

117TH CONGRESS  
2D SESSION

# H. R. 9159

To make reforms to the Bank Secrecy Act, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2022

Mr. ROSE introduced the following bill; which was referred to the Committee  
on Financial Services

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## A BILL

To make reforms to the Bank Secrecy Act, and for other  
purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Bank Privacy Reform  
5       Act”.

6       **SEC. 2. BANK SECRECY ACT REFORMS.**

7       (a) RIGHT TO FINANCIAL PRIVACY ACT OF 1978.—  
8       The Right to Financial Privacy Act of 1978 (12 U.S.C.  
9       3401 et seq.) is amended—

10               (1) by amending section 1102 to read as fol-  
11       lows:

1 **“SEC. 1102. CONFIDENTIALITY OF RECORDS—GOVERN-**  
 2 **MENT AUTHORITIES.**

3 “Except as provided by subsection (c) or (d) of sec-  
 4 tion 1103 or section 1113, no Government authority may  
 5 have access to or obtain copies of, or the information con-  
 6 tained in the financial records of any customer from a fi-  
 7 nancial institution unless the financial records are reason-  
 8 ably described and such financial records are disclosed in  
 9 response to a search warrant which meets the require-  
 10 ments of section 1106.”;

11 (2) by striking sections 1104, 1105, 1107,  
 12 1108, and 1114;

13 (3) in section 1109(a), by striking “section  
 14 1104(c), 1105(2), 1106(c), 1107(2), 1108(4),” and  
 15 inserting “section 1106(c)”; and

16 (4) in section 1113, by striking subsections (c)  
 17 through (r).

18 (b) TITLE 31.—Chapter 53 of title 31, United States  
 19 Code, is amended—

20 (1) by amending section 5311 to read as fol-  
 21 lows:

22 **“§ 5311. Declaration of purpose**

23 “It is the purpose of this subchapter to require finan-  
 24 cial institutions to retain transaction records that include  
 25 information identified with or identifiable as being derived  
 26 from the financial records of particular customers.”;

1 (2) in section 5312(a)—

2 (A) in paragraph (3)—

3 (i) in subparagraph (B), by adding  
4 “and” at the end;

5 (ii) by striking subparagraph (C); and

6 (iii) by redesignating subparagraph  
7 (D) as subparagraph (C); and

8 (B) by amending paragraph (4) to read as  
9 follows:

10 “(4) ‘nonfinancial trade or business’ means any  
11 entity engaged in trade or business other than a fi-  
12 nancial institution.”;

13 (3) by striking sections 5313, 5314, 5315,  
14 5316, 5317, 5318A, 5324, 5326, 5331, 5332, and  
15 5336;

16 (4) in section 5318—

17 (A) in subsection (a)—

18 (i) by striking “(except under section  
19 5315 of this title and regulations pre-  
20 scribed under section 5315)”;

21 (ii) by striking paragraph (2); and

22 (iii) by redesignating paragraphs (3)  
23 through (7) as paragraphs (2) through (6),  
24 respectively;

25 (B) in subsection (k)—

1 (i) in paragraph (1)(C), by striking  
2 “has the same meaning as in section  
3 5318A(e)(1)(B)” and inserting “means an  
4 account established to receive deposits  
5 from, make payments on behalf of a for-  
6 eign financial institution, or handle other  
7 financial transactions related to such insti-  
8 tution”; and

9 (ii) in paragraph (3)(A)(i)—

10 (I) in subclause (II), by adding

11 “or” at the end;

12 (II) in subclause (III), by strik-

13 ing “; or” and inserting a period; and

14 (III) by striking subclause (IV);

15 (5) in section 5321—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by striking “(ex-  
18 cept sections 5314, 5315, and 5336 of this  
19 title or a regulation prescribed under sec-  
20 tions 5314, 5315, and 5336)”;

21 (ii) by striking paragraphs (2), (3),  
22 (4), and (5);

23 (iii) in paragraph (6), by striking  
24 “(except section 5336)” each place such  
25 term appears;

1 (iv) in paragraph (7), by striking “or  
2 any special measures imposed under sec-  
3 tion 5318A”; and

4 (v) by redesignating paragraphs (6)  
5 and (7) as paragraphs (2) and (3), respec-  
6 tively;

7 (B) by striking subsection (c); and

8 (C) by redesignating subsections (d)  
9 through (g) as subsection (e) through (f), re-  
10 spectively;

11 (6) in section 5322—

12 (A) by striking “(except section 5315,  
13 5324, or 5336 of this title or a regulation pre-  
14 scribed under section 5315, 5324, or 5336)”  
15 each place such term appears; and

16 (B) in subsection (d)—

17 (i) by striking “, or any special meas-  
18 ures imposed under section 5318A,”; and

19 (ii) by striking “or section 5318A”;

20 (7) in section 5325(a), by inserting after  
21 “\$3,000” the following: “(as such amount is annu-  
22 ally adjusted by the Secretary to reflect the percent-  
23 age change in the Consumer Price Index for All  
24 Urban Consumers published by the Bureau of Labor  
25 Statistics of the Department of Labor)”;

1 (8) in section 5330(d)(1)—

2 (A) in subparagraph (A), by adding “and”  
3 at the end;

4 (B) by striking subparagraph (B); and

5 (C) by redesignating subparagraph (C) as  
6 subparagraph (B);

7 (9) in section 5335—

8 (A) by striking subsection (c); and

9 (B) by redesignating subsections (d) and  
10 (e) as subsections (c) and (d), respectively;

11 (10) by striking subchapter III; and

12 (11) in the table of contents in chapter 53, by  
13 striking the items relating to—

14 (A) sections 5313, 5314, 5315, 5316,  
15 5317, 5318A, 5324, 5326, 5331, 5332, and  
16 5336; and

17 (B) subchapter III.

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