

118TH CONGRESS
1ST SESSION

H. R. 3231

To permit the Secretary of the Treasury to impose special measures on transactions related to illicit fentanyl trafficking.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2023

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

A BILL

To permit the Secretary of the Treasury to impose special measures on transactions related to illicit fentanyl trafficking.

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 “Buck Stops Here Act”.

5 **SEC. 2. TRANSACTIONS CONNECTED TO ILLICIT FENTANYL**
6 **TRAFFICKING.**

7 (a) DETERMINATION.—If the Secretary of the Treas-
8 ury determines that reasonable grounds exist for con-
9 cluding that 1 or more financial institutions operating out-
10 side of the United States, or 1 or more classes of trans-

1 actions within, or involving, a jurisdiction outside of the
2 United States, or 1 or more types of accounts within, or
3 involving, a jurisdiction outside of the United States is of
4 primary money laundering concern in connection with il-
5 licit fentanyl trafficking, the Secretary of the Treasury
6 may, by order, regulation, or otherwise as permitted by
7 law—

8 (1) require domestic financial institutions and
9 domestic financial agencies to take 1 or more of the
10 special measures described in section 5318A(b) of
11 title 31, United States Code; or

12 (2) prohibit, or impose conditions upon, certain
13 transmittals of funds (to be defined by the Sec-
14 retary) by any domestic financial institution or do-
15 mestic financial agency, if such transmittal of funds
16 involves any such institution, class of transaction, or
17 type of account.

18 (b) CLASSIFIED INFORMATION.—In any judicial re-
19 view of a finding of the existence of a primary money laun-
20 dering concern, or of the requirement for 1 or more special
21 measures with respect to a primary money laundering con-
22 cern made under this section, if the designation or imposi-
23 tion, or both, were based on classified information (as de-
24 fined in section 1(a) of the Classified Information Proce-
25 dures Act (18 U.S.C. App.)), such information may be

1 submitted by the Secretary to the reviewing court ex parte
2 and in camera. This subsection does not confer or imply
3 any right to judicial review of any finding made or any
4 requirement imposed under this section.

5 (c) AVAILABILITY OF INFORMATION.—The exemp-
6 tions from, and prohibitions on, search and disclosure pro-
7 vided in section 5319 of title 31, United States Code, shall
8 apply to any report or record of report filed pursuant to
9 a requirement imposed under subsection (a) of this sec-
10 tion. For purposes of section 552 of title 5, United States
11 Code, this subsection shall be considered a statute de-
12 scribed in subsection (b)(3)(B) of that section.

13 (d) PENALTIES.—The penalties provided for in sec-
14 tions 5321 and 5322 of title 31, United States Code, that
15 apply to violations of special measures imposed under sec-
16 tion 5318A of title 31, United States Code, shall apply
17 to violations of any order, regulation, special measure, or
18 other requirement imposed under subsection (a) of this
19 section, in the same manner and to the same extent as
20 described in sections 5321 and 5322.

21 (e) INJUNCTIONS.—The Secretary of the Treasury
22 may bring a civil action to enjoin a violation of any order,
23 regulation, special measure, or other requirement imposed
24 under subsection (a) of this section in the same manner

1 and to the same extent as described in section 5320 of
2 title 31, United States Code.

3 (f) REPORT REQUIRED.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this Act, the Secretary of
6 the Treasury shall submit to the Committees on Fi-
7 nancial Services and Foreign Affairs of the House of
8 Representatives and the Committees on Banking,
9 Housing, and Urban Affairs and Foreign Relations
10 of the Senate a report that shall identify any addi-
11 tional regulations, statutory changes, enhanced due
12 diligence, and reporting requirements that are nec-
13 essary to better identify, prevent, and combat money
14 laundering linked to the trafficking of illicit fentanyl.

15 (2) FORMAT.—The report required under this
16 subsection shall be made available to the public, in-
17 cluding on the website of the Department of the
18 Treasury, but may contain a classified annex and be
19 accompanied by a classified briefing.

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