretary of Treasury, is required to submit a report at formation or registration.
<b>Beneficial ownership information reporting requirements for entities formed BEFORE the effective date of the beneficial ownership requirements</b>	6403	Requires a reporting company that is formed or registered before the effective date of the regulations promulgated under this subsection to submit a report to FinCEN within two years of the effective date of the regulations.	Dependent on when secretary of the Treasury promulgates regulations and they become effective.	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Each existing reporting entity is required to submit a report within two years of the effective date of the regulations prescribed by the secretary of the Treasury.
<b>Beneficial ownership information reporting requirements</b>	6403	Requires covered entities update reported beneficial ownership information when there are changes to its beneficial owners, or when the reported information of its beneficial owners changes, within one year of such a change.	Within one year of a change in beneficial ownership.	Covered entities must report changes to FinCEN within one year of the date of the change.
<b>Beneficial ownership information reporting requirements</b>	6403	Requires Treasury conduct a review of the new beneficial ownership reporting requirements to evaluate their benefits, and incorporate rulemaking, as appropriate.	January 1, 2023	Treasury must conduct a review by January 1, 2023.



National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Beneficial ownership information reporting requirements</b>	6403	Requires Treasury submit a report to Congress on the procedures and standards to carry out the beneficial ownership reporting requirements, including effectiveness of the procedures and standards, and alternative procedures and standards.	Dependent on when secretary of the Treasury promulgates regulations and they become effective.	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Secretary of the Treasury must submit a report within one year of the effective date of the regulations prescribed by the secretary of the Treasury and be submitted annually thereafter for two years.
<b>Beneficial ownership information reporting requirements</b>	6403	<p>Requires the secretary of Treasury establish protocols that:</p> <ol style="list-style-type: none"> <li>1. Protect the security and confidentiality of any beneficial ownership information provided directly by the secretary.</li> <li>2. Require head of requesting agency to approve standards and procedures used and certify compliance to the secretary semiannually.</li> <li>3. Require requesting agency to establish and maintain a secure system to store the information.</li> <li>4. Require the requesting agency to submit a report to the secretary that describes procedures established and used to ensure the confidentiality of information.</li> <li>5. Require written certification for each authorized investigation, that states the applicable requirements have been met and includes reason for why the request is relevant to the investigation.</li> <li>6. Requires requesting agency to limit the scope of information requested, consistent with the purposes for seeking beneficial ownership information;</li> </ol>	January 1, 2022	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Secretary of the Treasury must establish protocols as part of the regulations promulgated.



National Defense Authorization Act Title Name and Number	AML/ NDA/ Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Beneficial ownership information reporting requirements</b>	6403	7. Restrict access to beneficial ownership information. 8. Require requesting agency to establish and maintain a permanent system of standardized request with auditable trails for each request. 9. Require requesting agencies, that receive beneficial ownership information from the Secretary, conduct an annual audit to confirm the information is accessed and used appropriately; 10. Requires Secretary to conduct an annual audit of adherence of requesting agencies to the protocols established; and 11. Provide appropriate safeguards to protect the confidentiality of the beneficial ownership information.	January 1, 2022	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Secretary of the Treasury must establish protocols as part of the regulations promulgated.
<b>Retention of information</b>	6403	Beneficial ownership information relating to each reporting company shall be maintained by FinCEN for not fewer than five years after the date on which the reporting company terminates.	Dependent on the reporting entity termination date	FinCEN must retain the information for at least five years from the date on which the reporting entity terminates.
<b>Beneficial ownership information reporting requirements</b>	6403	Secretary of the Treasury shall submit a report annually for at least five years on the requests from requesting agencies: <ol style="list-style-type: none"> <li>1. Date request submitted.</li> <li>2. Source of the request.</li> <li>3. Whether request was approved or rejected.</li> <li>4. General description for rejection, if applicable.</li> </ol>	Dependent on when secretary of the Treasury promulgates regulations and they become effective	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Secretary of the Treasury must submit a report within one year of the effective date of the promulgated regulations and annually thereafter for five years.



National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Audit by the Comptroller General</b>	6403	Comptroller general must conduct an audit on the effectiveness of the procedures and safeguards established by the secretary of the Treasury to ensure the Department of the Treasury is using beneficial ownership information appropriately.	Dependent on when Secretary of the Treasury promulgates regulations and they become effective	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Comptroller general must conduct an audit within one year of the effective date of the promulgated regulations and annually thereafter for six years.
<b>Department of the Treasury testimony</b>	6403	Requires the director be available to testify, not later than March 31 of each year for five years beginning in 2022, related to FinCEN issues including: <ol style="list-style-type: none"> <li>1. Anticipated plans, goals, and resources necessary to implement requirements of AMLA.</li> <li>2. Adequacy of appropriations for FinCEN in current and previous fiscal year.</li> <li>3. Strengthen FinCEN management efforts to meet requirements of AMLA.</li> <li>4. Provide for necessary public outreach to ensure broad dissemination of requirements of AMLA.</li> </ol>	March 31, 2022	Director must be available to testify by March 31 of each year, for five years starting in 2022.
<b>Notification of federal obligations: Federal</b>	6403	Requires the secretary of the Treasury to take reasonable steps to provide notice to persons of their obligations to report beneficial ownership information.	Dependent on when secretary of the Treasury promulgates regulations and they become effective	No date or indication of timing is provided.





National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Notification of federal obligations: States and indian tribes</b>	6403	Requires each state and indian tribe to: <ol style="list-style-type: none"> <li>1. Notify filers of their requirements as reporting companies.</li> <li>2. Provide the filers with a copy of the reporting company form created by the secretary of the Treasury.</li> <li>3. Update the websites, forms relating to incorporation, and physical premises of the office to notify filers of their requirements as reporting companies.</li> <li>4. Shall explicitly state that the notification is on behalf of the Department of the Treasury.</li> </ol>	Dependent on when secretary of the Treasury promulgates regulations and they become effective.	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. State and indian tribes must provide notice within two years of the effective date of the promulgated regulations.
<b>User complaint process</b>	6403	Requires the inspector general of the Department of the Treasury to provide public contact information to receive external comments or complaints regarding the beneficial ownership information notification and collection process or regarding the accuracy, completeness, or timeliness of such information.	Periodic report	Inspector general must submit a report periodically.
<b>Continuous review of exempt entities</b>	6403	Requires secretary of the Treasury to determine if certain exempt entities have been involved in significant abuse relating to money laundering, the financing of terrorism, proliferation finance, serious tax fraud, or any other financial crime, and submit a report to Congress within 90 days of the determination.	After the regulations are promulgated, the report due date is dependent on the date of determination	Following the effective date of the regulations promulgated in accordance with 6402 and 6403, if the secretary of the Treasury makes a determination of significant abuse, it must file a report within 90 days.



National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LIV—Establishing Beneficial Ownership Information Reporting Requirements</b>				
<b>Reporting requirements for federal contractors</b>	6403	Revises the Federal Acquisition Regulation to require a contractor or subcontractor, subject to the beneficial ownership reporting requirements, to provide this information as part of any bid or proposal over a certain threshold.	January 1, 2023	Administrator for Federal Procurement Policy must revise the Federal Acquisition Regulation by January 1, 2023.
<b>Revise CDD Rule</b>	6403	Requires Secretary of the Treasury to revise the CDD Rule to adjust for the beneficial ownership reporting requirements and rescind those portions of the CDD Rule when the final rules implementing the CTA become effective.	Dependent on when secretary of the Treasury promulgates regulations and they become effective.	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Secretary of the Treasury must revise the CDD Rule within one year of the effective date of the promulgated regulations.



## Title LXV—Miscellaneous

National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXV—Miscellaneous</b>				
<b>Investigations and prosecution of offenses for violations of the securities laws</b>	6501	<p>Revises the Securities Exchange Act of 1934, Section 21(d) from (15 USC 78d(d)) to also require disgorgement of any ill-gotten enrichment from the violation for any party found in violation by the committee. Also, added the word “civil” in front of “money penalty” and “penalty” throughout 15 USC 78(d)(3).</p> <p>Disgorgement can be applied up to 5 to 10 years after (depending on the type of violation) the latest date of the identified violation. Violations punishable up to 10 years include using devices or schemes related to a transaction or to deceive a client or prospective client or using interstate commerce to defraud or deceive.</p>	January 1, 2021	Effective January 1, 2021
<b>GAO and Treasury studies on beneficial ownership information reporting requirements</b>	6502	Requires GAO and secretary of the Treasury to conduct studies and provide reports on the effectiveness of beneficial ownership reporting requirements.	Dependent on when secretary of the Treasury promulgates regulations and they become effective.	To comply with Sections 6402 and 6403, the secretary of the Treasury will promulgate regulations on beneficial ownership by January 1, 2022. Secretary of the Treasury and GAO must provide reports within two years of the effective date of the promulgated regulations.
<b>GAO study on feedback loops</b>	6503	Requires GAO and Treasury to conduct a study and provide a report on best practices on the usage and usefulness of PII, sensitive but unclassified or similar information by government agencies.	July 1, 2022	GAO and secretary of the Treasury must provide a report by July 1, 2022.
<b>GAO CTR study and report</b>	6504	Requires comptroller general to commence a study and publish a report on the effectiveness of CTR data.	January 1, 2025	Comptroller general must commence a study by January 1, 2025 and publish a report by December 31, 2025.



National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXV—Miscellaneous</b>				
<b>GAO studies on trafficking</b>	6505	Requires comptroller general to conduct a study and publish a report on illicit trafficking. The report will include: <ol style="list-style-type: none"> <li>1. Methods.</li> <li>2. Red flags.</li> <li>3. Tools and guidance that the government uses to assist FIs identity tracking.</li> <li>4. What steps FIs are taking, including the use of artificial intelligence and machine learning to combat trafficking.</li> <li>5. How payment methods are used to facilitate human trafficking and drug trafficking.</li> <li>6. Recommendations and proposed rulemaking.</li> </ol>	January 1, 2022	Comptroller general must publish a report by January 1, 2022.
<b>Treasury study and strategy on trade-based money laundering</b>	6506	Requires GAO and Treasury conduct a study and publish a report on trade-based money laundering.	January 1, 2022	GAO and secretary of the Treasury must provide a report by January 1, 2022.
<b>Treasury study and strategy on money laundering by the People's Republic of China</b>	6507	Requires Treasury to conduct a study and provide a report on risk and prevention of Chinese illicit finance activity.	January 1, 2022	GAO and secretary of the Treasury must provide a report by January 1, 2022.



National Defense Authorization Act Title Name and Number	AMLA/ NDAA Section	Summary	Relevant Date(s) <small>(Note that many dates are tied to the completion of other action items)</small>	Notes Relating to Relevant Date(s)
<b>Title LXV—Miscellaneous</b>				
<b>Treasury and Justice study on the efforts of authoritarian regimes to exploit the financial system of the United States</b>	6508	Requires Treasury to conduct a study and publish a report on authoritarian regimes' exploitation of US financial system.	January 1, 2023	GAO and secretary of the Treasury must conduct a study by January 1, 2022, and provide a report by January 1, 2023.
<b>Authorization of appropriations</b>	6509	Provides FinCEN with \$136M for FY 2021, \$60M for FY 2022, and \$35M for each FY 2023 through 2026 to carry out AMLA.	January 1, 2021	Effective January 1, 2021
<b>Discretionary surplus funds</b>	6510	The maximum aggregate amount of the surplus funds of the Federal Reserve banks was reduced by \$40M, taking the maximum amount from \$6,825M to \$6,785M.	January 1, 2021	Effective January 1, 2021
<b>Severability</b>	6511	Any part of this AMLA that is found to be unconstitutional will not affect the remainder of this act.	January 1, 2021	Effective January 1, 2021



## Contacts



### Ellen Zimiles

Partner and Financial Services  
Segment Leader  
(212) 554-2602  
ellen.zimiles@guidehouse.com



### Salvatore LaScala

Partner and Head of Global  
Investigations & Compliance  
(212) 554-2611  
salvatore.lascalas@guidehouse.com



### Alma Angotti

Partner and Global Legislative &  
Regulatory Risk Leader  
(202) 481-8398  
alma.angotti@guidehouse.com

 [guidehouse.com/financialservices](https://guidehouse.com/financialservices)

 [linkedin.com/showcase/guidehouse-financial-services](https://linkedin.com/showcase/guidehouse-financial-services)

 [twitter.com/GuidehouseFSAC](https://twitter.com/GuidehouseFSAC)

[guidehouse.com](https://guidehouse.com)



### About Guidehouse

Guidehouse is a leading global provider of consulting services to the public and commercial markets with broad capabilities in management, technology, and risk consulting. We help clients address their toughest challenges and navigate significant regulatory pressures with a focus on transformational change, business resiliency, and technology-driven innovation. Across a range of advisory, consulting, outsourcing, and digital services, we create scalable, innovative solutions that prepare our clients for future growth and success. Headquartered in McLean, VA, the company has more than 8,000 professionals in over 50 locations globally. Guidehouse is a Veritas Capital portfolio company, led by seasoned professionals with proven and diverse expertise in traditional and emerging technologies, markets, and agenda-setting issues driving national and global economies. For more information, please visit: [www.guidehouse.com](https://www.guidehouse.com).

©2021 Guidehouse Inc. All rights reserved. W240300

This content is for general informational purposes only, and should not be used as a substitute for consultation with professional advisors. This publication may be used only as expressly permitted by license from Guidehouse and may not be otherwise reproduced, modified, distributed, or used without the expressed written permission of Guidehouse.

