

# THE FINANCIAL SERVICES ROUNDTABLE



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**RICHARD M. WHITING**  
EXECUTIVE DIRECTOR  
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August 21, 2006

Jennifer J. Johnson  
Secretary  
Board of Governors of the Federal Reserve System  
20<sup>th</sup> Street and Constitution Avenue, NW.  
Washington, DC 20551

FinCEN,  
P.O. Box 39  
Vienna, VA 22183

Re: Docket No. R-1258 (Federal Reserve); RIN 1506-AA86 (FinCEN); Proposal to Lower or Eliminate the Dollar Threshold for Informational Filings Related to Fund Transfers.

Dear Sir or Madam,

The Financial Services Roundtable (the "Roundtable") appreciates the opportunity to comment upon the joint proposal by the Financial Crimes Enforcement Network (FinCEN) of the Department of the Treasury (Treasury) and the Board of Governors of the Federal Reserve System (the "Board") to decrease the dollar threshold for collecting, retaining, and transmitting information related to fund transfers under 31 CFR 103.33(g). The Roundtable is a national association of 100 of the nation's largest integrated financial services companies. The members of the Roundtable engage in banking, securities, insurance, and other financial services activities domestically and internationally.

The Roundtable and its member companies have a long history of supporting focused efforts that enhance the nation's anti-terrorist financing and anti-money laundering laws and regulations. In this instance, we record no objection to the proposal because our members have indicated that it will create no new information-gathering obligations; however we do strongly caution against regulatory efforts that could have the result of "clogging" the enforcement system with unnecessarily voluminous, meaningless or unfocused filing requirements.

## Current System & Proposed Reporting Requirements

Under existing regulations, banking and non-bank financial institutions are required to capture the following information in connection with fund transfers of \$3000 or more: (1) name and address of the transmitter; (2) amount of payment and date of transmittal; (3) any payment instructions; (4) identity of recipient's bank or financial institution; and if possible (5) name and address of recipient; (6) account number of recipient; and (7) any other specific identifier of the recipient. The proposed rule would lower this reporting threshold to fund transfers of \$1000 or less.

The Roundtable has no objection to a reduction, or even the elimination, of the dollar threshold. The systems used by Roundtable members to capture the required information can accommodate a reduction in the dollar threshold, and many Roundtable members already capture the required information for all levels of transmittals. Our position on the proposal is predicated upon the assumption that no new information gathering obligations will be created as part of the proposal.

## Wire Transfers

Finally, the members of the Roundtable look forward to reviewing the results of FinCEN's wire transfer study, which has not been released yet. We note that any requirement for capturing new data in connection with cross border transfers would present significant operational and cost issues for our members. Consequently, any potential rulemaking would be more appropriately addressed after release of the study.

If you have any questions, please contact me, Richard Whiting at [rich@fsround.org](mailto:rich@fsround.org) or 202-589-2413, or Mitzi Moore at [mitzi@fsround.org](mailto:mitzi@fsround.org) or 202-589-2424.

Sincerely,



Richard M. Whiting  
Executive Director and General Counsel