

## **A BILL**

To abolish the Financial Crimes Enforcement Network, repeal section 310 of title 31, United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Financial Crimes Enforcement Network Abolition Act of 2026”.

### **SECTION 2. FINDINGS.**

Congress finds the following:

(1) The Financial Crimes Enforcement Network (FinCEN), a component of the Department of the Treasury, administers the Bank Secrecy Act, collects reports of financial transactions from banks and other businesses, and maintains financial intelligence databases.

(2) The functions of the FinCEN are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.

(3) The FinCEN exercises lawmaking power by issuing rules and standards that carry the force of law, contrary to Article I, Section 1, which vests “All legislative Powers herein granted” in the Congress alone, which may not transfer them to officers unaccountable to the people at the ballot box.

(4) By collecting reports of the private financial transactions of Americans without warrants issued upon probable cause, the FinCEN infringes the Fourth Amendment’s protection of “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,” and its requirement that no warrants shall issue “but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

(5) By compelling private persons to report on themselves and others, the FinCEN violates the Due Process Clause and Self-Incrimination Clause of the Fifth Amendment, which provide that no person shall “be deprived of life, liberty, or property, without due process of law” and that no person “shall be compelled in any criminal case to be a witness against himself”.

(6) By assessing civil penalties without a jury, the FinCEN denies Americans the Seventh Amendment’s guarantee that “In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.”

(7) By imposing penalties disproportionate to any offense, the FinCEN subjects Americans to penalties and forfeitures that may be grossly disproportionate to any offense, contrary to the Eighth Amendment's command that excessive fines shall not be "imposed."

(8) In carrying out its functions, the FinCEN disregards the Ninth Amendment, which provides that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(9) The Constitution delegates to the United States no power over the private financial affairs of the people. By compelling financial institutions to report the private transactions of Americans and maintaining databases of those reports, the FinCEN exercises powers that the Tenth Amendment reserves "to the States respectively, or to the people," contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as "few and defined" and those remaining in the States as "numerous and indefinite."

(10) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive "their just powers from the consent of the governed," and it charged the Crown with having "erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance." The FinCEN perpetuates the centralized administration the Declaration condemned.

(11) Abolishing the Financial Crimes Enforcement Network and repealing section 310 of title 31, United States Code, will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

### **SECTION 3. ABOLITION OF THE FINANCIAL CRIMES ENFORCEMENT NETWORK.**

(a) In General.—The Financial Crimes Enforcement Network, a component of the Department of the Treasury, is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Financial Crimes Enforcement Network, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Financial Crimes Enforcement Network shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Financial Crimes Enforcement Network shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

#### **SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE FINANCIAL CRIMES ENFORCEMENT NETWORK.**

(a) In General.—Section 310 of title 31, United States Code, and any other provision of law establishing the Financial Crimes Enforcement Network or vesting functions in the Financial Crimes Enforcement Network, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the Financial Crimes Enforcement Network and to any office, officer, or function established in or vested in the Financial Crimes Enforcement Network;

(2) terminating every function of the Financial Crimes Enforcement Network, no part of which shall be reassigned to any other department or agency of the Federal Government; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Financial Crimes Enforcement Network.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

#### **SECTION 5. TRANSITION PROVISIONS.**

(a) No Restoration of Prior Structures.—No element of the Financial Crimes Enforcement Network shall revert to its organizational structure as it existed prior to the establishment of the Financial Crimes Enforcement Network, and no function of the Financial Crimes Enforcement Network shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Financial Crimes Enforcement Network abolished by this Act.

#### **SECTION 6. SEVERABILITY.**

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.