



governmentattic.org

"Rummaging in the government's attic"

Description of document: Financial Crimes Enforcement Network (FinCEN)
Financial Intelligence Unit (FIU) Orientation Presentation
for international visitors, 2018(?)

Requested date: 27-February-2019

Release date: 02-April-2019

Posted date: 10-June-2019

Source of document: FOIA Request
FinCEN Disclosure Office
PO Box 39
Vienna, VA 22183
Email: FinCENFOIA@fincen.gov
[Treasury Online FOIA Request Form](#)

The governmentattic.org web site ("the site") is a First Amendment free speech web site, and is noncommercial and free to the public. The site and materials made available on the site, such as this file, are for reference only. The governmentattic.org web site and its principals have made every effort to make this information as complete and as accurate as possible, however, there may be mistakes and omissions, both typographical and in content. The governmentattic.org web site and its principals shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to have been caused, directly or indirectly, by the information provided on the governmentattic.org web site or in this file. The public records published on the site were obtained from government agencies using proper legal channels. Each document is identified as to the source. Any concerns about the contents of the site should be directed to the agency originating the document in question. GovernmentAttic.org is not responsible for the contents of documents published on the website.



Financial Crimes Enforcement Network
U.S. Department of the Treasury

Washington, D.C. 20220

April 2, 2019

Case Numbers: FinCEN 19-081-F
goFOIA 2019-03-009

This letter responds to your Freedom of Information Act request dated February 27, 2019, addressed to the Financial Crimes Enforcement Network (FinCEN) FOIA Office, seeking, "...a copy of the most recent FIU (financial intelligence unit) Orientation Presentation for international visitors." Your request has been processed under the FOIA, 5 U.S.C. § 552 and being released to you in full.

Fees

There are no fees associated with processing this request because the fees incurred do not exceed the minimum threshold necessary for charge.

Administrative Appeal

In the event that you wish to appeal this determination, an administrative appeal may be made in writing to FOIA FinCEN P.O. Box 39 Vienna, VA 22183. Please be sure to clearly mark "FOIA/PA Appeal" on both the letter and envelope. Your appeal **must be submitted within 90 days** from the date of this determination. It should contain your FOIA request number and, to the extent possible, the reasons why you believe the initial determination should be reversed. In addition, the envelope in which the appeal is mailed should be prominently marked "FOIA Appeal." Please note that the determination of the appeal will be administratively final.

If you have any questions pertaining to your request, please feel free to contact the FOIA Office at email FinCENFOIA@fincen.gov.

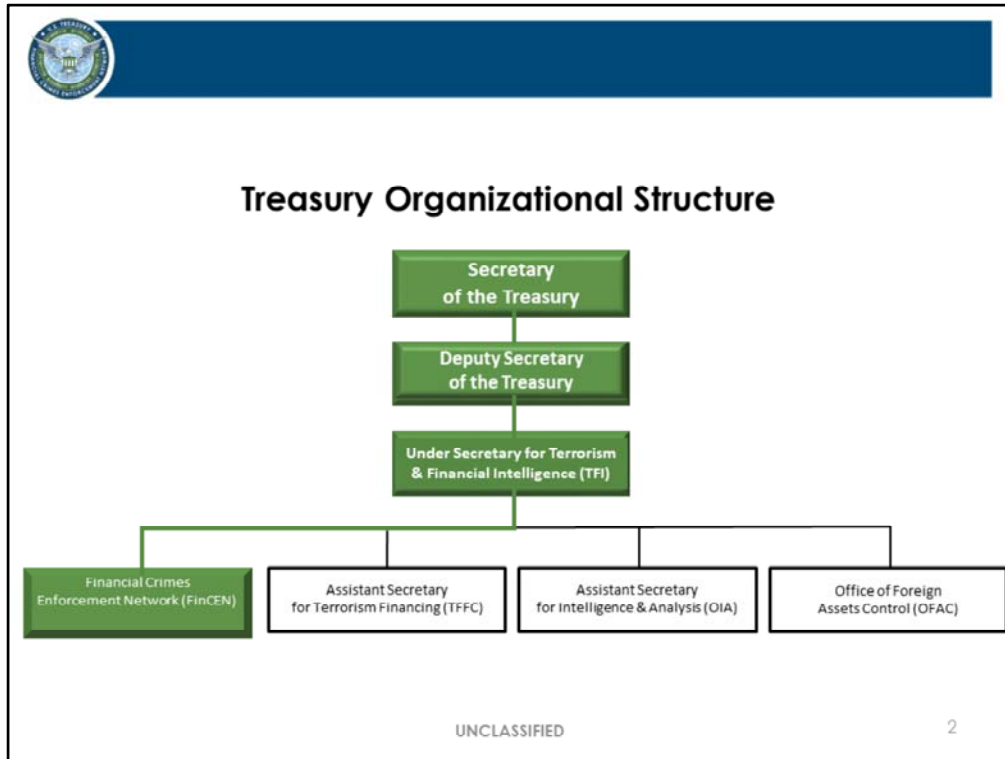
Sincerely,

Rosemary Law
FOIA Officer

Summary:
Number of Pages Released in Full: 26



Financial Crimes Enforcement Network (FinCEN)



approximately 340 Employees

- Analysts
- Attorneys
- Administrators and Managers
- Regulatory Specialists
- Technology Experts
- International Specialists
- Federal Agents

FinCEN's History

- Established on April 25, 1990 with Treasury Order 105-08
- After 9/11, FinCEN obtained Bureau status (31 U.S.C. 310)
- Director reports to the Under Secretary for TFI
- Serves as the Financial Intelligence Unit for the United States

DEPARTMENT OF THE TREASURY ORDER

DATE: April 25, 1990 NUMBER: 105-08

SUBJECT: Establishment of the Financial Crimes Enforcement Network

By virtue of the authority vested in me as the Secretary of the Treasury, including authority in 31 U.S.C. 321(b), it is ordered that:

1. The Financial Crimes Enforcement Network ("FinCEN") is hereby established as an office in the Office of the Assistant Secretary (Enforcement). The Director of FinCEN shall report directly to, and operate under guidelines and policies established by, the Assistant Secretary (Enforcement). Staff assistance and advice on day-to-day matters and policy issues shall be provided to FinCEN by the Deputy Assistant Secretary (Law Enforcement) and staff. Close coordination between the FinCEN staff and the Deputy Assistant Secretary (Law Enforcement) and staff will be required.
2. The mission of FinCEN is to provide a governmentwide, multi-source intelligence and analytical network in support of the detection, investigation, and prosecution of domestic and international money laundering and other financial crimes by Federal, State, local, and foreign law enforcement agencies.
3. The Director of FinCEN is responsible for:
 - a. directing a core staff composed of Departmental Offices employees and other personnel detailed to FinCEN, including experts from the U.S. Customs Service, the Internal Revenue Service, other Federal law enforcement bureaus, financial institution regulatory agencies, and private industry to centralize and combine expertise on both the national and international financial systems and the detection and prevention of money laundering and other financial crimes.

UNCLASSIFIED
3

In its mission to "safeguard the financial system from the abuses of financial crime, including terrorist financing, money laundering and other illicit activity," the Financial Crimes Enforcement Network acts as the designated administrator of the Bank Secrecy Act (BSA). The BSA was established in 1970 and has become one of the most important tools in the fight against money laundering. Since then, numerous other laws have enhanced and amended the BSA to provide law enforcement and regulatory agencies with the most effective tools to combat money laundering. An index of anti-money laundering laws since 1970 with their respective requirements and goals are listed below in chronological order.

Bank Secrecy Act (1970)
 Money Laundering Control Act (1986)
 Anti-Drug Abuse Act of 1988
 Annunzio-Wylie Anti-Money Laundering Act (1992)
 Money Laundering Suppression Act (1994)
 Money Laundering and Financial Crimes Strategy Act (1998)
 Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act)
 Intelligence Reform & Terrorism Prevention Act of 2004

<https://www.fincen.gov/history-anti-money-laundering-laws>



FinCEN's Mission

- To safeguard the financial system from illicit use.
- Combat money laundering.
- Promote national security through the collection, analysis, and dissemination of financial intelligence and strategic use of financial authorities.



FinCEN's Statutory Duties & Powers (31 U.S.C. 310):

- Maintaining a government-wide data access service with a range of financial transactions information
- Analysis and dissemination of information in support of law enforcement investigatory professionals at the Federal, State, Local, and International levels
- Determine emerging trends and methods in money laundering and other financial crimes
- Serve as the Financial Intelligence Unit of the United States
- Carry out other delegated regulatory responsibilities

UNCLASSIFIED

4

- Administering the Bank Secrecy Act (BSA)
- Supporting LE, prosecutors, intelligence, and regulatory agencies through sharing and analysis of financial intelligence
- Building global cooperation with our counterpart financial intelligence units



Priorities

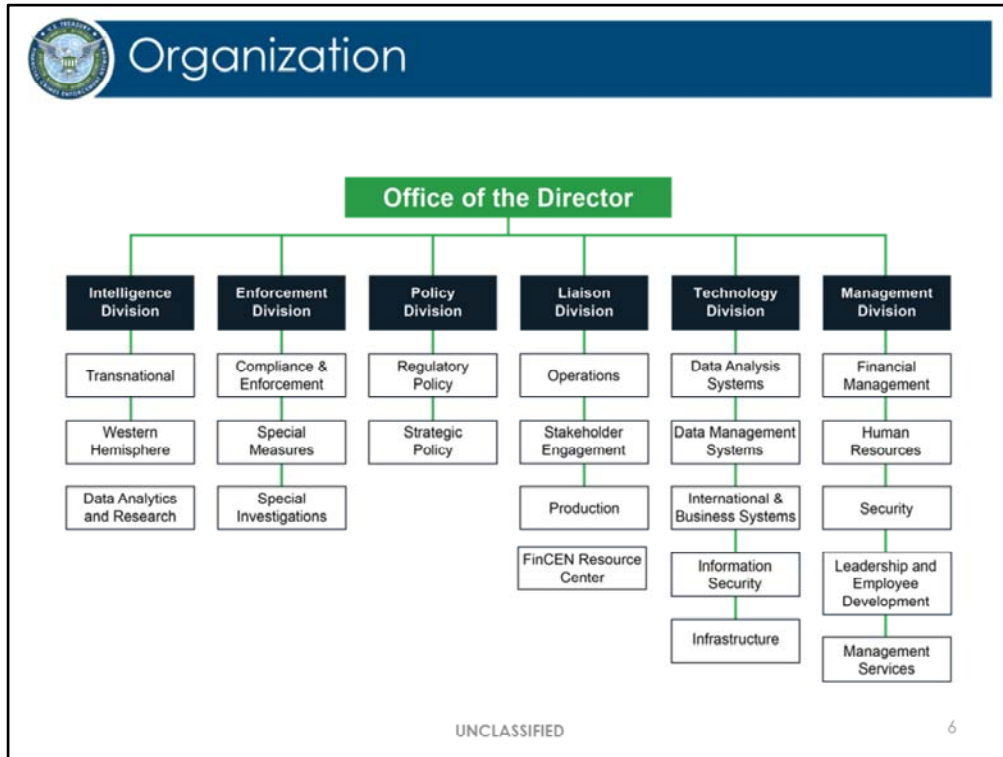
- Compromised Financial Institutions/Third Party Money Launderers
- Transnational Organized Crime
- Cyber Threats
- Significant Fraud
- Transnational Security Threats



UNCLASSIFIED 5

- Strengthening the ability of FinCEN to implement its unique statutory authorities including Section 311 of the USA Patriot Act (31 U.S.C. 5318A) and Geographic Targeting Orders in order to protect the U.S. financial system from exposure to foreign jurisdictions, financial institutions and classes of transactions of primary money laundering concern.
- Strengthening the ability of FinCEN to respond to the evolving nature of financial crime and money laundering including cyber threats to financial institutions, cybercrime, and exploitation of emerging payment systems, such as cryptocurrency.
- Strengthening the ability of FinCEN to provide meaningful regulatory coverage for the non-bank financial sector which includes a vast myriad of financial institutions ranging from money services businesses, to casinos, to precious metals, stone and jewelry industry and virtual currency exchangers – these non-bank financial institutions account for approximately \$700 billion in transactions and could serve as entry points for money laundering and terrorist financing.
- Building capacity to respond to innovation in the financial sector and to enact associated regulatory reform as needed. As industry evolves to embrace innovations such as machine learning, artificial intelligence, and digital identity, FinCEN must build capacity to engage in information sharing and exchange, provide space for industry to demonstrate new technologies to ensure compliance with the BSA regime and understand advances in these fields.

- Bolster the ability to protect BSA and other data collected by FinCEN. FinCEN currently has agreements with law enforcement and other official users for access to FinCEN data, including sharing on a bulk data basis. FinCEN needs to ensure that such access and data is secured and controlled and requires additional resources to audit usage by those entities and compliance with MOUs.
- Update existing technologies to ensure that systems are able to handle increasingly large volumes of data. FinCEN must also be equipped with leading edge capabilities and state-of-the art analytical tools to analyze that data.



approximately 340 Employees

- Analysts
- Attorneys
- Administrators and Managers
- Regulatory Specialists
- Technology Experts
- International Specialists
- Federal Agents



Key Authorities

Bank Secrecy Act

- Nation's first and most comprehensive anti-money laundering statute
- A series of reporting and record keeping requirements to document suspicious or large cash transactions
- Powerful tool for preventing corruption of the financial system

USA PATRIOT Act of 2001

- Title III: International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001
- Facilitates the prevention, detection and prosecution of international money laundering and the financing of terrorists
- Establishes special measures:
 - Additional recordkeeping or reporting;
 - Collection of beneficial ownership information;
 - Collection of payable-through account information;
 - Collection of correspondent account information; and
 - Conditions or prohibitions on maintaining correspondent accounts.

UNCLASSIFIED

7


The Bank Secrecy Act or BSA is the nation's first and most comprehensive anti-money laundering law. Despite its name, this law applies to far more than banking, and it's more of an anti-secrecy law.

The Act was passed in 1970 to fight money laundering and other financial crimes. It was designed to pierce the veil of secrecy formerly cloaking financial transactions. The law is one of the nation's most powerful weapons for preventing corruption of the U.S. financial system by criminals.

The Bank Secrecy Act record keeping and reporting requirements create a "paper trail" of certain deposits, withdrawals, transfers, and other transactions. This trail helps to deter illegal activity and provides a way to "follow the money" by tracing its movement through the financial system.


Anti-money laundering programs enable institutions to defend themselves by protecting their institutions from criminal abuse.

An anti-money laundering program requires policies and procedures, naming a compliance officer, the use of independent audits, and training for the institution's employees.



Who is required to file

- Depository Institutions
- Casinos
- Money Services Businesses
- Securities, Brokers/Dealers, Mutual Funds, & Futures
- Housing GSEs
- Loan or Finance Companies
- Credit Card System Operators
- Insurance Companies
- Mortgage Companies



UNCLASSIFIED

8

- Depository Institutions
 - Banks & Trusts (federal and state chartered)
 - Savings & Thrift Institutions (federal and state chartered)
 - Credit Unions
- Money Services Businesses
 - (USPS, Western Union etc.)



REPORTING

CTR

Currency Transaction Report

Report of transactions exceeding \$10,000

SAR

Suspicious Activity Report

Report of suspicious transactions

CMIR

Currency and Monetary Instruments Report

International transportation of currency or
monetary instruments exceeding \$10,000

8300

Report of Cash Received in a Trade or Business

Transactions totaling more than \$10,000 in
purchases over 12 months



Analytical Value

- Over **200 million** BSA records representing the most recent 11 years of filings
- FinCEN utilizes state of the art technology to research and analyze BSA data
- These tools enable FinCEN analysts to support complex reactive and proactive cases:
 - FinCEN Query
 - Advanced tools



UNCLASSIFIED

10

FinCEN Query is the primary search tool used by our MOU holders for accessing BSA data and offers basic and advanced query options and the ability to import lists

FinCEN Query is a web-based search engine that has nearly 9,000 federal, state, and local law enforcement and regulatory users who conduct approximately 18,000 queries each day

Advanced tools enable hundreds of Federal, state, and local agencies, as well as FinCEN analysts, the ability to research and analyze BSA data

Advanced Analytics encompasses technology that allows FinCEN analysts to analyze and integrate information, receive proactive alerts, and perform tactical intelligence



FinCEN Intelligence Cycle

5. Planning and Direction

Rule-making and the FinCEN Advisory Program are used to direct FinCEN's collection of financial intelligence

Using BSAAG to develop a framework to communicate coordinated collection priorities to industry

4. Dissemination

- FinCEN query handles 30,000 queries/day
- Since its launch in 2005, SAR Stats, a public Web-based tool, has been accessed nearly 1.7 million times
- Responded to 868 Egmont requests in FY 2018
- 1,076 Terrorist Financing Flash Reports in FY 2018

Expanding our dissemination system and move away from point to point delivery



3. Analysis

Leader in emergent financial sectors such as virtual currencies, deep expertise in money laundering and mapping illicit finance networks.

Analytic expertise shifting from tactical case support for law enforcement to include more strategic assessments of trends

1. Collection

One of the largest financial sources in the world with extraordinary targeted collection powers (e.g., 311, 314, GIO, FFA, Egmont)

Intelligence is from hundreds of thousands of sources

2. Data Processing and Exploitation

Business Rules system established to provide customers rapid knowledge of key developments and potential targets for further regulatory and/or criminal action

Exploiting BSA data in creative combinations with open source, specialized and commercial data sources

UNCLASSIFIED

2




Regulatory Role

- FinCEN issues and interprets regulations authorized by statute to protect the integrity of the U.S. financial system and to increase transparency by focusing on risks that expose the financial system to abuse.
- FinCEN develops guidance and issues administrative rulings to clarify financial industry responsibilities and obligations under the BSA.
- FinCEN produces advisories to alert financial institutions of specific illicit finance risks, helping to prevent illicit actors from accessing the financial system and providing additional BSA reporting on suspicious transactions.




UNCLASSIFIED

12



Financial Advisories

- Explain typologies of illicit activity
- Provide** financial industry with indicators that **facilitate** monitoring
- More effective** anti-money laundering programs and suspicious activity reporting
- Communicate **emerging risks** to the financial industry



FIN 2016-A005

Advisory

Advisory to Financial Institutions on Cyber-Events and Cyber-Enabled Crime

October 25, 2016

Cybercriminals target the financial system to defraud financial institutions and bank customers and to further other illegal activities. Financial institutions can play an important role in protecting the U.S. financial system from these threats.

The proliferation of cyber-events and cyber-enabled crime represents a significant threat to consumers and the U.S. financial system. The Financial Crimes Enforcement Network (FinCEN) issues this advisory to assist financial institutions in understanding their Bank Secrecy Act (BSA) obligations regarding cyber-events and cyber-enabled crime. This advisory also highlights how BSA reporting helps U.S. authorities combat cyber-events and cyber-enabled crime.

Through this advisory FinCEN advises financial institutions on:

- Reporting cyber-enabled crime and cyber-events through Suspicious Activity Reports (SARs);
- Including relevant and available cyber-related information (e.g., Internet Protocol (IP) addresses with timestamps, virtual-wallet information, device identifiers) in SARs;
- Collaborating between BSA/Anti-Money Laundering (AML) units and in-house cybersecurity units to identify suspicious activity; and
- Sharing information, including cyber-related information, among financial institutions to guard against and report money laundering, terrorism financing, and cyber-enabled crime.

This Advisory should be shared with:

- Cybersecurity units
- Network administrators
- Risk departments
- Fraud prevention units
- BSA/AML management
- AML intelligence units
- AML analysts/investigators

For the purpose of this advisory:

Cyber-Event: An attempt to compromise or gain unauthorized electronic access to electronic systems, services, resources, or information.

Cyber-Enabled Crime: Illegal activities (e.g., fraud, money laundering, identity theft) carried out or facilitated by electronic systems and devices, such as networks and computers.

UNCLASSIFIED

13

In addition to regulations and guidance, financial institution advisories are an important policy tool to communicate information to the financial industry on risks, and how those risks can be detected and managed. This information sharing helps to harden the financial system against abuse and focuses industry attention on priority areas and produces valuable reporting to FinCEN.

Advisories are founded on two basic points that are central to counter-money laundering programs.

- First, criminals need to use financial institutions to launder money and often deliberately structure their transactions to appear legitimate in order to avoid detection. Therefore, financial institutions are in a unique position to assess transactions which lack commercial justification or cannot be explained by normal commerce. It would be nearly impossible to do our job without the help of businesses who see money launderers first and up close—that is, banks and other financial institutions.
- Second, working in partnership with the financial community requires that we provide it with the information it needs to help us prevent and detect financial crime—information which describes the trends and patterns revealed through the investigatory and regulatory process.


The advisories, as well as other FinCEN publications, are designed to attempt to describe those clues and developments which may indicate criminal financial activity. We will need

your advice. What situations are you seeing which should be made known to our readers? What topic is of particular interest to your organization?

How can we best reach our goal of information exchange?


Advisories will convey different types of information. Some advisories will focus on general trends and developments that you, in the financial, regulatory and law enforcement communities should know. Other advisories will focus on the effect of those developments on specific obligations under the Bank Secrecy Act (BSA).

<https://www.fincen.gov/sites/default/files/advisory/advisu1.pdf>



Enforcement

- Examine for Compliance with the BSA
- Impose Monetary Penalties** against Financial Institutions and Individuals **for violations** of the BSA
- Seek Injunctions in federal district court** and/or **negotiate undertakings** against financial institutions and individuals for violations of the BSA, including industry bars
- Custodian of records
- Handle incoming complaints (violations of BSA)



UNCLASSIFIED
14

Authority for conducting examinations for compliance with FinCEN's regulations has been delegated to the Federal regulatory agencies with respect to the financial institutions they supervise (OCC, FDIC, Federal Reserve, NCUA, SEC, CFTC). Compliance examination activities for other regulated financial institutions has been delegated to the IRS.

The agencies refer to FinCEN cases of significant BSA violations or deficiencies.

FinCEN has responsibility for enforcement actions for violations of the BSA.

Selected enforcement authorities, including CMIR and FBAR, have been re-delegated.

Examination of Records:

The Director of FinCEN, and any agency to which compliance has been delegated under 31 § CFR 1010.810, may examine any books, papers, records, or other data of domestic financial institutions relevant to the recordkeeping or reporting requirements of the BSA.

Summons:

For any investigation for civil enforcement of the BSA, the Director may summon a financial institution or any employee of a financial institution or any person in possession of BSA records to give testimony and produce these records.

What is a "311 Action"?

When the Director of FinCEN has reasonable grounds to conclude that a jurisdiction outside of the United States, a financial institution operating outside of the United States, a class of transactions within or involving a jurisdiction outside of the United States or a type of account is of primary money laundering concern, the Director may require 1 or more of the following (31 U.S.C. § 5318A):

1. Additional recordkeeping or reporting;
2. Collection of beneficial ownership information;
3. Collection of payable-through account information;
4. Collection of correspondent account information; and
5. Conditions or prohibitions on maintaining correspondent accounts.

What is a Geographic Targeting Order?

When the Director of FinCEN has reasonable grounds to conclude that additional recordkeeping or reporting is necessary to carry out the purposes and prevent evasions of the BSA, the Director may issue an order, effective for no more than 180 days, requiring domestic financial institutions or nonfinancial trades or businesses in a geographic area to (31 U.S.C. § 5326):

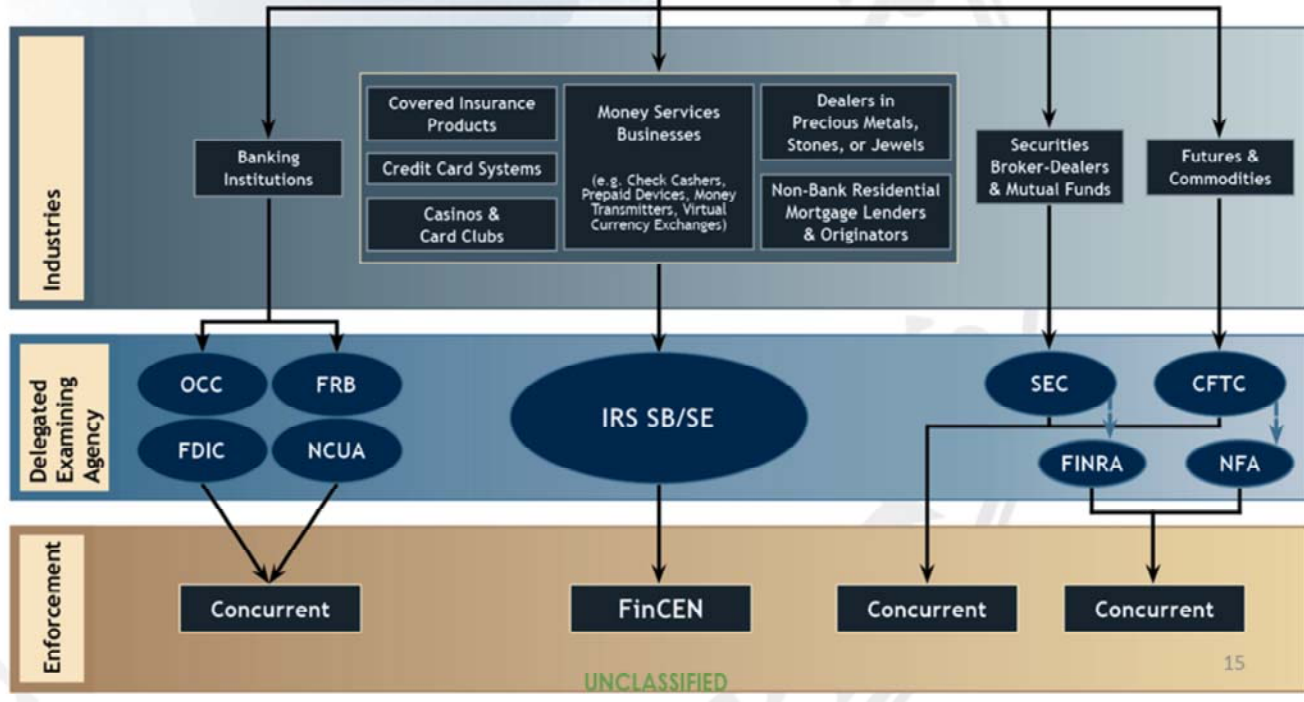
1. Obtain information related to transactions in coins, currency, or monetary instruments;
2. Maintain a record of the information for a period of time determine by the Director; and
3. File a report on the specified transaction



FinCEN's Bank Secrecy Act Examination Oversight



31 C.F.R. 1010.810 Overall authority for enforcement and compliance, including coordination and direction of procedures and activities of all other agencies exercising delegated authority under this chapter, is delegated to the Director, FinCEN.





Key Enforcement Tools

- **Demand Letter**
 - Requires covered financial institutions to maintain certain records on funds transfers of \$3,000 or greater under the BSA
 - Demand Letters can be issued to financial institutions to require the production of international funds transfers to FinCEN
- **Foreign Financial Agencies (FFA)**
 - Requires specified financial institutions to file reports of transactions to or from designated foreign financial agencies
- **Geographic Targeting Order (GTO)**
 - Imposes additional recordkeeping or reporting requirements in support of or at the request of a law enforcement of regulatory agency on domestic financial institutions or other businesses in a specific geographic area.
 - Provides additional information on any transaction involving currency or monetary instruments and any person participating in such a transaction
- **Self-initiated Section 314(a) Request**
 - Requires financial institutions to search their records and identify if they have responsive information with respect to the subject of an investigation
 - Accounts maintained by the named subject during the preceding 12 months and transactions conducted within the last 6 months are covered

UNCLASSIFIED

16

Authority for conducting examinations for compliance with FinCEN's regulations has been delegated to the Federal regulatory agencies with respect to the financial institutions they supervise (OCC, FDIC, Federal Reserve, NCUA, SEC, CFTC). Compliance examination activities for other regulated financial institutions has been delegated to the IRS.

The agencies refer to FinCEN cases of significant BSA violations or deficiencies.

FinCEN has responsibility for enforcement actions for violations of the BSA.

Selected enforcement authorities, including CMIR and FBAR, have been re-delegated.

Examination of Records:

The Director of FinCEN, and any agency to which compliance has been delegated under 31 § CFR 1010.810, may examine any books, papers, records, or other data of domestic financial institutions relevant to the recordkeeping or reporting requirements of the BSA.

Summons:

For any investigation for civil enforcement of the BSA, the Director may summon a financial institution or any employee of a financial institution or any person in possession of BSA records to give testimony and produce these records.

What is a "311 Action"?

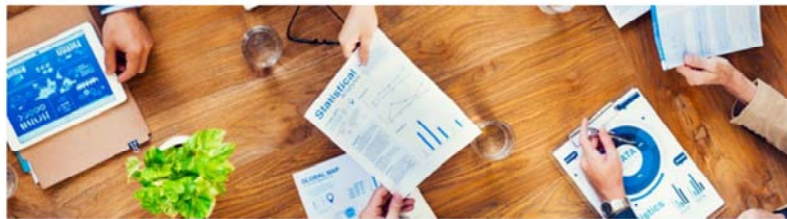
When the Director of FinCEN has reasonable grounds to conclude that a jurisdiction outside of the United States, a financial institution operating outside of the United States, a class of transactions within or involving a jurisdiction outside of the United States or a type of account is of primary money laundering concern, the Director may require 1 or more of the following (31 U.S.C. § 5318A):

1. Additional recordkeeping or reporting;
2. Collection of beneficial ownership information;
3. Collection of payable-through account information;
4. Collection of correspondent account information; and
5. Conditions or prohibitions on maintaining correspondent accounts.



Information Sharing

- Bank Secrecy Act Advisory Group (BSAAG)
- Information sharing on a global scale through **Egmont (159 FIUs)** and domestically through **314 (a) Program**
- Production Management: **Dissemination of Intelligence Products**




UNCLASSIFIED

17


The Bank Secrecy Act Advisory Group or BSAAG serves as the principal forum in which issues relating to the administration of the BSA are discussed. The Director of FinCEN, who chairs the BSAAG, is responsible for ensuring that relevant issues are placed before the group for review, analysis, and discussion so that it may make policy recommendations to the Secretary of the Treasury.

Global Outreach works to establish and strengthen mechanisms for the exchange of information globally, and to engage, encourage, and support international partners in taking necessary steps to construct regimes to combat money laundering, terrorist financing, and other financial crimes. Global Outreach responds to requests from Egmont Group of FIUs, as well as acts as a conduit for requests from domestic law enforcement to foreign FIUs.





Global Outreach also facilitates a wide array of operational engagements to foreign governments, providing policy recommendations and guidance, analytical training, technological advice, and staff support in order to foster the implementation of anti-money laundering and counter-terrorism financing regimes worldwide.



Egmont Group of Financial Intelligence Units



Global forum of FIUs that promotes international cooperation and information exchange among FIUs in the fight against money laundering and the financing of terrorism. The attributes of this FIU-to-FIU global network are unparalleled, and include:

-  **Transparent, Legal Basis for Collecting and Sharing Financial Intelligence**
-  **Network Intended to Benefit Third Parties**
-  **Secure Technology Connection**
-  **Clear Operating Rules and Disciplinary Process**

» Membership

159 members | **20** observers

Secretariat
Toronto, Canada

FinCEN is the Financial Intelligence Unit for the United States

UNCLASSIFIED 18

155 FIUs and 20 Observers

Text: Global forum of FIUs that promotes international cooperation and information exchange among FIUs in the fight against money laundering and the financing of terrorism.

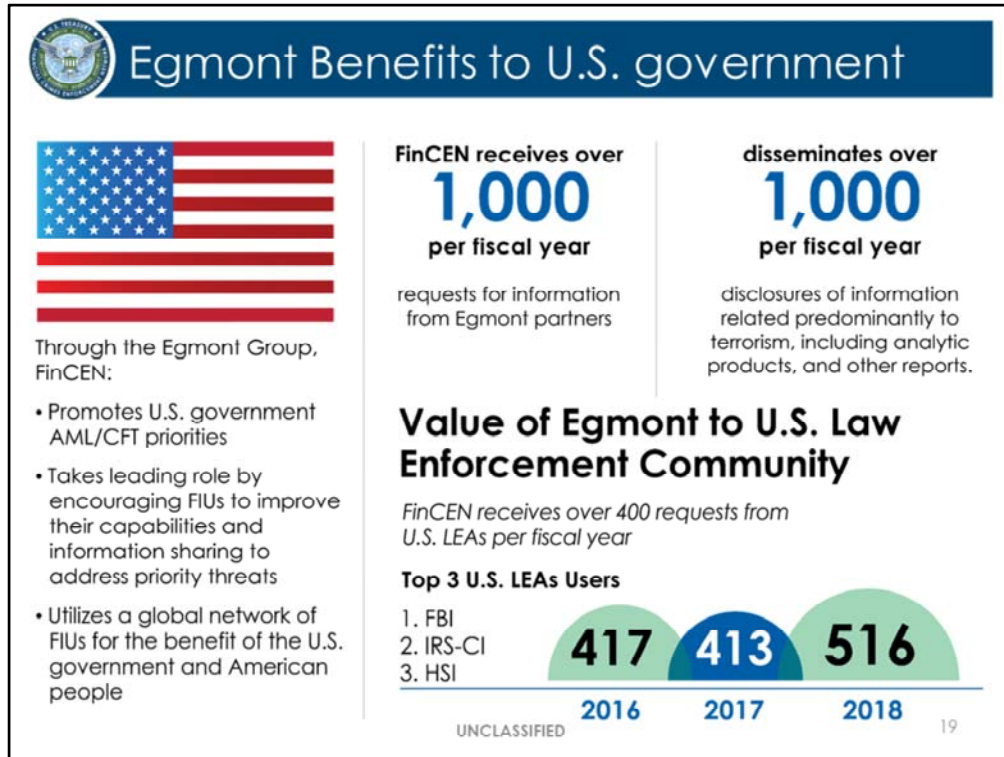
Since each FIU has an extensive network of public and private partners within its jurisdiction, the Egmont Group connects 155 FIUs, the Egmont Secretariat and, to a more limited extent, observer organizations with one another. The attributes of this FIU-to-FIU global network are unparalleled, and include:

Transparent, Legal Basis for Collecting and Sharing Intelligence

Secure Technology Connection (FinCEN administers the ESW)

Network Intended to Benefit Third Parties

Clear Operating Rules and Disciplinary Process



Core Objectives

- Expanding and enhancing international cooperation among FIUs
- Supporting members' implementation of the revised AML/CFT standards of the Financial Action Task Force
- Increasing FIUs effectiveness through training and sharing operational best practices
- Fostering secure communication through technology
- Promoting the establishment of FIUs in jurisdictions with nascent AML/CFT regimes



Safeguarding BSA & SARs

- Law enforcement personnel may use the information from a SAR in connection with an official investigation.
- However, there may be no disclosure of the fact that a SAR exists, or that a SAR has been filed, to any person outside of the law enforcement agency.

31 USC § 5318(g)(2)(A)

SARs may not be:

- Used in an affidavit to support a warrant
- Shown to witnesses
- Given to anyone outside of the investigation
- Disclosed in discovery



Generally **cannot be used** in open court

UNCLASSIFIED

20

A SAR may not be referred to in an indictment, a warrant, a subpoena, or used in court without FinCEN's permission.

Also, SARs should not be placed in case files for discovery purposes.

As a general rule, SARs should be treated and used in a manner similar to the utilization of confidential informant or source information.

The SAR should be used as lead information that, when further investigated, may produce evidence of criminal activity.



BSA Access

BSA reporting available to LE and regulators through FinCEN Portal

- Agencies must sign an MOU agreements with FinCEN
- Currently, FinCEN has 429 MOU to share BSA data
- Subject to audits

Eleven Law Enforcement agencies on-site/FinCEN

- Deconfliction
- Egmont
- Coordinate with HQ and the field
- Educate agents on FinCEN capabilities



UNCLASSIFIED

21



Questions

UNCLASSIFIED