

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

**FinCENnews**

FinCEN's web site is located at: <http://www.fincen.gov>



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### **FinCEN seeks industry input on feasibility of collection of cross-border wire transfer data**

The Financial Crimes Enforcement Network today announced it is issuing a survey to banking and financial services industry trade groups seeking information about the feasibility and impact of implementing a cross-border wire transfer reporting requirement under the Bank Secrecy Act. The survey, which is required by the Intelligence Reform and Prevention Act of 2004, is part of an ongoing study into the feasibility of imposing a requirement that financial institutions report to FinCEN records that they currently maintain concerning international wire transfers. The American Bankers Association, the Institute of International Bankers, the Credit Union National Association, the Independent Community Bankers of America and representatives of major money wire services are assisting in this effort by distributing this survey to their membership.

“If we can identify data in cross-border wire transfer records that helps protect economic and national security and find a workable way to efficiently collect that data – all while protecting and preserving its integrity - it will enormously strengthen our efforts,” said Robert W. Werner, FinCEN’s Director. “At the same time, we need to ensure that we do not impose regulatory requirements on the industry without the promise of real anti-money laundering and anti-terrorist funding benefits. This survey seeks to help us understand that regulatory impact and we encourage recipients to respond.”

On December 17, 2004, President Bush signed into law S. 2845, the Intelligence Reform and Terrorism Prevention Act of 2004 (Act). Section 6302 of the Act directs the Secretary of the Treasury to study the feasibility of “requiring such financial institutions as the Secretary determines to be appropriate to report to the Financial Crimes Enforcement Network certain cross-border electronic transmittals of funds, if the Secretary determines that reporting of such transmittals is reasonably necessary to conduct the efforts of the Secretary against money laundering and terrorist financing.” The Act requires the Secretary to issue these regulations by December of 2007.

Prior to any such regulations taking effect, the Act requires that the Secretary certify that the technical capability to receive, store, analyze, and disseminate the information is in place. The

Act also requires that, in preparation for implementing the regulation and data collection system, the Treasury must study and report to Congress the feasibility of implementing such regulations.

The survey will support other efforts to complete the feasibility study. Canada, Australia and many other countries already have systems in place to collect this information. FinCEN is closely collaborating with the Australian Transaction Reports and Analysis Center (AUSTRAC), the global leader in this technology, and intends to contract with them for a demonstration of the AUSTRAC system's compatibility with current FinCEN technology. FinCEN is also soliciting help from several large wire service providers to borrow data to run through an in-house, secure, proof-of-concept system. This data, already required by law to be maintained and recorded, can then be easily accessed and cross-referenced with the Currency Transaction Reports and Suspicious Activity Reports that FinCEN currently warehouses.

Information collected from these transfers will provide authorized law enforcement agencies with valuable pieces to the terrorist funding and money laundering puzzles.

The feasibility study is expected to be delivered to Congress by late spring 2006.

Attachment:

[Financial Institution Survey Regarding Cross-Border Electronic Transmittals of Funds](#)

[Proposed Collection: Cross-Border Electronic Transmittals of Funds Survey \(71 FR 14289\) Notice and Request for Comments – March 21, 2006](#)