

**DEPARTMENT OF THE TREASURY****Financial Crimes Enforcement Network; Proposed Collection; Comment Request; Renewal Without Change of the FinCEN Currency Transaction Reports Currently Approved Electronic Data Fields**

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

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

**SUMMARY:** FinCEN is proposing to renew without change the OMB-approved list of current data fields within the database that are required to support the FinCEN Currency Transaction Report ("CTR") filings by financial institutions required to file such reports under the Bank Secrecy Act ("BSA"). This notice does not propose any new regulatory requirements or changes to the requirements related to currency transaction reporting. The data fields reflect the filing requirement for all filers of CTRs under the BSA. The FinCEN CTR is an e-filed dynamic and interactive report used by all BSA filing institutions to report designated currency transactions to the Department of the Treasury. This request for comments covers 31 CFR 1010.311 and 1021.311. This request for comments is being made pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13, 44 U.S.C. 3506(c)(2)(A).

**DATES:** Written comments are welcome and must be received on or before January 25, 2013.

**ADDRESSES:** Written comments should be submitted to: Regulatory Policy and Programs Division, Financial Crimes Enforcement Network, Department of the Treasury, P.O. Box 39, Vienna, Virginia 22183, "Attention: PRA Comments—CTR Database." Comments also may be submitted by electronic mail to the following Internet address: [regcomments@fincen.treas.gov](mailto:regcomments@fincen.treas.gov), with the caption, "Attention: CTR Database" in the body of the text. Please submit by one method only.

**Inspection of comments:** Comments may be inspected, between 10 a.m. and 4 p.m., in the FinCEN reading room in Vienna, VA. Persons wishing to inspect the comments submitted must request an appointment with the Disclosure Officer by telephoning (703) 905-5034 (not a toll free call).

**FOR FURTHER INFORMATION CONTACT:** The FinCEN Regulatory Helpline at 800-949-2732, select option 7.

**SUPPLEMENTARY INFORMATION:**

*Title:* FinCEN Currency Transaction Report by Financial Institutions (see 31 CFR 1010.311 and 1021.311.<sup>1</sup>

*OMB Number:* 1506-0064.<sup>2</sup>

*Form Number:* FinCEN 112.

*Abstract:* The statute generally referred to as the "Bank Secrecy Act," Titles I and II of Public Law 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5332, authorizes the Secretary of the Treasury, *inter alia*, to require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, or in the conduct of intelligence or counter-intelligence activities, to protect against international terrorism, and to implement counter-money laundering programs and compliance procedures.<sup>3</sup> Regulations implementing Title II of the BSA appear at 31 CFR Chapter X. The authority of the Secretary to administer the BSA has been delegated to the Director of FinCEN.<sup>4</sup> The Secretary of the Treasury was granted authority in 1970, with the enactment of 31 U.S.C. 5313, to require financial institutions to report currency transactions exceeding \$10,000.

The information collected on the "report" is required to be provided pursuant to 31 U.S.C. 5313 as implemented by FinCEN regulations found at 31 CFR 1010.311 and 1021.311. The information collected under this requirement is made available to appropriate agencies and organizations as disclosed in FinCEN's Privacy Act System of Records Notice relating to BSA Reports.<sup>5</sup>

*Current Action:* FinCEN is renewing, without change, the OMB-approved electronic data elements currently supporting the reporting of currency transactions. All filings (discrete, batch, and computer-to-computer) will be accessed through the BSA E-Filing

system<sup>6</sup> using current registration and login procedures.

*Type of Review:* Renewal without change of the electronic data elements of the FinCEN CTR that support the electronic filing of a dynamic CTR.

*Affected public:* Business or other for-profit and not-for-profit financial institutions.

*Frequency:* As required.

*Estimated Reporting Burden:* Average of 20 minutes per report and 20 minutes recordkeeping per filing. (The reporting burden of the regulations 31 CFR 1010.311 and 1021.311 is reflected in the burden for the form.)

*Estimated Recordkeeping and Reporting Burden:* 40 minutes.

*Estimated number of respondents:* 82,255 (includes depository institutions, broker-dealers, future commission merchants, introducing brokers in commodities, money services businesses, and mutual funds).

*Estimated Total Annual Responses:* 14,111,600.<sup>7</sup>

*Estimated Total Annual Reporting and Recordkeeping Burden:* 9,407,733 hours.

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.

**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.

<sup>6</sup> BSA E-Filing is a free service provided by FinCEN. More information on the filing methods may be accessed at <http://bsaeifiling.fincen.treas.gov/main.html>.

<sup>7</sup> Numbers are based on actual 2012 filings as reported to the IRS Enterprise Computing Center-Detroit (EEC-D) as of 09/30/2012. This number reflects the total projected number of filings for both the legacy CTR and CTFC and the FinCEN CTR.

<sup>1</sup> This is a new title for this control number. The previously approved title was "Bank Secrecy Act Currency Transaction Report (BSA-CTR)."

<sup>2</sup> The CTR reporting requirements are currently covered under the following OMB Control numbers: 1506-0004 (Financial Institutions other than Casinos), and 1506-0005 (Casinos and Card Clubs).

<sup>3</sup> Language expanding the scope of the BSA to intelligence or counter-intelligence activities to protect against international terrorism was added by Section 358 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (the USA PATRIOT Act), Public Law 107-56.

<sup>4</sup> Treasury Order 180-01 (Sept. 26, 2002).

<sup>5</sup> Department of the Treasury bureaus such as FinCEN renew their System of Records Notices every three years unless there is cause to amend them more frequently. FinCEN's System of Records Notice for BSA Reports System was most recently published at 77 FR 60014-60022 (October 1, 2012).

Dated: November 16, 2012.

**Jennifer Shasky Calvery,**

*Director, Financial Crimes Enforcement Network.*

[FR Doc. 2012-28521 Filed 11-23-12; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### Designation of one (1) individual Pursuant to Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism"

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing the name of one (1) individual whose property and interests in property are blocked pursuant to Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism."

**DATES:** The designation by the Director of OFAC of the one (1) individual in this notice, pursuant to Executive Order 13224, is effective on November 19, 2012.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2490.

#### SUPPLEMENTARY INFORMATION:

##### Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site ([www.treas.gov/ofac](http://www.treas.gov/ofac)) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622-0077.

##### Background

On September 23, 2001, the President issued Executive Order 13224 (the "Order") pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701-1706, and the United Nations Participation Act of 1945, 22 U.S.C. 287c. In the Order, the President declared a national emergency to address grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001 terrorist attacks in New York, Pennsylvania, and at the Pentagon. The Order imposes economic

sanctions on persons who have committed, pose a significant risk of committing, or support acts of terrorism. The President identified in the Annex to the Order, as amended by Executive Order 13268 of July 2, 2002, 13 individuals and 16 entities as subject to the economic sanctions. The Order was further amended by Executive Order 13284 of January 23, 2003, to reflect the creation of the Department of Homeland Security.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in or hereafter come within the United States or the possession or control of United States persons, of: (1) Foreign persons listed in the Annex to the Order; (2) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of the Department of Homeland Security and the Attorney General, to have committed, or to pose a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States; (3) persons determined by the Director of OFAC, in consultation with the Departments of State, Homeland Security and Justice, to be owned or controlled by, or to act for or on behalf of those persons listed in the Annex to the Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the Order; and (4) except as provided in section 5 of the Order and after such consultation, if any, with foreign authorities as the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of the Department of Homeland Security and the Attorney General, deems appropriate in the exercise of his discretion, persons determined by the Director of OFAC, in consultation with the Departments of State, Homeland Security and Justice, to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to the Order or determined to be subject to the Order or to be otherwise associated with those persons listed in the Annex to the Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the Order.

On November 19, 2012 the Director of OFAC, in consultation with the Departments of State, Homeland Security, Justice and other relevant agencies, designated, pursuant to one or more of the criteria set forth in subsections 1(b), 1(c) or 1(d) of the Order, one (1) individual whose

property and interests in property are blocked pursuant to Executive Order 13224.

The listing for this individual on OFAC's list of Specially Designated Nationals and Blocked Persons appear as follows:

#### Individual

1. AL-MUSAWI, Ali Mussa Daqduq (a.k.a. 'ABD AL-YUNIS, Hamid Majid; a.k.a. AL-LAMI, Hamid Muhammad; a.k.a. AL-MASUI, Husayn Muhammad Jabur; a.k.a. AL-MUSAWI, Hamid Muhammad Daqduq; a.k.a. AL-MUSAWI, Hamid Muhammad Jabur; a.k.a. AL-MUSUI, Hamid Muhammad Jabur; a.k.a. DAQDUQ, Ali Mussa; a.k.a. JABUR AL-LAMI, Hamid Muhammad); DOB 01 Sep 1969; alt. DOB 31 Dec 1971; alt. DOB 09 Aug 1971; alt. DOB 09 Sep 1970; alt. DOB 09 Aug 1969; alt. DOB 05 Mar 1972; POB Beirut, Lebanon; alt. POB Al-Karradah, Baghdad, Iraq; nationality Lebanon (individual) [SDGT].

Dated: November 19, 2012.

**Adam J. Szubin,**

*Director, Office of Foreign Assets Control.*

[FR Doc. 2012-28656 Filed 11-23-12; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

### National Research Advisory Council, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C., App. 2, that the National Research Advisory Council will hold a meeting on Wednesday, December 5, 2012, in conference room 23, at 131 M Street NE., Washington, DC. The meeting will convene at 9:30 a.m. and end at 3:30 p.m. The meeting is open to the public.

The purpose of the Council is to provide external advice and review for VA's research mission. The agenda will include a review of the 2013 Operations Plan, VA's research portfolio, and a summary of special projects. The Council will also provide feedback on the direction/focus of VA's research initiatives.

No time will be allocated at this meeting for receiving oral presentations from the public. Interested members of the public may submit written statements for the Council's review to Pauline Cilladi-Rehrer, Designated Federal Officer, Office of Research and Development (10P9), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC, 20420, or by email at [pauline.cilladi-rehrer@va.gov](mailto:pauline.cilladi-rehrer@va.gov).

Any member of the public wishing to attend the meeting or wishing further