

(C) in paragraph (4)(A)—
(i) by striking “requiring” and inserting “receiving”; and

(ii) by striking “suspicious transaction” and inserting “transaction relevant to a possible violation of a law or regulation”;

(D) in paragraph (4)(B), by striking “suspicious transaction” and inserting “transaction relevant to a possible violation of a law or regulation”;

(E) by adding at the end of paragraph (4) the following new subparagraph:

“(D) RECORDKEEPING.—The Secretary shall ensure that no report filed under this paragraph is maintained by the Secretary or any Federal or State law enforcement or supervisory agency to whom access to the report (or information therein) has been granted after the earlier of—

“(i) the end of the 4-year period beginning on the date the report was received; or

“(ii) 60 days after the expiration of the longest statute of limitations relating to any possible violation of a law or regulation identified in such report,

unless the report or information contained in the report is being used in an on-going investigation of a possible violation of a law or regulation identified in such report.”

(2) CLARIFICATION OF PURPOSES OF ANTI-MONEY LAUNDERING PROGRAM.—Section 5318(h) of title 31, United States Code, is amended by adding at the end the following new paragraph:

“(3) LIMITATION.—Notwithstanding paragraphs (1) and (2), the Secretary may not require or encourage an insured depository institution or any affiliate of an insured depository institution to—

“(A) determine the sources of funds used by any customer of the institution or affiliate in any transaction;

“(B) assess the purpose of any transaction or seek from the customer an explanation for the transaction;

“(C) determine what transactions are normal or expected for a customer;

“(D) monitor customer body language or behavior;

“(E) monitor customer transactions and compare them to historical patterns; or

“(F) report to the Secretary transactions that do not conform to a customer’s historical transaction patterns.

(3) CLERICAL AMENDMENTS.—

(A) The subsection heading for section 5318(g) is amended to read as follows:

“(g) REPORTING POSSIBLE VIOLATIONS OF LAWS AND REGULATIONS.—”

(B) The paragraph heading for section 5318(g)(4) of title 31, United States Code, is amended to read as follows:

“(4) SINGLE DESIGNEE FOR REPORTING TRANSACTIONS RELEVANT TO A POSSIBLE VIOLATION OF LAW OR REGULATION.—”

(d) INCREASE IN TRIGGER AMOUNT FOR CASH TRANSACTION REPORTS.—

(1) DOMESTIC.—Section 5313(a) of title 31, United States Code, is amended by adding at the end the following new sentence: “In no event may the Secretary require reports under this section for transactions involving less than \$25,000.”

(2) IMPORTING AND EXPORTING.—Section 5316(a) is amended by striking “\$10,000” each place such term appears and inserting “\$25,000”.

(e) AGENCY REPORTS ON RECONCILING PENALTY AMOUNTS.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Federal banking agencies (as defined in section 3 of the Federal Deposit Insurance Act) shall submit reports to the Congress containing proposed legislation to conform the penalties imposed on depository institutions (as defined in section 3 of the Federal Deposit Insurance Act) for violations of subchapter II of chapter 53 of

title 31, United States Code, to the penalties imposed on such institutions under section 8 of the Federal Deposit Insurance Act.

It was decided in the { Yeas 129
negative } Nays 299

¶74.26 [Roll No. 269]
AYES—129

- Aderholt Goss Pease
Archer Graham Peterson (MN)
Army Green (WI) Pickering
Barcia Gutknecht Pickett
Barr Hall (TX) Pitts
Bartlett Hastings (WA) Pombo
Barton Hayes Radanovich
Blunt Hayworth Reynolds
Boehner Hefley Riley
Bonilla Herger Rivers
Bono Hill (MT) Rohrabacher
Brady (TX) Hilleary Royce
Burr Hoekstra Ryan (WI)
Buyer Hostettler Ryan (KS)
Callahan Hulshof Sanford
Camp Callahan Hunter Scarborough
Campbell Istook Schaffer
Chabot Jenkins Sensenbrenner
Chenoweth Johnson, Sam Sessions
Clement Jones (NC) Sherwood
Coble Kingston Shuster
Coburn Largent Skeen
Collins LaTourette Smith (MI)
Combest Lewis (CA) Smith (NJ)
Cook Lewis (KY) Spence
Crane Linder Stearns
Cubin Lucas (OK) Stump
Deal Manullo Sununu
DeMint McMinn Tancredo
Doolittle McIntyre Taylor (MS)
Dreier McKeon Taylor (NC)
Duncan Metcalf Thornberry
Ehrlich Miller, Gary Tiaht
English Miller, George Toomey
Everett Mink Walden
Fletcher Moran (KS) Wamp
Gallegly Myrick Watkins
Gekas Nethercutt Watts (OK)
Gibbons Ney Weldon (FL)
Gillmor Norwood Weller
Goode Ose Wicker
Goodlatte Packard Woolsey
Goodling Paul Young (AK)

NOES—299

- Abercrombie Chambliss Forbes
Ackerman Clay Ford
Allen Claydon Fowler
Andrews Clyburn Frank (MA)
Bachus Condit Franks (NJ)
Baird Conyers Frelinghuysen
Baker Cooksey Frost
Baldacci Costello Ganske
Baldwin Cox Gejdenson
Ballenger Coyne Gephardt
Barrett (NE) Cramer Gilchrist
Barrett (WI) Crowley Gilman
Bass Cummings Gonzalez
Bateman Cunningham Gordon
Becerra Danner Granger
Bentsen Davis (FL) Greenwood
Bereuter Davis (IL) Gutierrez
Berkley Davis (VA) Hall (OH)
Berman DeFazio Hansen
Berry DeGette Hastings (FL)
Biggart Delahunt Hill (IN)
Billbray DeLauro Hilliard
Bilirakis DeLay Hinchey
Bishop Deutsch Hinojosa
Blagojevich Diaz-Balart Hobson
Bliley Dickey Hoefel
Blumenauer Dicks Holden
Boehler Dingell Holt
Bonior Dixon Hooley
Boswell Doggett Horn
Boucher Dooley Houghton
Boyd Doyle Hoyer
Brady (PA) Dunn Hutchinson
Brown (FL) Edwards Hyde
Brown (OH) Ehlers Inslee
Bryant Emerson Isakson
Burton Engel Jackson (IL)
Calvert Eshoo Jackson-Lee
Canady Etheridge (TX)
Cannon Evans Jefferson
Capps Ewing John
Capuano Farr Johnson (CT)
Cardin Fattah Johnson, E. B.
Carson Filner Jones (OH)
Castle Foley Kanjorski

- Kaptur Mollohan Sherman
Kasich Moore Shimkus
Kelly Moran (VA) Shows
Kennedy Morella Simpson
Kildee Murtha Sisisky
Kilpatrick Nadler Skelton
Kind (WI) Napolitano Slaughter
King (NY) Neal Smith (TX)
Klecza Northup Smith (WA)
Klink Nussle Snyder
Knollenberg Oberstar Souder
Kolbe Obey Spratt
Kucinich Oliver Stabenow
Kuykendall Ortiz Stark
LaFalce Owens Stenholm
LaHood Oxley Strickland
Lampson Pallone Stupak
Lantos Pascrell Stweeney
Larson Pastor Talent
Latham Payne Tanner
Lazio Peterson (PA) Tauscher
Leach Petri Tauzin
Lee Phelps Terry
Levin Pomeroy Thomas
Lewis (GA) Porter Thompson (CA)
LoBiondo Portman Thompson (MS)
Lofgren Price (NC) Thune
Lowey Pryce (OH) Thurman
Lucas (KY) Quinn Tierney
Sessions Luther Rahall Towns
Sherwood Maloney (CT) Ramstad Traficant
Shuster Maloney (NY) Rangel Turner
Skeen Markey Regula Udall (CO)
Smith (MI) Martinez Reyes Udall (NM)
Smith (NJ) Mascara Rodriguez Upton
Spence Matsui Roemer Velazquez
Stearns McCarthy (MO) Rogan Vento
Stump McCarthy (NY) Rogers Visclosky
Sununu McCollum Ros-Lehtinen Vitter
Tancredo McCrery Rothman Walsh
Taylor (MS) McDermott Roukema Waters
Taylor (NC) McGovern Roybal-Allard Watt (NC)
Thornberry McHugh Rush Waxman
Tiaht McIntosh Sabo Weiner
Toomey McKinney Salmon Weldon (PA)
Walden McNulty Sanchez Wexler
Wamp Meehan Sanders Weygand
Watkins Meek (FL) Sandlin Whitfield
Watts (OK) Meeks (NY) Sawyer Wilson
Weldon (FL) Menendez Saxton Wise
Weller Mica Schakowsky Wolf
Wicker Millender Scott Wu
Woolsey McDonald Serrano Wynn
Young (AK) Miller (FL) Shadegg Young (FL)
Minge Shaw
Moakley Shays

NOT VOTING—6

- Borski Fossella Lipinski
Brown (CA) Green (TX) Pelosi

So the amendment was not agreed to.

¶74.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. COOK:

Page 311, strike line 4 and all that follows through page 312, line 16 and insert the following new section (and amend the table of contents accordingly):

SEC. 241. STUDY OF LIMITING THROUGH REGULATION FEES ASSOCIATED WITH PROVIDING FINANCIAL PRODUCTS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress regarding the consequences of limiting, through regulation, commissions, fees, or other costs incurred by customers in the acquisition of financial products.

It was decided in the { Yeas 114
negative } Nays 313

¶74.28 [Roll No. 270]
AYES—114

- Aderholt Biggart Cannon
Archer Blunt Chambliss
Army Boehner Coburn
Bachus Bonilla Collins
Baker Boswell Cook
Barr Burton Cramer
Bartlett Buyer Crane
Bentsen Callahan Cubin