

of birth, home address, driver's license number, and passport number.

BEP is also amending the "retention and disposal" parameters set forth in this system by detailing that data scanned from personal identification other than full name and photograph are disposed of immediately upon collection. The only data on an identification card that BEP uses for developing an Escort Visitor badge are the name and photograph of the visitor. BEP's scanning hardware collects that data and digitizes them for use in ACAMS. The scanning hardware, however, also collects all of the other data on the identification card. That is because the entire card is scanned, not just certain portions of the card. Depending on the type of card, the other data collected from the identification card may include date of birth, home address, driver's license number, and passport number. ACAMS only retains the name and photograph of a visitor from an identification card. The scanning hardware immediately deletes any remaining data. The update to the retention and disposal parameters reflects BEP's ability to use its electronic scanning technology to instantaneously delete information that is not necessary when creating an Escort Visitor badge.

The altered system of records report has been submitted to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate and the Office of Management and Budget, pursuant to 5 U.S.C. 552a(r) and Appendix I to OMB Circular A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated November 30, 2000.

For the reasons set forth in the preamble, BEP proposes to amend its system of records entitled "BEP .027—Access Control and Alarm Monitoring Systems (ACAMS)," as follows:

#### Treasury/BEP .027

##### SYSTEM NAME:

Access Control and Alarm Monitoring Systems (ACAMS).

\* \* \* \* \*

##### CATEGORIES OF RECORDS IN THE SYSTEM:

*Description of the change:* Category (C) is revised to read:

"(C) Official visitors, contractors, and others issued "Escort Visitor" badges: photograph; full name; date of birth; home address; driver's license number; passport number; date of issue; and date, time, and location of each passage through a security control point; and any additional data contained on an

identification card presented when seeking an Escort Visitor badge is maintained in the BEP ACAMS."

\* \* \* \* \*

##### RETENTION AND DISPOSAL:

*Description of the change:* Remove current entry and in its place add the following:

"The retention period is two (2) years, except that for official visitors, contractors, and others issued "Escort Visitor" badges, information other than name and photograph scanned from identification cards is disposed of immediately upon collection."

\* \* \* \* \*

Dated: December 22, 2011.

**Melissa Hartman,**

*Deputy Assistant Secretary for Privacy, Transparency, and Records.*

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## DEPARTMENT OF THE TREASURY

### Financial Crimes Enforcement Network

#### Proposed Collection; Comment Request; Renewal of Suspicious Activity Reporting by the Securities and Futures Industry

**AGENCY:** Financial Crimes Enforcement Network ("FinCEN"), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** FinCEN invites comment on the renewal of an information collection requirement for the recordkeeping and reporting of suspicious activity activities by the Securities and Futures Industry,<sup>1</sup> Office of Management and Budget Control Number 1506-0019. The report, (BSA-SAR)<sup>2</sup> will be used by the securities and futures industry to report suspicious activity to the Department of the Treasury. This request for comments also covers 31 CFR 1026.320 and 31 CFR 1023.320. This request for comments is being made pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13, 44 U.S.C. 3506(c)(2)(A).

**DATES:** Written comments are welcome and must be received on or before March 5, 2012.

<sup>1</sup> The securities and futures industry are those entities regulated by the Security and Exchange Commission (SEC) and the Commodity Futures Trading Commission (CFTC) as regulated under 31 CFR Chapter X.

<sup>2</sup> The BSA-SAR was approved by OMB under control number 1506-0065. This single report replaces the SAR-DI, C, MSB and SF. The current SAR-SF, as posted at [www.fincen.gov/forms](http://www.fincen.gov/forms), may be used through March 2013.

**ADDRESSES:** Written comments should be submitted to: Regulatory Policy and Programs Division, Financial Crimes Enforcement Network, Department of the Treasury, P.O. Box 39, Vienna, Virginia 22183, Attention: PRA Comments—SAR—Securities and Futures Industry. Comments also may be submitted by electronic mail to the following Internet address:

[regcomments@fincen.treas.gov](mailto:regcomments@fincen.treas.gov), again with a caption, in the body of the text, "Attention: PRA Comments—SAR—Securities and Futures Industry."

*Inspection of comments.* Comments may be inspected, between 10 a.m. and 4 p.m., in the FinCEN reading room in Vienna, VA. Persons wishing to inspect the comments submitted must request an appointment with the Disclosure Officer by telephoning (703) 905-5034 (Not a toll free call).

**FOR FURTHER INFORMATION CONTACT:** The FinCEN Regulatory Helpline at (800) 949-2732, select option 3.

##### SUPPLEMENTARY INFORMATION:

*Title:* Suspicious Activity Reporting by the Securities and Futures Industry, 31 CFR 1026.320, and 31 CFR 1023.320. *OMB Number:* 1506-0019.

*Form Number:* FinCEN Form 111 (BSA-SAR)<sup>3</sup>.

*Abstract:* The statute generally referred to as the "Bank Secrecy Act," Titles I and II of Public Law 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5332, authorizes the Secretary of the Treasury, *inter alia*, to require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, or in the conduct of intelligence or counter-intelligence activities, to protect against international terrorism, and to implement counter-money laundering programs and compliance procedures.<sup>4</sup> Regulations implementing Title II of the Bank Secrecy Act appear at 31 CFR Chapter X. The authority of the Secretary to administer the Bank Secrecy Act has been delegated to the Director of FinCEN.

The Secretary of the Treasury was granted authority in 1992, with the enactment of 31 U.S.C. 5318(g), to require financial institutions to report suspicious transactions. On July 1, 2002, FinCEN issued a final rule requiring

<sup>3</sup> See footnote 2.

<sup>4</sup> Language expanding the scope of the Bank Secrecy Act to intelligence or counter-intelligence activities to protect against international terrorism was added by Section 358 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (the "USA PATRIOT Act"), Public Law 107-56.

brokers or dealers in securities (“broker-dealers”) to report suspicious transactions (“Broker-Dealer SAR rule”), (67 FR 44048). The final Broker-Dealer SAR rule can also be found at 31 CFR 1023.320. On August 5, 2002, FinCEN issued a final rule requiring futures commission merchants and introducing brokers in commodities to report suspicious transactions (“FCM SAR rule”), (67 FR 50751). The final FCM SAR rule can also be found at 31 CFR 1026.320.

The information collected is required to be provided pursuant to 31 U.S.C. 5318(g), 31 CFR 1026.320 and 31 CFR 1023.320. This information will be made available, in accordance with strict safeguards, to appropriate criminal law enforcement and regulatory personnel, and to the registered securities associations and national securities exchanges (so-called self-regulatory organizations) for use in official performance of their duties, for regulatory purposes and in investigations and proceedings involving domestic and international money laundering, terrorist financing, tax violations, fraud, and other financial crimes.

Broker-dealers, futures commission merchants, and introducing brokers in commodities required to report suspicious transactions, or reporting such transactions voluntarily, will be subject to the protection from liability contained in 31 U.S.C. 5318(g)(3) and to the prohibition contained in 31 U.S.C. 5318(g)(2) against notifying any person involved in the transaction that a suspicious activity report has been filed.

*Type of Review:* Renewal of a currently approved information collection.

*Affected public:* Business or other for-profit institutions.

*Frequency:* As required.

*Estimated Reporting and*

*Recordkeeping Burden:* 1 hour<sup>5</sup>.

*Estimated number of respondents =* 8,300.

*Estimated Total Annual Responses =* 8,300.

*Estimated Total Annual Reporting and Recordkeeping Burden:* 8,300 hours.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Records required to be retained under

<sup>5</sup> The reporting and recordkeeping burden of the regulations (31 CFR 1026.320 and 1023.320) is reflected in the burden for the BSA-SAR as approved under 1506-0065. This listed burden is assigned to maintain control number 1506-0019 active as a reporting requirement.

the Bank Secrecy Act must be retained for five years.

#### Request for Comments

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance and purchase of services to provide information.

Dated: December 29, 2011.

**James H. Freis, Jr.,**

*Director, Financial Crimes Enforcement Network.*

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#### DEPARTMENT OF THE TREASURY

##### Fiscal Service

##### **Surety Companies Acceptable on Federal Bonds: Amendment—Evergreen National Indemnity Company**

**AGENCY:** Financial Management Service, Fiscal Service, Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** This is Supplement No. 5 to the Treasury Department Circular 570, 2011 Revision, published July 1, 2011, at 76 FR 38892.

**FOR FURTHER INFORMATION CONTACT:** Surety Bond Branch at (202) 874-6850.

**SUPPLEMENTARY INFORMATION:** The underwriting limitation for Evergreen National Indemnity Company (NAIC #12750), which was listed in the Treasury Department Circular 570, published on July 1, 2011, is hereby amended to read \$3,220,000.

Federal bond-approving officers should annotate their reference copies of the Treasury Department Circular 570 (“Circular”), 2011 Revision, to reflect this amendment.

The Circular may be viewed and downloaded through the Internet at [www.fms.treas.gov/c570](http://www.fms.treas.gov/c570).

Questions concerning this notice may be directed to the U.S. Department of the Treasury, Financial Management Service, Financial Accounting and Services Division, Surety Bond Branch, 3700 East-West Highway, Room 6F01, Hyattsville, MD 20782.

Dated: December 20, 2011.

**Laura Carrico,**

*Director, Financial Accounting and Services Division.*

[FR Doc. 2011-33738 Filed 1-4-12; 8:45 am]

**BILLING CODE 4810-35-M**

#### DEPARTMENT OF THE TREASURY

##### Fiscal Service

##### **Surety Companies Acceptable on Federal Bonds: Termination; Western Bonding Company**

**AGENCY:** Financial Management Service, Fiscal Service, Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** This is Supplement No. 4 to the Treasury Department Circular 570; 2011 Revision, published July 1, 2011, at 76 FR 38892.

**FOR FURTHER INFORMATION CONTACT:** Surety Bond Branch at (202) 874-6850.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Certificate of Authority issued by the Treasury to Western Bonding Company (NAIC# 13191) under 31 U.S.C. 9305 to qualify as an acceptable surety on Federal bonds is terminated effective today. Federal bond-approving officials should annotate their reference copies of the Treasury Department Circular 570 (“Circular”), 2011 Revision, to reflect this change.

With respect to any bonds, including continuous bonds, currently in force with above listed Company, bond-approving officers should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding. In addition, in no event, should bonds that are continuous in nature be renewed.

The Circular may be viewed and downloaded through the Internet at [www.fms.treas.gov/c570](http://www.fms.treas.gov/c570).

Questions concerning this notice may be directed to the U.S. Department of the Treasury, Financial Management Service, Financial Accounting and Services Division, Surety Bond Branch, 3700 East-West Highway, Room 6F01, Hyattsville, MD 20782.