In the Senate of the United States,
December 10 (legislative day, December 9), 2016.

Resolved, That the bill from the House of Representa-
tives (H.R. 5602) entitled “An Act to amend title 31, United
States Code, to authorize the Secretary of the Treasury to in-
clude all funds when issuing certain geographic targeting or-
ders, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the
following:

TITLE I—ENHANCING ANTITERRORISM TOOLS OF
THE DEPARTMENT OF THE TREASURY

SEC. 101. INCLUSION OF ALL FUNDS.

(a) In General.—Section 5326 of title 31, United States Code, is amended—

(1) in the heading of such section, by striking “coin and currency”;
(2) in subsection (a)—

(A) by striking “subtitle and” and inserting

“subtitle or to”; and

(B) in paragraph (1)(A), by striking

“United States coins or currency (or such other
monetary instruments as the Secretary may de-
scribe in such order)” and inserting “funds (as
the Secretary may describe in such order),”; and

(3) in subsection (b)—

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

(B) in paragraph (2), by striking “coins or
currency (or such other monetary instruments as
the Secretary may describe in the regulation or
order)” and inserting “funds (as the Secretary
may describe in the regulation or order)”.

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

SEC. 102. IMPROVING ANTITERROR FINANCE MONITORING

OF FUNDS TRANSFERS.

(a) STUDY.—
(1) In General.—To improve the ability of the Department of the Treasury to better track cross-border fund transfers and identify potential financing of terrorist or other forms of illicit finance, the Secretary shall carry out a study to assess—

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

(B) whether such a pilot program could be a model for improving the ability of United States persons to make legitimate funds transfers through transparent and easily monitored channels while preserving strict compliance with the Bank Secrecy Act (Public Law 91–508; 84 Stat. 1114) and related controls aimed at stopping money laundering and the financing of terrorism; and

(C) consistent with current legal requirements regarding confidential supervisory information, the potential impact of allowing money services businesses to share certain State examination information with depository institutions
and credit unions, or whether another appropriate mechanism could be identified to allow a similar exchange of information to give the depository institutions and credit unions a better understanding of whether an individual money services business is adequately meeting its anti-money laundering and counter-terror financing obligations to combat money laundering, the financing of terror, or related illicit finance.

(2) Public Input.—The Secretary should solicit and consider public input as appropriate in developing this study.

(b) Report.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate a report that contains all findings and determinations made in carrying out the study required under subsection (a).

SEC. 103. SENSE OF CONGRESS ON INTERNATIONAL CO-OPERATION REGARDING TERRORIST FINANCING INTELLIGENCE.

It is the sense of the Congress that the Secretary, acting through the Under Secretary for Terrorism and Financial
Crimes, should intensify work with foreign partners to help the foreign partners develop intelligence analytic capacities, in a finance ministry or other appropriate agency, that are—

(1) commensurate to the threats faced by the foreign partner; and

(2) designed to better integrate intelligence efforts with the anti-money laundering and counter-terrorist financing regimes of the foreign partner.

SEC. 104. EXAMINING THE COUNTER-TERROR FINANCING ROLE OF THE DEPARTMENT OF THE TREASURY IN EMBASSIES.

Not later than 180 days after the enactment of this Act, the Secretary shall submit to the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate a report that contains—

(1) a list of the United States embassies in which a full-time Department of the Treasury financial attaché is stationed and a description of how the interests of the Department of the Treasury relating to terrorist financing and money laundering are addressed (via regional attachés or otherwise) at US embassies where no such attachés are present;
(2) a list of the United States embassies at which the Department of the Treasury has assigned a technical assistance advisor from the Office of Technical Assistance of the Department of the Treasury;

(3) an overview of how Department of the Treasury financial attachés and technical assistance advisors assist in efforts to counter illicit finance, to include money laundering, terrorist financing, and proliferation financing; and

(4) an overview of patterns, trends, or other issues identified by Department of the Treasury attachés and whether resources are sufficient to address these issues.

TITLE II—NATIONAL STRATEGY FOR COMBATING TERRORIST AND OTHER ILLICIT FINANCING

SEC. 201. DEVELOPMENT OF NATIONAL STRATEGY.

(a) In General.—The President, acting through the Secretary shall, in consultation with the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the appropriate Federal banking agencies, develop a national strategy for combating the financing of terrorism and related forms of illicit finance.
(b) Transmittal to Congress.—

(1) In General.—Not later than January 31, 2018, the President shall submit to the appropriate congressional committees a comprehensive national strategy developed in accordance with subsection (a).

(2) Updates.—Not later than January 31, 2020, and January 31, 2022, the President shall submit to the appropriate congressional committees updated versions of the national strategy submitted under paragraph (1).

(c) Separate Presentation of Classified Material.—Any part of the national strategy that involves information that is properly classified under criteria established by the President shall be submitted to the Congress separately in a classified annex and, if requested by the chairman or ranking Member of one of the appropriate congressional committees, as a briefing at an appropriate level of security.


(a) In General.—The strategy described in section 201 shall contain the following:

(1) Evaluation of Existing Efforts.—An assessment of the effectiveness of and ways in which the United States is currently addressing the highest levels of risk of various forms of illicit finance, including
those identified in the documents entitled “2015 Na-
tional Money Laundering Risk Assessment” and
“2015 National Terrorist Financing Risk Assess-
ment”, published by the Department of the Treasury
and a description of how the strategy is integrated
into, and supports, the broader counter terrorism
strategy of the United States.

(2) GOALS, OBJECTIVES, AND PRIORITIES.—A
comprehensive, research-based, long-range, quantifi-
able discussion of goals, objectives, and priorities for
disrupting and preventing illicit finance activities
within and transiting the financial system of the
United States that outlines priorities to reduce the in-
cidence, dollar value, and effects of illicit finance.

(3) THREATS.—An identification of the most sig-
nificant illicit finance threats to the financial system
of the United States.

(4) REVIEWS AND PROPOSED CHANGES.—Re-
views of enforcement efforts, relevant regulations and
relevant provisions of law and, if appropriate, discus-
sions of proposed changes determined to be appro-
priate to ensure that the United States pursues co-
ordinated and effective efforts at all levels of govern-
ment, and with international partners of the United
States, in the fight against illicit finance.
(5) Detection and Prosecution Initiatives.—A description of efforts to improve detection and prosecution of illicit finance, including efforts to ensure that—

(A) subject to legal restrictions, all appropriate data collected by the Federal Government that is relevant to the efforts described in this section be available in a timely fashion to—

(i) all appropriate Federal departments and agencies; and

(ii) as appropriate and consistent with section 314 of the International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001 (31 U.S.C. 5311 note), to financial institutions to assist the financial institutions in efforts to comply with laws aimed at curbing illicit finance; and

(B) appropriate efforts are undertaken to ensure that Federal departments and agencies charged with reducing and preventing illicit finance make thorough use of publicly available data in furtherance of this effort.

(6) The Role of the Private Financial Sector in Prevention of Illicit Finance.—A discus-
sion of ways to enhance partnerships between the private financial sector and Federal departments and agencies with regard to the prevention and detection of illicit finance, including—

(A) efforts to facilitate compliance with laws aimed at stopping such illicit finance while maintaining the effectiveness of such efforts; and

(B) providing guidance to strengthen internal controls and to adopt on an industry-wide basis more effective policies.

(7) ENHANCEMENT OF INTERGOVERNMENTAL COOPERATION.—A discussion of ways to combat illicit finance by enhancing—

(A) cooperative efforts between and among Federal, State, and local officials, including State regulators, State and local prosecutors, and other law enforcement officials;

(B) cooperative efforts with and between governments of countries and with and between multinational institutions, including the Financial Action Task Force, with expertise in fighting illicit finance.

(8) TREND ANALYSIS OF EMERGING ILICIT FINANCE THREATS.—A discussion of and data regarding trends in illicit finance, including evolving forms
of value transfer such as so-called cryptocurrencies, other methods that are computer, telecommunications, or Internet-based, cyber crime, or any other threats that the Secretary may choose to identify.

(9) B UDGET PRIORITIES.—A multiyear budget plan that identifies sufficient resources needed to successfully execute the full range of missions called for in this section.

(10) T ECHNOLOGY ENHANCEMENTS.—An analysis of current and developing ways to leverage technology to improve the effectiveness of efforts to stop the financing of terrorism and other forms of illicit finance, including better integration of open-source data.

TITLE III—DEFINITIONS

SEC. 301. DEFINITIONS.

In this Act—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on the Judiciary, Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives; and
(B) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, Committee on Armed Services, Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate;

(2) the term “appropriate Federal banking agencies” has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

(3) the term “Bank Secrecy Act” means—

(A) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b);

(B) chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.); and

(C) subchapter II of chapter 53 of title 31, United States Code;

(4) the term “illicit finance” means the financing of terrorism, money laundering, or other forms of illicit financing domestically or internationally, as defined by the President;

(5) the term “money services business” has the meaning given the term under section 1010.100 of title 31, Code of Federal Regulations;

(6) the term “Secretary” means the Secretary of the Treasury; and
(7) the term “State” means each of the several States, the District of Columbia, and each territory or possession of the United States.

Attest:

Secretary.