

# Enforcement

## Potential Penalties for Non-Compliance

**Willful violation** or **negligent reporting** is serious and may compromise critical foreign policy and national security goals. Therefore, OFAC does not grant amnesty for voluntary disclosure of past violations.

OFAC has the power to impose **heavy fines**, **civil penalties**, or **criminal penalties** on the credit union for OFAC violations.

Some of these penalties include:

### Civil penalties:

- Fines ranging from \$250,000 or twice the amount of each underlying transaction to \$1,075,000 for each violation

### Criminal penalties:

- Fines ranging from \$50,000 to \$10,000,000
- Imprisonment ranging from 10 to 30 years for willful violations

### Factors considered when determining the type or amount of fine:

- Sanction program involved in the violation
- Quality of the OFAC compliance program
- Comprehensiveness of the compliance policies
- Controls in place for monitoring transaction activity (i.e., manual processes vs. utilizing interdiction software)
- Self-disclosure of any violation may be considered a mitigating factor