

By: Representative Guice

To: Sel Cmte on Hurricane
Recovery

HOUSE CONCURRENT RESOLUTION NO. 4

1 A CONCURRENT RESOLUTION URGING CONGRESS TO EASE CERTAIN
2 REQUIREMENTS OF THE BANK SECRECY ACT IN ORDER TO RELIEVE SOME OF
3 THE BURDENS OF THAT ACT ON BANKS AND POTENTIAL CUSTOMERS AFFECTED
4 BY HURRICANE KATRINA, AND URGING CONGRESS TO IMMEDIATELY CONSIDER
5 THE REGULATORY BURDEN REDUCTION BILL AND CONSIDER ALL OTHER BILLS
6 THAT WOULD GIVE THE FINANCIAL SERVICES INDUSTRIES THE ASSURANCES
7 THEY WILL NEED IN ORDER TO PROVIDE BASIC BANKING FUNCTIONS AT THIS
8 TIME WITHOUT LIABILITY.

9 WHEREAS, on August 29, 2005, Hurricane Katrina crashed into
10 the Mississippi Gulf Coast with massive force, causing substantial
11 damage and destruction throughout most of the southern counties of
12 the state; and

13 WHEREAS, the effects of the damage from this devastating
14 hurricane are deep and wide-ranging, and one of the industries
15 that is experiencing the impact in a number of critical ways is
16 the banking industry; and

17 WHEREAS, many banks are faced with an extraordinary amount of
18 large cash transactions in the aftermath of Hurricane Katrina as
19 the recovery effort continues, and the requirement of the federal
20 Bank Secrecy Act (BSA) to file Currency Transaction Reports in all
21 instances is burdensome and hinders the ability of the banks to
22 service their customers during this difficult time; and

23 WHEREAS, other provisions of the Bank Secrecy Act address the
24 pertinent information required in order to open an account, but
25 many displaced potential customers do not have all of the required
26 information, so financial institutions should be allowed to open
27 accounts for these customers without the fear of violating the BSA
28 requirements; and

29 WHEREAS, there are several bills pending or to be introduced
30 in Congress that would help the financial services industries

31 better and more efficiently provide services to their customers,
32 especially during this period of recovery from the effects of
33 Hurricane Katrina:

34 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
35 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING
36 THEREIN, That the Legislature urges the United States Congress to
37 ease certain requirements of the Bank Secrecy Act regarding the
38 filing of Currency Transaction Reports and the information
39 required in order to open an account, in order to relieve some of
40 the burdens of the BSA on banks and potential customers affected
41 by Hurricane Katrina.

42 BE IT FURTHER RESOLVED, That the Legislature urges Congress
43 to immediately consider the Regulatory Burden Reduction bill,
44 which will ultimately place the state banking system back in a
45 competitive position with the federal system, and will help state
46 financial institutions branch and engage in trust activities
47 across state lines to the same extent that institutions chartered
48 by the Office of Thrift Supervision and the Office of the
49 Comptroller of the Currency are able to do.

50 BE IT FURTHER RESOLVED, That the Legislature urges Congress
51 to immediately consider all bills that would give the financial
52 services industries the assurances they will need in order to
53 provide basic banking functions at this time without being subject
54 to any liability.

55 BE IT FURTHER RESOLVED, That copies of this resolution be
56 furnished to the Commissioner of Banking and Consumer Finance,
57 each member of the Mississippi Congressional Delegation and
58 members of the Capitol Press Corps.