

**Amendment Offered by Mrs. Kelly and Mr.
Royce**

**To the Amendment in the Nature of a
Substitute Offered by Mr. Oxley**

Page 24, after line 2, insert the following new section (and amend the table of contents accordingly):

1 **SEC. 2123. OFFICE OF TERRORISM AND FINANCIAL INTEL-**
2 **LIGENCE; COMPLIANCE.**

3 (a) IN GENERAL.—Subchapter I of chapter 3 of title
4 31, United States Code, is amended—

5 (1) by redesignating section 311 as section 312;

6 and

7 (2) by inserting after section 310 the following
8 new section:

9 **“§ 311. Office of Terrorism and Financial Intelligence**

10 “(a) ESTABLISHMENT.—The Office of Terrorism and
11 Financial Intelligence established by the Secretary of the
12 Treasury (hereafter in this section referred to as the ‘Of-
13 fice’ shall be an office in the Department of the Treasury.

14 “(b) HEAD.—The head of the Office shall be the
15 Under Secretary of the Treasury for Enforcement.



1 “(c) DUTIES.—In addition to such other duties as the
2 Secretary may delegate to the Under Secretary of the
3 Treasury for Enforcement, the duties of the Under Sec-
4 retary, as head of the Office, shall be—

5 “(1) to develop and implement United States
6 Government strategies to combat terrorist financing
7 domestically and internationally;

8 “(2) to develop United States Government poli-
9 cies relating to financial crimes;

10 “(3) to supervise the Assistant Secretary for In-
11 telligence, the Assistant Secretary for Terrorist Fi-
12 nancing, the Director of the Financial Crimes En-
13 forcement Network, all of whom shall report directly
14 to the Under Secretary, and such other officers or
15 employees of the Department of the Treasury as the
16 Secretary may designate;

17 “(4) to ensure the establishment and mainte-
18 nance, by the Director of the Financial Crimes En-
19 forcement Network, of an effective Office of Compli-
20 ance within the Financial Crimes Enforcement Net-
21 work; and

22 “(5) to carry out such other duties with respect
23 to the Office as the Secretary may delegate to the
24 Under Secretary under section 301.



1 “(d) AUTHORIZATION.—There are authorized to be
2 appropriated to the Secretary of the Treasury
3 \$13,500,000 for fiscal year 2005 to carry out the duties
4 delegated by the Secretary to the Under Secretary of the
5 Treasury for Enforcement, as head of the Office.”.

6 (b) FINCEN OFFICE OF COMPLIANCE.—Section 310
7 of title 31, United States Code, is amended—

8 (1) be redesignating subsection (d) (as amended
9 by section 2101 of this subtitle) as subsection (e);
10 and

11 (2) by inserting after subsection (c) the fol-
12 lowing new subsection:

13 “(d) OFFICE OF COMPLIANCE.—

14 “(1) ESTABLISHMENT.—There is established
15 within FinCEN the Office of Compliance which shall
16 be under the supervision of the Director of the Fi-
17 nancial Crimes Enforcement Network.

18 “(2) DUTIES.—The duties of the Director with
19 respect to the Office of Compliance shall include—

20 “(A) to support the examination functions
21 of the Federal banking agencies (as defined in
22 section 3 of the Federal Deposit Insurance Act)
23 and the National Credit Union Administration
24 that relate to matters within the concern of
25 FinCEN, including compliance by such agencies



1 with examination requirements under section
2 8(s) of the Federal Deposit Insurance Act and
3 section 206(q) of the Federal Credit Union Act;

4 “(B) to collect, analyze, and report on in-
5 formation received from such agencies and the
6 National Credit Union Administration;

7 “(C) to employ within the Office of Com-
8 pliance and supervise such number of auditors
9 and compliance officers as the Director deter-
10 mines to be appropriate;

11 “(D) to provide feedback and communicate
12 with such agencies and Administration on rel-
13 evant issues to provide maximum collaboration
14 and coordination among the agencies, the Ad-
15 ministration, FinCen, and the Secretary;

16 “(E) to report to the Secretary, through
17 the Under Secretary for Enforcement, any con-
18 cern of the Director with the degree of coopera-
19 tion and facilitation between FinCEN and any
20 such banking agency or the Administration, as
21 the case may be, including cooperation with the
22 Office of Compliance;

23 “(F) to oversee and supervise the imple-
24 mentation of anti-money laundering regulatory
25 regimes for nonbank financial institutions; and



1 “(G) such other duties as the Secretary or
2 the Undersecretary for Enforcement may dele-
3 gate to the Director with respect to the Office
4 of Compliance.”.

5 (c) CLERICAL AMENDMENT.—The table of sections
6 for subchapter I of title 3, United States Code, is
7 amended—

8 (1) by redesignating the item relating to section
9 311 as section 312; and

10 (2) by inserting after the item relating to sec-
11 tion 310 the following new item:

“311. Office of Terrorism and Financial Intelligence.”.

