

108TH CONGRESS
1ST SESSION

H. J. RES. 58

Disapproving the rules submitted by the Secretary of the Treasury relating to section 326(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2003

Mr. TANCREDO introduced the following joint resolution; which was referred to the Committee on Financial Services

JOINT RESOLUTION

Disapproving the rules submitted by the Secretary of the Treasury relating to section 326(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001.

Whereas section 326(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 amended section 5318 of title 31, United States Code, to require the Secretary of the Treasury to draft regulations that, at a minimum, required financial institutions to implement procedures for verifying the identity of any person seeking to open an account, to the extent reasonable and practicable;

Whereas the Secretary of the Treasury issued final rules pursuant to that provision on April 30, 2003;

Whereas such rules, as promulgated, permit financial institutions to accept certain unverifiable forms of identification from “non-United States persons” in direct violation of the clear intent of Congress as expressed in section 326(a) of the USA PATRIOT Act;

Whereas there is abundant evidence of the non-verifiable and unreliable nature of identification documents issued by foreign governments to foreign nationals residing within the United States, including the “Matricula Consular” card issued by the Government of Mexico;

Whereas the Government of Mexico has acknowledged that there is no civil or criminal penalty for making false statements in its application for the “Matricula Consular” card;

Whereas many additional foreign governments will undoubtedly follow the example of Mexico if the United States Government gives formal sanction to the use of Mexico’s “Matricula Consular” identification cards; and

Whereas a massive number of unverifiable documents being used by foreign nationals within the United States poses a national security threat through a potential vast expansion of bank accounts used for the transfer of money abroad: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*
 3 That Congress disapproves the rules submitted by the Sec-
 4 retary of the Treasury relating to section 5318(l) of title
 5 31, United States Code, as amended by section 326(a) of

1 the Uniting and Strengthening America by Providing Ap-
2 propriate Tools Required to Intercept and Obstruct Ter-
3 rorism (USA PATRIOT ACT) Act of 2001, and such rule
4 shall have no force or effect.

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