

such media (31 CFR 103.36(c)). Required records must be maintained for five years. (31 CFR 103.38).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Business and other for-profit institutions.

*Burden:* 31 CFR 103.36(a)&(b)(1)–(8). The estimated number of recordkeepers is 480. The estimated annual recordkeeping burden per recordkeeper is 100 hours, for a total estimated annual recordkeeping burden of 48,000.

31 CFR 103.36(b)(9). The estimated number of recordkeepers is 480. The estimated annual recordkeeping burden per recordkeeper is 7.5 hours, for a total estimated annual recordkeeping burden of 3,600 hours.

31 CFR 103.36(b)(11). The estimated number of recordkeepers is 62. The estimated number of transactions is 215,000 annually and the total estimated annual recordkeeping burden is 686 hours.

31 CFR 103.36(c). The estimated number of respondents is 480. The estimated annual recordkeeping burden per recordkeeper is 4 hours, for a total estimated annual recordkeeping burden of 1,920 hours.

13. *Title:* Additional records to be made and retained by currency dealers or exchangers (31 CFR 103.37 and 103.38).

*OMB Number:* 1506–0009.

*Abstract:* A currency dealer or exchanger must make and maintain a record of the taxpayer identification number of certain persons for whom a transaction account is opened or a line of credit is extended, and must maintain a list containing the names, addresses, and account or credit line numbers of those persons from whom it has been unable to secure such information. A currency dealer or exchanger must retain the original or a copy of certain documents, as specified in section 103.37. The required records must be maintained for five years (31 CFR 103.38).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Business and other for-profit institutions.

*Burden:* The estimated number of recordkeepers is 2,300. The estimated annual recordkeeping burden per recordkeeper is 16 hours, for a total estimated annual recordkeeping burden of 368,000 hours.

14. *Title:* Nature of records and retention period (31 CFR 103.38).

*OMB Number:* 1506–0009.

*Abstract:* Records required to be retained by a financial institution under 31 CFR part 103 must be retained for 5 years, except for records or reports required under section 103.26 which shall be retained for the period of time specified in the targeting order imposing the recordkeeping or reporting requirement to which the particular retention period relates.

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* The burden for this regulation is reflected in the reporting and recordkeeping provisions of 31 CFR part 103.

15. *Title:* Special rules for casinos (31 CFR 103.64, 103.36(b)(10), and 103.38).

*OMB Number:* 1506–0009.

*Abstract:* This section provides special rules for casinos, including the requirement that casinos maintain a written compliance program.

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Business and other for-profit institutions.

*Burden:* The estimated number of recordkeepers is 480. The estimated annual recordkeeping burden per recordkeeper is 100, for a total estimated annual recordkeeping burden of 48,000 hours.

16. *Title:* Administrative rulings (31 CFR 103.81–87).

*OMB Number:* 1506–0009.

*Abstract:* These sections address administrative rulings under the Bank Secrecy Act. They explain how to submit a ruling request (103.81), how nonconforming requests are handled (103.82), how oral communications are treated (103.83), how rulings are issued (103.85), how rulings are modified or rescinded (103.86), and how information [in connection with a ruling may be disclosed (103.87).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Individuals, businesses or for-profit institutions, and non-profit institutions.

*Burden:* The estimated number of responses is 60 annually, with a burden

of 1 hour per submission, for a total annual burden of 60 hours. The following paragraph applies to all the collections of information addressed in this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Records required to be retained under the Bank Secrecy Act must be retained for five years. Generally, information collected pursuant to the Bank Secrecy Act is confidential, but may be shared as provided by law with regulatory and law enforcement authorities.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance and purchase of services to provide information.

Dated: December 14, 2004.

**William J. Fox,**

*Director, Financial Crimes Enforcement Network.*

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## DEPARTMENT OF THE TREASURY

**RIN 1505–AA87**

### **Financial Crimes Enforcement Network; Agency Information Collection Activities; Proposed Collection; Comment Request**

**AGENCY:** Financial Crimes Enforcement Network (FinCEN), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** In order to comply with the requirements of the Paperwork Reduction Act of 1995, FinCEN intends to submit the information collections addressed in this notice for a three-year extension of approval by the Office of

Management and Budget ("OMB"). Prior to submission of the extension request, FinCEN is soliciting comment on those information collections 31 CFR 103.177.

**DATES:** Written comments should be received on or before February 18, 2005.

**ADDRESSES:** You may submit comments, identified by 1505-AA87, by any of the following methods:

- Federal e-rulemaking portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- E-mail: [regcomments@fincen.treas.gov](mailto:regcomments@fincen.treas.gov). Include RIN 1505-AA87 in the subject line of the message.

- Mail: FinCEN, P.O. Box 39, Vienna, VA 22183. Include RIN 1505-AA87 in the body of the text.

**Instructions:** It is preferable for comments to be submitted by electronic mail because paper mail in the Washington, DC, area may be delayed. Please submit comments by one method only. All submissions received must include the agency name and the Regulatory Information Number (RIN) for this rulemaking. All comments received will be posted without change to <http://www.fincen.gov>, including any personal information provided. Comments may be inspected at FinCEN between 10 a.m. and 4 p.m., in the FinCEN reading room in Washington, DC. Persons wishing to inspect the comments submitted must request an appointment by telephoning (202) 354-6400 (not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Office of Regulatory Programs, FinCEN, (202) 354-6400; and Office of Chief Counsel, FinCEN, at (703) 905-3590 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** The Bank Secrecy Act ("BSA"), Titles I and II of Public Law 91-508, as amended, codified at 12 U.S.C. 1829(b), 12 U.S.C. 1951-1959, and 31 U.S.C. *et seq.*, authorizes the Secretary of the Treasury, *inter alia*, to issue regulations requiring records and reports that are determined to have a high degree of usefulness in criminal, tax and regulatory matters. Title III of the USA PATRIOT Act of 2001, Pub. L. 107-56, included certain amendments to the anti-money laundering provisions of Title II of the BSA, 31 U.S.C. 5311 *et seq.*, which are intended to aid in the prevention, detection and prosecution of international money laundering and terrorist financing. Regulations implementing Title II of the BSA appear at 31 CFR part 103. The authority of the Secretary of the Treasury to administer Title II of the BSA has been delegated to the Director of FinCEN.

The information collected and retained under the regulation addressed

in this notice assist federal, state, and local law enforcement as well as regulatory authorities in the identification, investigation and prosecution of money laundering and other matters. In accordance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), and its implementing regulations, the following information is presented concerning the information collection below.<sup>1</sup>

**Title:** Correspondent Accounts for Foreign Shell Banks; Recordkeeping and Termination of Correspondent Accounts for Foreign Banks (31 CFR 103.177).

**OMB Number:** 1505-AA87.

**Abstract:** Covered financial institutions are prohibited from maintaining correspondent accounts for foreign shell banks (31 CFR 103.177(a)(1)). Covered financial institutions that maintain correspondent accounts for foreign banks must maintain records of owner(s) of the foreign bank and the names and address of a person residing in the United States who is authorized to accept service of legal process for the foreign bank. (31 CFR 103.177(a)(2)). Covered financial institutions may satisfy these requirements by using the sample certification and re-certification forms contained in Appendices A and B of this regulation. Records of documents relied upon by a financial institution for purposes of this regulation must be maintained for at least five years after the date that the financial institution no longer maintains a correspondent account for such foreign bank (31 CFR 103.177(e)).

**Current Action:** There is no change to the existing regulations.

**Type of Review:** Extension of a currently approved collection notice.

**Affected Public:** Businesses or for profit institutions, and non-profit institutions.

**Burden:** The estimated average annual reporting burden associated with Appendix A is 20 hours per respondent; the estimated average annual reporting burden associated with Appendix B is 5 hours per respondent; and the estimated average recordkeeping burden associated with section 103.177(e) is 9 hours per recordkeeper.

The following paragraph applies to the collection of information addressed in this notice. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of

information unless the collection of information displays a valid OMB control number. Records required to be retained under the BSA must be retained for five years. Generally, information collected pursuant to the BSA is confidential, but may be shared as provided by law with regulatory and law enforcement authorities.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance and purchase of services to provide information.

**William J. Fox,**

*Director.*

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## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

[Docket No. 04-25]

### FEDERAL RESERVE SYSTEM

[Docket No. OP-1218]

### FEDERAL DEPOSIT INSURANCE CORPORATION

## DEPARTMENT OF THE TREASURY

### Office of Thrift Supervision

[No. 2004-57]

### Shared National Credit Data Collection Modernization

**AGENCIES:** Office of the Comptroller of the Currency, Treasury (OCC); Board of Governors of the Federal Reserve System (Board), the Federal Deposit Insurance Corporation (FDIC); and the Office of Thrift Supervision (OTS) as an assisting agency.

**ACTION:** Notice for public comment.

<sup>1</sup> OMB Control Number 1505-AA87 currently covers the information collection addressed in this notice. FinCEN intends to ask OMB to re-assign the control number in this collection to the 1506 series consistent with other rules issued under Title II of the Bank Secrecy Act.