

Supporting Statement

1. Circumstances Necessitating Collection of Information.

The collection of the information contained on Currency Transaction Report by Casinos-Nevada (FinCEN Form 103-N) is authorized by statute (see 31 U.S.C. 5313(a)) and required by regulation (see 31 CFR 103.22(b)(2) and Nevada Gaming Commission Rule 6A). The regulations require the reporting of transactions in currency by, through, or to certain Nevada casinos (those having annual gross gaming revenue of \$10 million or more for the 12 months ending June 30 of each year and having table game statistical win of \$2 million or more for the 12 months ending June 30 of each year, or having actual or projected annual gross gaming revenue of \$1 million or more for the 12 months ending June 30 that the Chairman of the Nevada Gaming Commission designates as a 6A licensee) (“Nevada 6A casinos”) in excess of \$10,000 during a single gaming day.

Casinos as defined in 31 U.S.C. 5312(a)(2)(X) and 31 CFR 103.11(n)(5)(i) are financial institutions subject to the currency transaction reporting requirement. (See 63 FR 1919) FinCEN Form 103-N is the form Nevada 6A casinos use to comply with the currency transaction reporting requirements.

2. Method of Collection and use of data.

The information contained on FinCEN Form 103-N is used by criminal investigators, as well as taxation and regulatory enforcement authorities, during the course of investigations that involve money laundering, tax violations, fraud and other financial crimes.

3. Use of Improved Information Technology to Reduce Burden.

Currently, this form is not filed using automated technology, due to the comparatively low number of filings. The form is available in a fill-in format capable of being completed on a personal computer.

4. Efforts to Identify Duplication.

There is no similar information available; thus, there is no duplication.

5. Methods to Minimize Burden on Small Businesses or other Small Entities.

This collection of information does not impact small entities.

6. Consequences to the Federal Government of not collecting the Information.

This collection of information occurs after a Nevada 6A casino’s patron conducts a currency transaction in excess of \$10,000 during a single gaming day. A casino in Nevada must file FinCEN Form 103-N for each transaction in currency involving either currency received (Cash In) or currency disbursed (Cash Out) of more than \$10,000 during a single gaming day. A gaming day is the normal business day of the casino by which it keeps its books and records for business, accounting, and tax purposes. Were this collection to be reduced in frequency, the information collected would be of lesser use to law enforcement personnel.

7. Special Circumstances Requiring Data Collection Inconsistent with Guidelines.

There are no special circumstances.

8. Consultation with Individuals Outside of the Agency on Availability of Data. Frequency of Collection, Clarity of Instructions and Forms, and Data Elements.

The Paperwork Reduction Act notice was published on August 4, 2006 (see 71 FR 44351). The notice proposed no changes to the current FinCEN Form 103-N or its instructions. During the 60-day comment period, FinCEN received no comments on the notice.

9. Payments and Gifts.

No payments or gifts were made to respondents.

10. Assurance of Confidentiality of Responses.

Information collected on FinCEN Form 103-N is made available, in accordance with strict safeguards, to appropriate criminal law enforcement, regulatory, and taxation personnel solely in the official performance of their duties.

11. Justification of Sensitive Questions.

No sensitive questions are asked.

12. Estimated Annual Hourly Burden.

All Nevada 6A casinos file FinCEN Form 103-N pursuant to Nevada Gaming Commission Regulation 6A (“Cash Transactions Prohibitions, Reporting, and Recordkeeping”). Nevada 6A casinos comply with Regulation 6A’s currency transaction reporting requirements, as opposed to those enumerated in 31 CFR part 103, based upon an exemption granted to the state of Nevada by the U.S. Department of the Treasury. FinCEN Form 103-N was developed because some of the transaction types reportable on the standard Currency Transaction Report by Casinos form (FinCEN Form 103) are deemed prohibited transactions under Regulation 6A.

Frequency: As required.

Estimated Number of Respondents: 115.

Estimated Number of Annual Responses: 190,000.

Estimate of Burden: Reporting average of 19 minutes per response; recordkeeping average of 5 minutes per response for a total of 24 minutes.

Estimate of Total Annual Burden on Respondents: 76,000 hours

Estimates were based on time taken to read the instructions and complete the form.

13. Estimated Annual Cost to Respondents for Hour Burdens.

Not applicable.

14. Estimated Annual Cost to the Federal Government.

Not applicable.

15. Reason for Change in Burden.

The adjustments contained in item 12 stem from the increase in frequency of reporting by Nevada 6A casinos.

16. Plans for Tabulation, Statistical Analysis, and Publication.

This collection of information will not be published.

17. Request not to Display Expiration Date of OMB Control Number.

To avoid having to reprint the form to show a new date, FinCEN is requesting permission not to display the OMB expiration date on FinCEN Form 103-N.

18. Exceptions.

There are no exceptions to the certification statement on OMB Form 83-1.