

Subject: FinCEN Implements Annual Certification Requirement & Requests Case Summaries

Law Enforcement Partners:

Supporting law enforcement agencies such as yours in the investigation and prosecution of financial crimes is at the core of the mission of the Financial Crimes Enforcement Network (FinCEN). I am pleased to be able to reconfirm our commitment to supporting our law enforcement partners at the Federal, State, and local level, in the analysis and sharing of information, both at the tactical case level and at the strategic level, as we all look to focus our limited resources on significant and emerging criminal threats.

Specifically with this message, I would like officially to inform your agency of some of the additional capacities, largely through modernized IT systems, that FinCEN will begin to make available to its law enforcement customers in 2012 and which we believe will significantly enhance our ability to support your important mission. In turn, we are asking our law enforcement customers to reconfirm their interest and commitment to working directly with FinCEN. **We request that you, as the designated primary FinCEN point of contact for your agency, make appropriate arrangement for the chief or respective head of your agency to sign the Annual Head of Agency Certification of Interest (see attachment) and return it to FinCEN along with successful case summaries by April 30, 2012.**

FinCEN Data and IT Modernization

As you are aware, a key service that FinCEN provides to its law enforcement customers is the ability for you directly to search for information relevant to criminal investigative targets within FinCEN's database, which is the largest source of financial transactions information available to law enforcement for this purpose. Over the past several years, FinCEN has been modernizing its information technology systems, and in the summer of 2012, we plan to transition all users from the legacy WebCBRS system and Gateway portal to our new FinCEN Query system. We are confident that this modernization will provide you with better, more accurate, and more timely data as well as a user-friendly, yet more powerful query tool to access and analyze that data in support of your mission. The modernization will also expand FinCEN's ability to provide proactive referrals of information related to targets of identified or possible investigative interest. In addition to the unique data collected pursuant to FinCEN's regulations requiring a broad range of financial institutions to report in particular on suspicious activity (using SARs) and cash transactions in excess of \$10,000 (using CTRs, Form 8300s, and CMIRs), the data available through FinCEN will gradually and incrementally be expanded to provide centralized access to other information relevant to financial criminal investigations. We look forward to working with our law enforcement customers to identify and implement common needs in fulfillment of FinCEN's statutory mission to serve as a government-wide data access service for relevant information, ranging from FinCEN regulatory reporting to records developed in specific cases.

We would like to take this opportunity to remind you of the shared responsibility for the protection, proper use, and dissemination of information made available to you through FinCEN, the continued availability of which rests upon our collective efforts to maintain appropriate confidentiality of financial, personal, and law enforcement sensitive information. Pursuant to the memorandum of understanding (MOU) under which we provide access to information, FinCEN operates program management requirements such as training, technical assistance, onsite inspections, and data security measures. In conjunction with the audit trails for ensuring proper usage and protection of the data, FinCEN operates a networking and deconfliction service with respect to subjects under investigation by multiple law enforcement agencies.

FinCEN also wishes to take this opportunity to raise awareness of some of the other services it provides the law enforcement community: analytical support for certain investigations such as those involving complex financial transactions or large amounts of data; following leads on additional information outside of the United States through outreach under the Egmont Program to FinCEN's financial intelligence unit (FIU) counterparts in more than 125 foreign jurisdictions; providing access to over 25,000 domestic financial institutions for investigative leads in terrorism or significant money laundering cases; manuals and publications designed to help criminal investigators better understand different types of financial investigations and pursue concrete actions to gather and interpret information or evidence; and partnering with certain law enforcement criminal and civil agencies in exercising FinCEN's regulatory authorities and civil money penalties, when appropriate. Please see the attachments to familiarize yourself, and raise relevant awareness within your agency, with these FinCEN products and services.

Information Request: Annual Head of Agency Certification of Interest and Successful Case Summaries

In order to help manage and maintain the program, we are implementing an Annual Head of Agency Certification requirement, in conjunction with other efforts, to help us more systemically document the usage by, and value of FinCEN data to law enforcement. Insights gained also will inform FinCEN's efforts to prioritize its analytical and educational products for law enforcement customers, as well as support FinCEN's regulatory authorities in proactive efforts to mitigate risks of criminal abuse. The annual certification will require an acknowledgement of the value of the data to the agency and a synopsis of three separate investigative cases in which FinCEN data played a significant role. These brief case summaries (see case summary example) should be attached to the completed Annual Head of Agency Certification, and both must be returned via email to BSAValue@fincen.gov by April 30, 2012. Please ensure that your Agency Head receives this information in a timely manner in order to meet this deadline. (For other case summary examples click on the "Law Enforcement Case Examples" link on our public Web site at <http://www.fincen.gov/>).

After receipt of the foregoing information, we will provide additional details about the changes and the timing as we transition law enforcement agencies to the enhanced systems over a period of months. The transition will be coordinated with each agency's MOU coordinator. In an effort to provide more detailed information

on this transition as well as other FinCEN services, we plan to have a conference in the Washington, D.C. area for our MOU holders in the fall.

We at FinCEN look forward to strengthening our partnership with our law enforcement customers and prioritizing our resources to make the greatest impact in furtherance of law enforcement efforts to deter and detect financial crimes. We would like to hear your ideas or suggestions on how we can better serve you. Should you have any suggestions, please contact me at 703-905-5140.

Regards,

James F. Murphy
Assistant Director
Office of Liaison Services
FinCEN