

REQUEST FOR RECORDS DISPOSITION AUTHORITY			
To NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NWML) WASHINGTON, DC 20408		DATE RECEIVED N1-559-10-1	
1 FROM (Agency or establishment) Department of the Treasury		NOTIFICATION TO AGENCY In accordance with the provisions of 44 U S C 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
2 MAJOR SUBDIVISION Financial Crimes Enforcement Network (FinCEN)			
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER Amanda Michanczyk	5 TELEPHONE 703-905-3537	DATE <i>2/13/13</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</i>
6 AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached <u>2</u> page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO manual for Guidance of Federal Agencies, <input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached or <input type="checkbox"/> has been requested			
Date <i>4/10/2012</i>	Signature of Agency Representative <i>Amanda Michanczyk</i>		Title Records Officer
7 Item No	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	FinCEN records required to be reported under Title 31 or its implementing regulations, or any other authority exercised by FinCEN to compel the reporting of records.		

Background

The FinCEN records subject to this disposition authority are collected pursuant to the authority contained in the Bank Secrecy Act (BSA), codified at 12 U S C. § 1829b, 12 U S C. §§ 1951-1959, and 31 U.S.C. §§ 5311-5314, 5316-5332, and any other authority exercised by FinCEN to compel the reporting of records. Many federal, state and local agencies access such records for criminal, tax and regulatory investigations and proceedings or for intelligence and counterintelligence activities to protect against international terrorism. These include the IRS and state tax agencies, federal, state and local law enforcement; federal and state regulatory agencies, such as bank regulators, and the Intelligence Community. Access is authorized by FinCEN as the approving authority. It is standard procedure for IRS field agents to use the records during tax fraud investigations and compliance probes. Additionally, the information is used for detecting, tracing, and prosecuting suspected money laundering operators as related to drug trafficking cases and other criminal investigations and proceedings. This information is also used for investigative leads, intelligence for tracking currency flows, corroborating information from other sources, probative evidence, and in examinations of regulated financial institutions.

Item 1 – FinCEN Records Itemized

A. Inputs: Forms filed either as paper, on magnetic media (discontinued as of 12/31/2008), or filed electronically as discrete documents or batches via the BSA E-Filing System. These include, but are not limited to, the following.

- Currency Transaction Report by Depository Institutions (FinCEN 104) CTR (formerly IRS Form 4789)
- Currency Transaction Report by Casinos and Card Clubs (FinCEN 103) CTR-C (formerly IRS Form 8362)
- Currency Transaction Report by Casinos - Nevada (FinCEN 103N) CTRC-N (formerly IRS Form 8852) [Rescinded 1/7/07]
- Suspicious Activity Report by Depository Institutions (FinCEN 111) SAR-DI (formerly Form TD F 90-22 47)
- Bank Secrecy Act Currency Transaction Report (Form 112)
- Suspicious Activity Report by Securities and Futures Industries (FinCEN 101) SAR-SF
- Suspicious Activity Report by Casinos and Card Clubs (FinCEN 102) SAR-C (formerly Form TD F 90-22.49)
- Suspicious Activity Report by Money Services Business (FinCEN 109) SAR-MSB (formerly Form TD F 90-22 56)
- Money Services Business Registration (FinCEN 107) RMSB (formerly Form TD F 90-22 55)
- Report of International Transportation of Currency or Monetary Instruments (FinCEN 105) CMIR (formerly Customs Form 4790)
- Designation of Exempt Person (FinCEN 110) DOEP (formerly Form TD F 90-22 53)
- FinCEN 8300 (Cash Over \$10K Received in Trade or Business) (formerly IRS Form 8300)
- FinCEN Form 111 [Bank Secrecy Act Suspicious Activity Report (BSA SAR)] (formerly SAR-DI)

- (FBAR) Foreign Bank Account Report TD F 90-22.1
- Any other reports required to be reported to FinCEN.

1. Reports/forms received electronically:

Disposition: **Temporary** Delete/destroy after input verification into the Master File

2. Paper reports/forms:

Disposition: **Temporary**. Cut off at the end of the processing year Transfer to a federal records center 3 years after the end of the processing year or when no longer needed in the office. Destroy 11 years after the end of the processing year.

B. Master File: An online database that contains records required to be reported to FinCEN The records are filed by banks, casinos, companies, other financial institutions, taxpayers, certain individuals, and non-financial trades or businesses One record is created for each input document. This information is used only for a purpose consistent with a criminal, tax, or regulatory investigation or proceeding, or in the conduct of intelligence or counterintelligence activities to protect against international terrorism

Disposition: **Temporary**. Delete/destroy data when 11 years old or when no longer needed for administrative, legal, audit, or other operational purposes, whichever is later

(Note: Older, legacy data from the 1980s previously downloaded to magnetic tapes and stored offsite are also covered by this item.)

C. Reports/forms deemed false or misleading, or containing information requiring strict limitations on access: Those documents filed in the Master File which, upon investigation, are determined by FinCEN to be unusable for routine administrative, legal, audit, or other operational purposes because they lack sufficient informational value or contain information deemed highly sensitive One record is created for each document

Disposition. **Temporary**. Transfer such input data from the Master File upon identification, delete/destroy data when 11 years old or when no longer needed for administrative, legal, audit, or other operational purposes, whichever is later

~~**D. Outputs:** Extract files used primarily by FinCEN and other customers. These include various ad hoc reports such as correspondence history reports and cash reports that are not readily available on the Master File for users, plus special audit requests usually received from FinCEN staff or the Department of Treasury's Inspector General (TIGTA).~~

~~Disposition: **Temporary**. Cut off annually. Destroy 3 years after cutoff or when no longer needed for administrative, legal, audit, or other operational purposes, whichever is sooner (GRS 20, item 16)~~

~~**E. System Documentation:** Data system specifications, file specifications, user guides/manuals, output specifications, and final reports relating to the master file/database or other electronic records.~~

~~Disposition: **Temporary**. Delete/destroy upon authorized deletion of the electronic records or when superseded, obsolete, or no longer needed (GRS 20, item 11a(1))~~

~~F. **Weekly System Backups:** Electronic copy of the Master File, retained in case the Master File is damaged, inaccessible, or inadvertently erased.~~

~~Disposition: **Temporary.** Delete when the identical records have been deleted or when replaced by a subsequent backup file. (GRS 20, item 8b)~~