

§ 2778) (relating to the exportation, intrasit, temporary import, or temporary export transactions).

b. Investigatory authority over violations of 18 U.S.C.

§ 1956(a)(2)(B)(ii), involving a reporting violation under 31 U.S.C. § 5316;

c. Investigatory authority over violations of 18 U.S.C. § 1956(a)(3) relating to violations within the investigatory jurisdiction of the U.S. Customs Service under paragraphs 2.a. and b.; and

d. Seizure and forfeiture authority and related authority under 18 U.S.C. § 981 relating to violations of 18 U.S.C. § 1956 or 1957 within the investigatory jurisdiction of the Customs Service under paragraphs 2.a., 2.b., and 2.c., and seizure authority under 18 U.S.C. § 981 relating to any other violation 18 U.S.C. § 1956 or 1957 if the bureau with investigatory authority is not present to make the seizure. Property seized under 18 U.S.C. § 981 where investigatory jurisdiction is with another bureau not present at the time of the seizure shall be turned over that bureau.

3. *Forfeiture Remission.* The Commissioner, United States Customs Service, is authorized to remit or mitigate forfeitures of property valued at not more than \$500,000 seized pursuant to paragraph 2.d.

4. *Redelegation.* The authority delegated by this directive may be redelegated.

5. *Coordination:*

a. If at any time during an investigation of a violation of 18 U.S.C. § 1956 or 1957, the U.S. Customs Service discovers evidence of a matter within the jurisdiction of another Treasury bureau or office, the U.S. Customs Service shall immediately notify that bureau or office with investigatory jurisdiction of the investigation and invite that bureau or office to participate in the investigation. The Commissioner, U.S. Customs Service, shall attempt to resolve disputes over investigatory jurisdiction with other Treasury bureaus at the field level or, in the case of the Office of Foreign Assets Control, at the headquarters level.

b. The Under Secretary (Enforcement) shall settle dispute that cannot be resolved by the bureaus. The Under Secretary (Enforcement) shall settle disputes over investigatory jurisdiction with the Internal Revenue Service in consultation with the Commissioner, Internal Revenue Service.

c. With respect to matters discovered within the investigatory jurisdiction of a Department of Justice bureau or the Postal Service, the U.S. Customs Service shall adhere to the provisions on notice

and coordination in the "Memorandum of Understanding Among the Secretary of the Treasury, the Attorney General and the Postmaster General Regarding Money Laundering Investigations," dated August 16, 1990, or any such subsequent memorandum of understanding entered pursuant to 18 U.S.C. § 1956(e) or 1957(e).

d. With respect to seizure and forfeiture operations and activities within its investigative jurisdiction, U.S. Customs Service shall comply with the policy, procedures, and directives developed and maintained by the Treasury Executive Office for Asset Forfeiture. Compliance will include adhering to the oversight, reporting, and administrative requirements relating to seizure and forfeiture contained in such policy, procedures, and directives.

6. *Ratification.* To the extent that any action heretofore taken consistent with this Directive may require ratification, it is hereby approved and ratified.

7. *Authorities:*

a. 18 U.S.C. §§ 542, 545, 659, 981, 1461-1463, 1465, 1956, 1957, 2251-52, 2314, 2320 and 2321.

b. 19 U.S.C. § 1590.

c. 21 U.S.C. § 863.

d. 22 U.S.C. § 2778.

e. 31 U.S.C. § 5316.

f. 50 U.S.C. App. § 16, 50 U.S.C. 1705, and App. 2410.

g. TO 101-05, "Reporting Relationships and Supervision of Officials, Offices and Bureaus, Delegation of Certain Authority, and Order of Succession in the Department of the Treasury," dated October 29, 1998 or successor documents.

h. TO 102-14, "Delegation of Authority with Respect to the Treasury Forfeiture Fund Act of 1992," dated January 10, 1995 or successor documents.

8. *Cancellation.* Treasury Directive 15-29, "Delegation of Authority to the Commissioner, United States Customs Service to Investigate Violations of 18 U.S.C. §§ 1956 and 1957," dated September 11, 1995, is superseded.

9. *Expiration Date.* This Directive shall expire three years from the date of issuance unless superseded or canceled prior to that date.

10. *Office of Primary Interest.* Office of the Under Secretary (Enforcement).

James E. Johnson,

Under Secretary (Enforcement).

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DEPARTMENT OF THE TREASURY

[Treasury Directive Number 15-42]

Delegation of Authority to the Commissioner, Internal Revenue Service, To Investigate Violations of 18 U.S.C. 1956 and 1957

January 21, 1999.

1. *Purpose.* This Directive delegates to the Commissioner, Internal Revenue Service (IRS), authority to investigate violations of 18 U.S.C. 1956 and 1957.

2. *Delegation.* By virtue of the authority vested in the Secretary of the Treasury by 18 U.S.C. 981, 1956(e), 1957(e) and the authority delegated to the Under Secretary (Enforcement) by Treasury Order (TO) 101-05, there is hereby delegated to the Commissioner, IRS:

a. Investigatory authority over violations of 18 U.S.C. 1956 and 1957 where the underlying conduct is subject to investigation under Title 26 or under the Bank Secrecy Act, as amended; or 31 U.S.C. 5311-5328 (other than violations of 31 U.S.C. 5316);

b. Seizure and forfeiture authority over violations of 18 U.S.C. 981 relating to violations of:

(1) 31 U.S.C. 5313 and 5324; and

(2) 18 U.S.C. 1956 and 1957 which are within the investigatory jurisdiction of IRS pursuant to paragraph 2.a.; and

c. Seizure authority relating to any other violation of 18 U.S.C. 1956 or 1957 if the bureau with investigatory authority is not present to make the seizure. Property seized under 18 U.S.C. 981 where investigatory jurisdiction is solely with another bureau not present at the time of the seizure shall be turned over to that bureau.

3. *Forfeiture Remission.* The Commissioner, IRS, is authorized to remit or mitigate forfeitures of property valued at not more than \$500,000 seized pursuant to paragraph 2.b.

4. *Redelegation.* The authority delegated by this directive may be redelegated.

5. *Coordination.*

a. If at any time during an investigation of a violation of 18 U.S.C. 1956 or 1957, IRS discovers evidence of a matter within the jurisdiction of another Treasury bureau, to the extent authorized by law, IRS shall immediately notify that bureau of the investigation and invite that bureau to participate in the investigation. The Commissioner, IRS, shall attempt to resolve disputes over investigatory jurisdiction with other Treasury bureaus at the field level.

b. The Under Secretary (Enforcement) shall settle disputes that cannot be

resolved by the bureaus in consultation with the Commissioner, IRS.

c. With respect to matters discovered within the investigatory jurisdiction of a Department of Justice bureau or the Postal Service, IRS shall adhere to the provisions on notice and coordination in the "Memorandum of Understanding Among the Secretary of the Treasury, the Attorney General and the Postmaster General Regarding Money Laundering Investigations," dated August 16, 1990, or any such subsequent memorandum of understanding entered pursuant to 18 U.S.C. 1956(e) or 1957(e).

d. With respect to seizure and forfeiture operations and activities within its investigative jurisdiction, IRS shall comply with the policy, procedures, and directives developed and maintained by the Treasury Executive Office for Asset Forfeiture. Compliance will include adhering to the oversight, reporting, and administrative requirements relating to seizure and forfeiture contained in such policy, procedures, and directives.

6. *Ratification.* To the extent that any action heretofore taken consistent with this Directive may require ratification, it is hereby approved and ratified.

7. *Authorities.*

a. 18 U.S.C. 981, 1956 and 1957.

b. 31 U.S.C. 5311-5328 (other than violations of 31 U.S.C. 5316).

c. TO 101-05, "Reporting Relationships and Supervision of Officials, Offices and Bureaus, Delegation of Certain Authority, and Order of Succession in the Department of the Treasury," dated October 29, 1998, or successor documents.

d. TO 102-14, "Delegation of Authority with Respect to the Treasury Forfeiture Fund Act of 1992," dated January 10, 1995, or successor documents.

8. *Cancellation.* Treasury Directive 15-42, "Delegation of Authority to the Commissioner, Internal Revenue Service to Perform Functions Under the Money Laundering Control Act of 1986, as amended," dated September 11, 1995, is superseded.

9. *Expiration Date.* This Directive shall expire three years from the date of issuance unless superseded or canceled prior to that date.

10. *Office of Primary Interest.* Office of the Under Secretary (Enforcement).

James E. Johnson,

Under Secretary (Enforcement).

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DEPARTMENT OF THE TREASURY

[Treasury Order Number 101-05]

Reporting Relationships and Supervision of Officials, Offices and Bureaus, Delegation of Certain Authority, and Order of Succession in the Department of the Treasury

January 7, 1999.

By virtue of the authority vested in the Secretary of the Treasury, including the authority vested by 31 U.S.C. 321(b), and Executive Order (E.O.) 11822, dated December 10, 1974, it is ordered that:

1. The Deputy Secretary shall report directly to the Secretary.

2. The Chief of Staff shall report directly to the Secretary and shall exercise supervision over the Director, Secretary's Scheduling Office, and the Executive Secretary.

3. The Executive Secretary shall report directly to the Chief of Staff and shall exercise supervision over the functions of the Executive Secretariat Correspondence Unit; the Office of Public Correspondence; and, for purposes of administrative and managerial control, over the Special Assistant to the Secretary (National Security). The Special Assistant to the Secretary (National Security) shall report to the Secretary and the Deputy Secretary.

4. The following officials shall report through the Deputy Secretary to the Secretary and shall exercise supervision over those officers and organizational entities set forth on the attached organizational chart:

Under Secretary (International Affairs)
Under Secretary (Domestic Finance)
Under Secretary (Enforcement)
General Counsel
Assistant Secretary (Legislative Affairs and Public Liaison)
Assistant Secretary (Public Affairs)
Assistant Secretary (Economic Policy)
Assistant Secretary (Tax Policy)
Assistant Secretary (Management) and
Chief Financial Officer
Commissioner of Internal Revenue
Comptroller of the Currency
Director, Office of Thrift Supervision

5. The Inspector General and the Treasury Inspector General for Tax Administration shall report to and be under the general supervision of the Secretary and the Deputy Secretary.

6. The Assistant Secretary (Management) serves as the Department's Chief Financial Officer pursuant to Chapter 9 of Title 31, U.S.C., and serves as the Department's Chief Operating Officer for purposes of the Presidential Memorandum, "Implementing Management Reform in

the Executive Branch," dated October 1, 1993.

7. The Deputy Assistant Secretary (Information Systems) reporting to the Assistant Secretary (Management) and Chief Financial Officer is designated as the Department's Chief Information Officer pursuant to Division E of the Clinger-Cohen Act of 1996, and E.O. 13011, dated July 16, 1996, and shall have direct access to the Secretary to the extent required by that Act and related statutes.

8. The Deputy Secretary is authorized, in that official's own capacity and that official's own title, to perform any functions the Secretary is authorized to perform and shall be responsible for referring to the Secretary any matter on which action would appropriately be taken by the Secretary. Any action heretofore taken by the Deputy Secretary in that official's own title is hereby affirmed and ratified as the action of the Secretary.

9. The Under Secretaries, the General Counsel, and the Assistant Secretaries are authorized to perform any functions the Secretary is authorized to perform. Each of these officials will ordinarily perform under this authority only functions which arise out of, relate to, or concern the activities or functions of, or the laws administered by or relating to, the bureaus, offices, or other organizational units over which the incumbent has supervision. Each of these officials shall perform under this authority in the official's own capacity and the official's own title and shall be responsible for referring to the Secretary any matter on which action would appropriately be taken by the Secretary. Any action heretofore taken by any of these officials in that official's own title is hereby affirmed and ratified as the action of the Secretary.

10. The following officials shall, in the order of succession indicated, act as Secretary of the Treasury in case of the death, resignation, absence or sickness of the Secretary and other officers succeeding the incumbent, until a successor is appointed, or until the absence or sickness shall cease:

a. Deputy Secretary;

b. The following individuals, in the order of the date on which they were first appointed to a position within the Department requiring appointment by the President by and with the advice and consent of the Senate:

- Under Secretary (International Affairs);
 - Under Secretary (Domestic Finance); and
 - Under Secretary (Enforcement);
- c. General Counsel; and