



March 15, 2011

Regulatory Policy and Programs Division,
Financial Crimes Enforcement Network
Department of the Treasury, P.O. Box 39
Vienna, VA 22183

Dear Sir or Madam,

The Conference of State Bank Supervisors (CSBS) appreciates the opportunity to comment on the Financial Crimes Enforcement Network's (FinCEN) Notice and Request for Comment (notice) regarding Bank Secrecy Act (BSA) Unified Currency Transaction Report (CTR) Proposed Data Fields. We commend FinCEN on its work in designing a new BSA database. We believe the proposed data fields used to support CTR filings by financial institutions required to file such reports under the BSA as outlined in this notice are largely complete. However, we recommend FinCEN includes as a CTR data field a mortgage company's Nationwide Mortgage Licensing System & Registry (NMLS) unique identifier. If a mortgage company engages in a currency transaction with another financial institution, such as a deposit in a bank, in excess of \$10,000, the financial institution would be required to file a CTR. We believe a mortgage entity's NMLS unique identifier is a critical component of each company, and it will benefit institutions and regulators tremendously to include the identifier as a CTR data field.

The states, through CSBS and the American Association of Residential Mortgage Regulators (AARMR), developed and launched NMLS to enhance supervision of the residential mortgage market. The unique identifier granted to residential mortgage loan originators and companies through NMLS allows supervisors to track mortgage providers across state lines to ensure a provider will not escape regulatory action in one state, simply by crossing into another state. The use of the unique identifier results in regulators sharing information about entities in NMLS and allows consumers and industry to easily track specific originators' histories and qualifications through NMLS Consumer Access. Furthermore, the NMLS unique identifier ties institutions back to their record in NMLS which contains data about the entity including information regarding corporate ownership, subsidiaries and affiliates. Coupled with the SAFE Act, NMLS enables state and federal regulators to better coordinate our efforts to create a seamless system of mortgage supervision.

The benefit of the unique identifier has been recognized in a similar capacity by the Federal Housing Finance Agency (FHFA), which is requiring Fannie Mae and Freddie Mac to include the identifiers for the loan originator and loan origination company on each loan application.

Additionally, the Department of Housing and Urban Development (HUD) issued a mortgagee letter on January 5, 2011 regarding FHA capture of NMLS information. HUD has begun collecting the NMLS unique identifiers of all individuals and entities participating in the

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origination of FHA loans. All FHA-approved mortgagees and their employees must comply with the NMLS registration requirements and “entities with jurisdiction over their activities” and must register in accordance with the guidance set forth by NMLS. Also, FHA-approved mortgagees that act as a sponsor for third party originators should ensure that those originators obtain and maintain an NMLS ID as required by the states and entities with jurisdiction over their activities.

Furthermore, NMLS plans to expand the system to accommodate other financial service providers regulated at the state level. The commitment to expand the system will further enhance the view of participants in the financial services industry and provide a platform for effective state supervision. Given this commitment, an NMLS unique identifier CTR data field would not only encompass mortgage entities but also other types of state regulated financial service providers, such as Money Services Businesses (MSBs).

We believe the NMLS unique identifier would be a valuable CTR data field. We therefore urge FinCEN to include the unique identifier as it finalizes the database.

Thank you for the opportunity to comment.

Neil Milner

A handwritten signature in black ink that reads "Neil Milner". The signature is written in a cursive, flowing style.

President and CEO