

Chris Ferreby was raised outside of Rochester, in Fairport. He is survived by a wife, Amy and a newborn child, Tyler. Amy recalls her husband as being able to "always make you laugh" and willing to "do anything for his friends."

Our thoughts and prayers are with the families of these two men. Their heroism, bravery and selfless dedication to our country will not be forgotten.

COMMENDING THE ACADEMIC  
ACHIEVEMENTS OF STUDENTS  
FROM WILLISTON NORTH-  
AMPTON SCHOOL IN  
EASTHAMPTON, MA

### HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 3, 2001*

Mr. OLVER. Mr. Speaker, I rise to congratulate the students of Williston Northampton School in Easthampton, MA for their excellence in academic competition. Under the tutelage of Mr. Peter Gun, these young people have shown an acute knowledge of the Constitution and its Amendments, in particular the Bill of Rights.

On April 21–23, 2001 more than 1200 students from across the country will be in Washington, DC to demonstrate their expertise in American government and represent their home states as part of the "We the People . . . The Citizen and the Constitution" program, sponsored in part by the U.S. Department of Education. I am pleased to announce the class from Williston Northampton School will participate on behalf of the Commonwealth of Massachusetts.

Mr. Gun's students have taken a strong interest in the principles that govern our nation. Through their studies, they have become aware of the founders' efforts to fashion an enduring republic. Through their accomplishments, they have shown a keen understanding of the political process, its participants and the laws that will ensure America's continued vitality.

It is an honor to recognize such a meritorious group.

### SHED LIGHT ON HIDDEN FEES

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 3, 2001*

Mr. GUTIERREZ. Mr. Speaker, on March 29 I introduced the "Wire Transfer Fairness and Disclosure Act of 2001," a bill to require additional disclosures relating to exchange rates in transfers involving international transactions. Sixty-two representatives currently support this important legislation.

Immigrants throughout the United States work hard, save money and send billions of dollars to relatives living in foreign countries. The money sent home helps finance basic needs ranging from food and medicine to education to new homes. Unfortunately, customers wiring money to Mexico are often losing millions of dollars to undisclosed "currency conversion fees" charged by giant firms such as Western Union and MoneyGram.

Wire Transfer companies aggressively target audiences in immigrant communities with ads promising low rates for international transfers. However, such promises are grossly misleading particularly for those with ties to Mexico or other Latin American countries, since companies do not always clearly disclose extra fees charged for converting dollars into Mexican pesos. While large wire service companies typically obtain pesos at bulk bargain rates, they charge a significant currency conversion fee to their U.S. customers. The exchange rate charged to customers sending U.S. dollars to Mexico routinely varies from the benchmark rates by as much as 15 percent. The profits from these hidden currency conversion fees are staggering, allowing companies to reap millions of dollars more than they make from service fees.

To address these problems, this Act requires full disclosure of all fees involved in all money-wiring transactions. More specifically, the bill requires that any financial institution or money transmitting business which initiates an international money transfer on behalf of a consumer (whether or not the consumer maintains an account at such institution or business) shall provide the following disclosures:

The exchange rate used by the financial institution or money transmitting business in connection with such transaction.

The exchange rate prevailing at a major financial center of the foreign country whose currency is involved in the transaction, as of the close of business on the business day immediately preceding the date of the transaction (or the official exchange rate, if any, of the government or central bank of such foreign country).

All commissions and fees charged by the financial institution or money transmitting business in connection with such transaction.

The exact amount of foreign currency to be received by the recipient in the foreign country, which shall be disclosed to the consumer before the transaction is consummated and printed on the receipt given to the consumer.

Mr. Speaker, I submit the full text of this pro-consumer legislation for the record and I urge my colleagues to support this important legislation.

H.R. 1306

*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 "Wire Transfer Fairness and Disclosure Act of 2001".

#### SEC. 2. DISCLOSURE OF EXCHANGE RATES IN CONNECTION WITH INTERNATIONAL MONEY TRANSFERS.

(a) IN GENERAL.—The Electronic Fund Transfer Act (15 U.S.C. 1693 et seq.) is amended—

(1) by redesignating sections 918, 919, 920, and 921 as sections 919, 920, 921, and 922, respectively; and

(2) by inserting after section 917 the following new section:

#### "SEC. 918. DISCLOSURE OF EXCHANGE RATES IN CONNECTION WITH INTERNATIONAL MONEY TRANSFERS.

"(a) DEFINITIONS.—

"(1) INTERNATIONAL MONEY TRANSFER.—The term 'international money transfer' means any money transmitting service involving an international transaction which is provided by a financial institution or a money transmitting business.

"(2) MONEY TRANSMITTING SERVICE.—The term 'money transmitting service' has the

meaning given to such term in section 5330(d)(2) of title 31, United States Code.

"(3) MONEY TRANSMITTING BUSINESS.—The term 'money transmitting business' means any business which—

(A) provides check cashing, currency exchange, or money transmitting or remittance services, or issues or redeems money orders, travelers' checks, and other similar instruments; and

(B) is not a depository institution (as defined in section 5313(g) of title 31, United States Code).

"(b) EXCHANGE RATE AND FEES DISCLOSURES REQUIRED.—

"(1) IN GENERAL.—Any financial institution or money transmitting business which initiates an international money transfer on behalf of a consumer (whether or not the consumer maintains an account at such institution or business) shall; provide the following disclosures in the manner required under this section:

"(A) The exchange rate used by the financial institution or money transmitting business in connection with such transaction.

"(B) The exchange rate prevailing at a major financial center of the foreign country whose currency is involved in the transaction, as of the close of business on the business day immediately preceding the date of the transaction (or the official exchange rate, if any, of the government or central bank of such foreign country).

"(C) All commissions and fees charged by the financial institution or money transmitting business in connection with such transaction.

"(D) The exact amount of foreign currency to be received by the recipient in the foreign country, which shall be disclosed to the consumer before the transaction is consummated and printed on the receipt referred to in paragraph (3).

"(2) PROMINENT DISCLOSURE INSIDE AND OUTSIDE THE PLACE OF BUSINESS WHERE AN INTERNATIONAL MONEY TRANSFER IS INITIATED.—The information required to be disclosed under subparagraphs (A), (B) and (C) of paragraph (1) shall be prominently displayed on the premises of the financial institution or money transmitting business both at the interior location to which the public is admitted for purposes of initiating an international money transfer and on the exterior of any such premises.

"(3) PROMINENT DISCLOSURE IN ALL RECEIPTS AND FORMS USED IN THE PLACE OF BUSINESS WHERE AN INTERNATIONAL MONEY TRANSFER IS INITIATED.—The information required to be disclosed under paragraph (1) shall be prominently displayed on all forms and receipts used by the financial institution or money transmitting business when initiating an international money transfer in such premises.

"(c) ADVERTISEMENTS IN PRINT, BROADCAST, AND ELECTRONIC MEDIA AND OUTDOOR ADVERTISING.—The information required to be disclosed under subparagraphs (A) and (C) of subsection (b)(1) shall be included—

"(1) in any advertisement, announcements, or solicitation which is mailed by the financial institution or money transmitting business and pertains to international money transfer; or

"(2) in any print, broadcast, or electronic medium or outdoor advertising display not on the premises of the financial institution or money transmitting business and pertaining to international money transfer.

"(d) DISCLOSURES IN LANGUAGES OTHER THAN ENGLISH.—The disclosures required under this section shall be in English and in the same language as that principally used by the financial institution or money transmitting business, or any of its agents, to advertise, solicit, or negotiate, either orally or