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**Joint Release**

**Financial Crimes Enforcement Network  
Office of Thrift Supervision**

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For Immediate Release

April 26, 2006

**FinCEN and OTS Issue Bank Secrecy Act  
Enforcement Orders Against BankAtlantic**

WASHINGTON, D.C. - The Financial Crimes Enforcement Network (FinCEN) and the Office of Thrift Supervision (OTS) announced today that each has assessed a \$10 million civil money penalty against BankAtlantic of Fort Lauderdale, Florida, for violations of the Bank Secrecy Act. OTS also issued a Cease and Desist Order requiring BankAtlantic to take certain corrective actions. BankAtlantic, without admitting or denying the allegations, consented to the payment of the civil money penalty and issuance of the Orders by FinCEN and the OTS.

These actions demonstrate a coordinated effort on the part of the agencies that regulate and enforce the Bank Secrecy Act. In taking these actions, FinCEN and the OTS determined that BankAtlantic failed to implement an adequate Bank Secrecy Act anti-money laundering program that included internal controls and other measures to detect and report money laundering and other suspicious activity. In particular, the agencies found systemic defects in BankAtlantic's anti-money laundering program that resulted in the failure to timely file suspicious activity reports.

“This case, which involved tens of millions of dollars in unreported suspicious financial transactions, including more than \$10 million in suspected drug proceeds, is an example of serious and systemic violations of BSA requirements,” said Robert W. Werner Director of FinCEN. “The actions taken today highlight how consequential it is for banks to have an effective anti-money laundering program in place to ensure that the financial system is not used to facilitate criminal activity.”

OTS Director John Reich observed that, “the vast majority of insured depository institutions have BSA-compliant anti-money laundering programs in place. Today's action, however, is a reminder that institutions must remain vigilant to ensure BSA programs and systems are effectively implemented to detect and report potential money laundering activities.”

The Orders are part of a coordinated action with the U.S. Department of Justice, which is also announcing today the execution of a Deferred Prosecution Agreement with BankAtlantic in connection with charges that BankAtlantic violated the Bank Secrecy Act by failing to maintain an effective anti-money laundering program. The penalties assessed by FinCEN and the OTS will be satisfied by a single \$10 million payment to the U.S. Department of Justice.

Copies of the agencies' enforcement actions are attached and are also available on the FinCEN website at [www.fincen.gov](http://www.fincen.gov) and on the OTS website at [www.ots.treas.gov](http://www.ots.treas.gov).

Attachments

[A FinCEN enforcement action \(civil money penalty assessment\)](#)

[Office of Thrift Supervision website \(a Cease and Desist Order\)](#)

[Department of Justice website \(press release\)](#)

[Department of Justice website \(Deferred Prosecution Agreement\)](#)

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