

116TH CONGRESS
1ST SESSION

S. 2144

To require the Secretary of the Treasury to prepare a threat and operational analysis of the use of remittances by drug kingpins, crime syndicates, and other persons to finance terrorism, narcotics trafficking, human trafficking, money laundering, and other forms of illicit financing, domestically or internationally.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2019

Mr. CORNYN introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require the Secretary of the Treasury to prepare a threat and operational analysis of the use of remittances by drug kingpins, crime syndicates, and other persons to finance terrorism, narcotics trafficking, human trafficking, money laundering, and other forms of illicit financing, domestically or internationally.

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 “Remittances and
5 Money Laundering Risk Assessment Act of 2019”.

1 **SEC. 2. REMITTANCES AND MONEY LAUNDERING THREAT**

2 **ANALYSIS.**

3 (a) DEFINITIONS.—In this section—

4 (1) the term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on the Judiciary of the
7 Senate;

8 (B) the Committee on Homeland Security
9 and Governmental Affairs of the Senate;

10 (C) the Caucus on International Narcotics
11 Control of the Senate;

12 (D) the Committee on Banking, Housing,
13 and Urban Affairs of the Senate;

14 (E) the Committee on the Judiciary of the
15 House of Representatives;

16 (F) the Committee on Homeland Security
17 of the House of Representatives; and

18 (G) the Committee on Financial Services
19 of the House of Representatives;

20 (2) the term “drug kingpins, crime syndicates,
21 and other persons”, with respect to the use of remit-
22 tances to finance terrorism, narcotics trafficking,
23 human trafficking, money laundering, and other
24 forms of illicit financing, domestically or internation-
25 ally, means any persons who—

1 (A) are connected to individuals and orga-
2 nizations associated with financing terrorism,
3 narcotics trafficking, human trafficking, money
4 laundering, and other forms of illicit financing,
5 domestically or internationally; and

6 (B) have been designated as—

7 (i) a significant foreign narcotics traf-
8 ficker under the Foreign Narcotics King-
9 pin Designation Act (21 U.S.C. 1901 et
10 seq.);

11 (ii) a transnational criminal organiza-
12 tion under Executive Order 13581 (50
13 U.S.C. 1701 note; relating to blocking
14 property of transnational criminal organi-
15 zations); or

16 (iii) a Specially Designated Global
17 Terrorist under Executive Order 13224
18 (50 U.S.C. 1701 note; relating to blocking
19 property and prohibiting transactions with
20 persons who commit, threaten to commit,
21 or support terrorism);

22 (3) the term “human trafficking” has the
23 meaning given the term “severe forms of trafficking
24 in persons” in section 103 of the Trafficking Victims
25 Protection Act of 2000 (22 U.S.C. 7102);

1 (4) the term “money services business” has the
2 meaning given the term in section 1010.100 of title
3 31, Code of Federal Regulations, or any successor
4 regulation; and

5 (5) the term “money transmitting service” has
6 the meaning given the term in section 5330 of title
7 31, United States Code.

8 (b) ANALYSIS.—

9 (1) REQUIREMENT.—Not later than 1 year
10 after the date of the enactment of this Act, the Sec-
11 retary of the Treasury, in consultation with the At-
12 torney General, the Secretary of Homeland Security,
13 and the head of any other appropriate Federal law
14 enforcement agency, shall submit to the appropriate
15 congressional committees a threat and operational
16 analysis of the use of remittances by drug kingpins,
17 crime syndicates, and other persons to finance ter-
18 rorism, narcotics trafficking, human trafficking,
19 money laundering, and other forms of illicit financ-
20 ing, domestically or internationally.

21 (2) CONTENTS.—The Secretary of the Treasury
22 shall include in the threat and operational analysis
23 required under paragraph (1) the following:

24 (A) Current and potential threats posed by
25 individuals and organized groups seeking—

1 (i) to exploit security vulnerabilities
2 with respect to remittances and money
3 transmitting services; or

4 (ii) to unlawfully use remittances to
5 finance terrorism, narcotics trafficking,
6 human trafficking, money laundering, or
7 other forms of illicit financing, domesti-
8 cally or internationally.

9 (B) Methods and pathways used to exploit
10 security vulnerabilities.

11 (C) Challenges presented by identity theft
12 in the use of remittances and money transmit-
13 ting services.

14 (D) Improvements needed to enhance co-
15 operation between and among Federal, State,
16 and local officials, including State regulators,
17 State and local prosecutors, and other law en-
18 forcement officials.

19 (E) Improvements needed to enhance co-
20 operation between money services businesses
21 and Federal, State, and local officials, including
22 State regulators, State and local prosecutors,
23 and other law enforcement officials.

24 (3) ANALYSIS REQUIREMENTS.—In compiling
25 the threat and operational analysis required under

1 paragraph (1), the Secretary of the Treasury, in
2 consultation with the Attorney General, the Sec-
3 retary of Homeland Security, and the head of any
4 other appropriate Federal law enforcement agency,
5 shall consider and examine the personnel needs,
6 technology needs, and infrastructure needs of Fed-
7 eral law enforcement agencies.

8 (c) REMITTANCES STRATEGY AND IMPLEMENTATION
9 PLAN.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date on which the Secretary of the Treas-
12 ury submits the threat analysis under subsection (b),
13 and every 5 years thereafter for 10 years, the Sec-
14 retary of the Treasury, in consultation with the At-
15 torney General, the Secretary of Homeland Security,
16 and the head of any other appropriate Federal law
17 enforcement agency, shall submit to the appropriate
18 congressional committees a remittances strategy and
19 implementation plan.

20 (2) CONTENTS.—In preparing the remittances
21 strategy and implementation plan under paragraph
22 (1), the Secretary of the Treasury shall consider the
23 following:

24 (A) The remittances threat and operational
25 analysis required under subsection (b), with an

1 emphasis on efforts to mitigate threats and
2 challenges identified in the analysis.

3 (B) Efforts to reduce the use of remit-
4 tances and money transmitting services by drug
5 kingpins, crime syndicates, and other persons to
6 finance terrorism, narcotics trafficking, human
7 trafficking, money laundering, and other forms
8 of illicit financing, domestically or internation-
9 ally.

10 (C) Efforts to prevent human trafficking
11 and the unlawful movement of illicit drugs and
12 other contraband through the use of remit-
13 tances and money transmitting services, and
14 standards against which the effectiveness of
15 those efforts may be determined.

16 (D) Efforts to focus collection and infor-
17 mation analysis to disrupt transnational crimi-
18 nal organizations attempting to exploit security
19 vulnerabilities, and standards against which the
20 effectiveness of those efforts may be deter-
21 mined.

22 (E) Personnel, technology, and infrastruc-
23 ture needs of Federal law enforcement agencies.

24 (F) Efforts to prevent, detect, investigate,
25 and mitigate money laundering activities

1 through remittances and money transmitting
2 services, and standards against which the effec-
3 tiveness of those efforts may be determined.

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