



Department of the Treasury Financial Crimes Enforcement Network

Guidance

FIN-2013-G002

Issued: June 24, 2013

Subject: Administrative Difficulties in Submitting Electronic Reports to FinCEN

As a reminder, as stated in previous Financial Crimes Enforcement Network (FinCEN) Notice(s) to financial institutions,¹ FinCEN recognizes that financial institutions may, on limited occasions, have administrative difficulties in submitting Bank Secrecy Act (BSA) reports electronically within the required timeframes. This could be due to circumstances such as natural disasters, emergency situations, or other systemic issues. During these occasions, a financial institution's ability to obtain and respond to 314(a) requests also may be delayed. In addition, FinCEN understands that, as of the July 1, 2013, deadline for mandatory electronic filing of the Report of Foreign Bank and Financial Accounts (FBAR), Form TD F 90-22.1, individuals in remote locations may not be able to meet that requirement because they lack Internet access.

Financial institutions and individuals filing an FBAR or other reports who are affected by circumstances such as those noted above, should contact FinCEN's Regulatory Helpline at 1-800-949-2732 to make FinCEN aware of the compliance concerns and to determine possible alternatives for timely BSA reporting. Financial institutions and individuals calling from outside the United States may contact FinCEN's Regulatory Helpline at 1-703-905-3975. FinCEN will work with financial institutions to develop necessary alternatives and to ensure that their primary federal regulator is informed of the situation and potential remedies.

¹ See "Important Notice about Mandatory Electronic Filing of Reports to FinCEN," at <http://www.fincen.gov/whatsnew/html/20120221.html> and "Important Notice for Financial Institutions: FinCEN E-Filing Transition Period July 1st- July 8th 2012," at <http://www.fincen.gov/whatsnew/html/20120717.html>