

ENFORCEMENT INFORMATION FOR DECEMBER 3, 2013

Information concerning the civil penalties process is discussed in OFAC regulations governing the various sanctions programs and in 31 CFR part 501. On November 9, 2009, OFAC published as Appendix A to part 501 Economic Sanctions Enforcement Guidelines. See 74 Fed. Reg. 57,593 (Nov. 9, 2009). The Economic Sanctions Enforcement Guidelines, as well as recent final civil penalties and enforcement information, can be found on OFAC's Web site at <http://www.treasury.gov/ofac/enforcement>.

ENTITIES – 31 CFR 501.805(d)(1)(i)

Compass Bank Settles Potential Civil Liability for an Apparent Violation of the Sudanese Sanctions Regulations: Compass Bank (“Compass”), Birmingham, Alabama has agreed to remit \$19,125 to settle potential civil liability for one apparent violation of §§ 538.205 and 538.206 of the Sudanese Sanctions Regulations (“SSR”), 31 C.F.R. part 538. The Office of Foreign Assets Control (“OFAC”) has determined that Compass did not voluntarily self-disclose the apparent violation and that the apparent violation constituted a non-egregious case. OFAC concluded that the apparent violation described below was not the result of willful or reckless conduct. The total base penalty amount for the apparent violation was \$25,000.

On February 10, 2011, Compass originated an £8,900 (approximately \$14,898) wire transfer on behalf of an individual customer, which was destined for a third-country company's account at a financial institution in the United Kingdom. An invoice accompanying the wire transfer request indicated that the purpose of the transaction was a payment for the shipment of a tractor from the United Kingdom to Omdurman, Sudan. A Compass OFAC Assistant Manager and a Compass BSA OFAC Manager reviewed the wire request and associated invoice, and determined that the payment did not violate the SSR because none of the parties involved were on the List of Specially Designated Nationals and Blocked Persons, and because they mistakenly concluded that the underlying purpose of the payment was authorized pursuant to a general license.

The settlement amount reflects OFAC's consideration of the following facts and circumstances, pursuant to the General Factors under OFAC's Economic Sanctions Enforcement Guidelines, 31 C.F.R. part 501, app. A. OFAC considered the following to be mitigating factors: the apparent violation did not confer economic benefit on a sanctioned entity because another financial institution successfully interdicted and rejected the transaction; Compass has not received a penalty notice or Finding of Violation from OFAC in the five years preceding the date of the transactions giving rise to the apparent violation; Compass cooperated with OFAC's investigation of this matter; and Compass took appropriate remedial action in response to this apparent violation. OFAC found the following to be aggravating factors in this case: Compass managers and supervisors had actual knowledge of the conduct at issue and were alerted that the wire transfer implicated the SSR; and Compass managers whose primary responsibility includes OFAC compliance demonstrated a lack of understanding of the SSR. OFAC further reduced the proposed penalty in light of Compass' agreement to settle its potential liability for the apparent violation.

For more information regarding OFAC regulations, please visit: <http://www.treasury.gov/ofac>.