

114TH CONGRESS  
2D SESSION

# H. R. 5607

To enhance the Department of the Treasury's role in protecting national security, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2016

Mr. PITTENGER (for himself and Mr. LYNCH) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Foreign Affairs, Ways and Means, Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To enhance the Department of the Treasury's role in protecting national security, 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 "Enhancing Treasury's  
5 Anti-Terror Tools Act".

1 **SEC. 2. EXAMINING THE DEPARTMENT OF THE TREASURY'S**  
2 **COUNTER-TERROR FINANCING ROLE IN EM-**  
3 **BASSIES.**

4 Within 180 days of the enactment of this Act, the  
5 Secretary of the Treasury shall issue a report to the Com-  
6 mittee on Financial Services of the House of Representa-  
7 tives and the Committee on Banking, Housing, and Urban  
8 Affairs of the Senate containing—

9 (1) a list of the United States embassies in  
10 which a full-time Department of the Treasury  
11 attaché is stationed;

12 (2) a list of the United States embassies at  
13 which a Department of the Treasury attaché is as-  
14 signed for temporary duty, the length of such as-  
15 signments, and the reason why such assignments are  
16 not considered to be a permanent assignments;

17 (3) how the Department of the Treasury's in-  
18 terests relating to anti-terror finance, money laun-  
19 dering, and related illicit finance issues are handled  
20 at other embassies, including a discussion of the re-  
21 porting structure by which such issues are brought  
22 to the direct attention of the ambassador;

23 (4) a description of the role the Department of  
24 the Treasury attachés play in advancing America's  
25 anti-terrorism financing interests;

1           (5) a discussion of patterns, trends, or other  
2 issues identified by Department of the Treasury  
3 attachés in the previous year concerning anti-terror  
4 finance, money laundering, and related illicit fi-  
5 nance;

6           (6) recommendations to improve coordination  
7 between the Department of the Treasury and foreign  
8 financial ministries of efforts to block the financing  
9 of terror, money laundering, and related illicit fi-  
10 nance; and

11           (7) a discussion of whether the Department of  
12 the Treasury’s interests relating to anti-terror fi-  
13 nance, money laundering, or related illicit finance  
14 issues are thought to be under-represented in some  
15 embassies or regions.

16 **SEC. 3. CLARIFYING REQUIREMENTS FOR RECORD-**  
17 **KEEPING.**

18           (a) IN GENERAL.—Section 5326 of title 31, United  
19 States Code, is amended—

20           (1) in the heading of such section, by striking  
21 **“coin and currency”**;

22           (2) in subsection (a)—

23           (A) by striking “subtitle and” and insert-  
24 ing “subtitle or to”; and

1 (B) in paragraph (1)(A), by striking  
2 “United States coins or currency (or such other  
3 monetary instruments as the Secretary may de-  
4 scribe in such order)” and inserting “funds (as  
5 the Secretary may describe in such order),”;  
6 and  
7 (3) in subsection (b)—

8 (A) in paragraph (1)(A), by striking “coins  
9 or currency (or monetary instruments)” and in-  
10 sserting “funds”; and

11 (B) in paragraph (2), by striking “coins or  
12 currency (or such other monetary instruments  
13 as the Secretary may describe in the regulation  
14 or order)” and inserting “funds (as the Sec-  
15 retary may describe in the regulation or  
16 order)”.

17 (b) CLERICAL AMENDMENT.—The table of contents  
18 for chapter 53 of title 31, United States Code, is amended  
19 in the item relating to section 5326 by striking “coin and  
20 currency”.

21 **SEC. 4. STUDY OF BUREAU STATUS.**

22 (a) STUDY.—The Secretary of the Treasury shall  
23 carry out a study on the advisability and implications of  
24 transforming the Office of Terrorism and Financial Intel-  
25 ligence into a standalone bureau of the Department of the

1 Treasury, and the effects such a move would have on the  
2 Department of the Treasury's efforts to stop money laun-  
3 dering, the financing of terror, and related illicit finance.

4 (b) REPORT.—Within 270 days of the date of the en-  
5 actment of this Act, the Secretary of the Treasury shall  
6 issue a report to the Committee on Financial Services of  
7 the House of Representatives and the Committee on  
8 Banking, Housing, and Urban Affairs of the Senate con-  
9 taining all findings and determinations made in carrying  
10 out the study required under subsection (a).

11 **SEC. 5. IMPROVING ANTI-TERROR FINANCE MONITORING**  
12 **OF FUNDS TRANSFERS.**

13 (a) STUDY.—To improve the Department of the  
14 Treasury's ability to better track cross-border fund trans-  
15 fers and identify potential financing of terror or other il-  
16 licit finance, the Secretary of the Treasury shall carry out  
17 a study to assess—

18 (1) the potential efficacy of requiring banking  
19 regulators to establish a pilot program to provide  
20 technical assistance to depository institutions and  
21 credit unions that wish to provide account services  
22 to money services businesses serving individuals in  
23 Somalia;

24 (2) whether such a pilot program could be a  
25 model for improving the ability of Americans to le-

1       gitimately send funds to their loved ones through  
2       transparent and easily monitored channels; and

3               (3) the potential impact of allowing money serv-  
4       ices businesses to share their State examinations  
5       with depository institutions and credit unions, or if  
6       another mechanism could be found to allow a similar  
7       exchange of information that would give such deposi-  
8       tory institutions and credit unions a better under-  
9       standing of whether an individual money services  
10      business is adequately meeting its anti-money laun-  
11      dering and counter terror financing obligations to  
12      combat money laundering, the financing of terror, or  
13      related illicit finance.

14      (b) REPORT.—Within 270 days of the date of the en-  
15      actment of this Act, the Secretary of the Treasury shall  
16      issue a report to the Committee on Financial Services of  
17      the House of Representatives and the Committee on  
18      Banking, Housing, and Urban Affairs of the Senate con-  
19      taining all findings and determinations made in carrying  
20      out the study required under subsection (a).

21      (c) MONEY SERVICES BUSINESS DEFINED.—For  
22      purposes of this section, the term “money services busi-  
23      ness” has the meaning given that term under section  
24      1010.100 of title 31, Code of Federal Regulations.

1 **SEC. 6. SENSE OF CONGRESS.**

2 It is the sense of the Congress that the Secretary of  
3 the Treasury, acting in the Secretary's own capacity and  
4 through the Under Secretary for Terrorism and Financial  
5 Crimes, should work with finance ministry counterparts  
6 worldwide to spur the development within such ministries  
7 of entities similar to the Department of the Treasury's  
8 Office of Intelligence and Analysis to more solidly inte-  
9 grate the intelligence community with anti-money laun-  
10 dering and counter-terrorist financing efforts.

11 **SEC. 7. UNIFIED ELECTRONIC STREAM.**

12 The Secretary of the Treasury shall, within 180 days  
13 of the date of the enactment of this Act, implement a pro-  
14 gram to collect, assemble, maintain in an up-to-date form,  
15 and make available electronically to appropriate Federal  
16 departments and agencies, including the Financial Crimes  
17 Enforcement Network, the Bureau of Industry and Secu-  
18 rity of the Department of the Commerce, the Census Bu-  
19 reau, the U.S. Customs and Border Protection, the Drug  
20 Enforcement Administration, a unified stream of import  
21 and export data, including bills of lading, manifests, Elec-  
22 tronic Data Interchange information tracking container  
23 movements, and similar currently collected information  
24 that would help such departments and agencies detect and  
25 prevent terrorist financing, money laundering, or other  
26 forms of illicit finance in any form, while protecting pro-

1 proprietary business information and other sensitive informa-  
2 tion from unauthorized disclosure, in accordance with  
3 other Federal laws.

4 **SEC. 8. ADDING THE SECRETARY OF THE TREASURY TO**  
5 **THE NATIONAL SECURITY COUNCIL.**

6 Section 101(a) of the National Security Act of 1947  
7 (50 U.S.C. 3021(a)) is amended—

8 (1) by redesignating paragraphs (5) and (6) as  
9 paragraphs (6) and (7), respectively; and

10 (2) by inserting after paragraph (4) the fol-  
11 lowing:

12 “(5) the Secretary of the Treasury;”.

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