

respect to the records of FinCEN will be made by the Director of FinCEN or the delegate of the Director. Appeals should be mailed to: Freedom of Information Appeal, Post Office Box 39, Vienna, VA 22183.

5. *Delivery of process.* Service of process will be received by the Chief Counsel of FinCEN and shall be delivered to: Chief Counsel, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

### Subpart C—Privacy Act

■ 4. Section 1.20 is amended as follows:

■ a. Paragraph (a)(11) is revised.  
■ b. Paragraph (m) is amended by removing the words “The Office of Thrift Supervision” and adding in their place “The Financial Crimes Enforcement Network.”

■ c. The first sentence of the undesignated paragraph is revised.

The revisions to § 1.20 read as follows:

#### § 1.20 Purpose and scope of regulations.

\* \* \* \* \*

(a) \* \* \*

(11) The General Counsel and all offices reporting to such official, including immediate staff; except legal counsel to the components listed in paragraphs (a)(17) and (b) through (m) of this section;

\* \* \* \* \*

For purposes of this subpart, the office of the legal counsel for the components listed in paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m) of this section are to be considered a part of such components. \* \* \*

■ 7. Section 1.36 is amended as follows:

■ a. Paragraph (c)(1)(i) is amended by removing “DO .200—FinCEN Database; DO .212—Suspicious Activity Reporting System (SARS), and DO .213—Bank Secrecy Act Reports System” from the table.

■ b. Paragraph (c)(1)(xiii) is added.

■ c. Paragraph (c)(2) is revised.

■ d. Paragraph (e)(1) is amended by removing “Departmental Offices” from the table heading and adding in its place “Financial Crimes Enforcement Network.” Paragraph (e)(1) is further amended by removing the entry “DO .200” and adding in its place “FinCEN .001” to the table.

■ e. Paragraph (g)(1)(i) is amended by removing “DO .200—FinCEN Database; DO .212—Suspicious Activity Reporting System (SARS), and DO .213—Bank Secrecy Act Reports System” from the table.

■ f. Paragraph (g)(1)(xiii) is added.

■ g. Paragraph (g)(2) is revised.

■ h. Paragraph (m)(1)(xiii) is added.

■ i. Paragraph (m)(2) is revised.

The amendments to § 1.36 read as follows:

#### § 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 522a and this part.

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(xiii) Financial Crimes Enforcement Network:

Number	Name of System
FinCEN .001	FinCEN DataBase.
FinCEN .002	Suspicious Activity Reporting System.
FinCEN .003	Bank Secrecy Act Reports System.

(2) The Department hereby exempts the systems of records listed in paragraphs (c)(1)(i) through (xiii) of this section from the following provisions of 5 U.S.C. 552a, pursuant to 5 U.S.C. 552a(j)(2): 5 U.S.C. 552a(c)(3) and (4), 5 U.S.C. 552a(d)(1), (2), (3), (4), 5 U.S.C. 552a(e)(1), (2) and (3), 5 U.S.C. 552a(e)(4)(G), (H), and (I), 5 U.S.C. 552a(e)(5) and (8), 5 U.S.C. 552a(f), and 5 U.S.C. 552a(g).

\* \* \* \* \*

(g) \* \* \*

(1) \* \* \*

(xiii) Financial Crimes Enforcement Network:

Number	Name of System
FinCEN .001	FinCEN Database.
FinCEN .002	Suspicious Activity Reporting System.
FinCEN .003	Bank Secrecy Act Reports System.

(2) The Department hereby exempts the systems of records listed in paragraphs (g)(1)(i) through (xiii) of this section from the following provisions of 5 U.S.C. 552a, pursuant to 5 U.S.C. 552a(k)(2): 5 U.S.C. 552a(c)(3), 5 U.S.C. 552a(d)(1), (2), (3), (4), 5 U.S.C. 552a(e)(1), 5 U.S.C. 552a(e)(4)(G), (H), and (I), and 5 U.S.C. 552a(f).

\* \* \* \* \*

(m) \* \* \*

(1) \* \* \*

(xiii) Financial Crimes Enforcement Network:

(2) The Department hereby exempts the systems of records listed in paragraph (m)(1)(i) through (xiii) of this section from the following provisions of 5 U.S.C. 552a, pursuant to 5 U.S.C. 552a(k)(5): 5 U.S.C. 552a(c)(3), 5 U.S.C. 552a(d)(1), (2), (3), and (4), 5 U.S.C. 552a(e)(1), 5 U.S.C. 552a(e)(4)(G), (H), and (I), and 5 U.S.C. 552a(f).

\* \* \* \* \*

■ 7a. Subpart C of 31 CFR part 1 is amended by adding Appendix N:

#### Appendix N—Financial Crimes Enforcement Network

1. *In general.* This appendix applies to the Financial Crimes Enforcement Network (FinCEN). It sets forth specific notification and access procedures with respect to particular systems of records, and identifies the officers designated to make the initial determinations with respect to notification and access to records and accountings of disclosures of records. This appendix also sets forth the specific procedures for requesting amendment of records and identifies the officers designated to make the initial and appellate determinations with respect to requests for amendment of records. It identifies the officers designated to grant extensions of time on appeal, the officers with whom “Statements of Disagreement” may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals, and service of process. In addition, it references the notice of systems of records and notices of the routine uses of the information in the system required by 5 U.S.C. 552a(4) and (11) and published biennially by the Office of the Federal Register in “Privacy Act Issuances.”

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR 1.26, whether to grant requests for notification and access to records and accountings of disclosures for FinCEN will be made by the Freedom of Information/Privacy Act officer, FinCEN. Requests may be mailed to: Privacy Act Request, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

3. *Requests for amendments of records.* Initial determinations under 31 CFR 1.27(a) through (d) whether to grant requests to amend records maintained by FinCEN will be made by the Freedom of Information/Privacy Act officer, FinCEN. Requests may be mailed to: Privacy Act Request, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

4. *Verification of Identity.* An individual seeking notification or access to records, or seeking to amend a record, or seeking an accounting of disclosures, must satisfy one of the following identification requirements before action will be taken by FinCEN on any such request:

(i) An individual may establish identity through the mail by a signature, address, and one other identifier such as a photocopy of a driver's license or other official document bearing the individual's signature.

(ii) Notwithstanding this paragraph (4)(i), an individual may establish identity by providing a notarized statement, swearing or affirming to such individual's identity and to the fact that the individual understands the penalties provided in 5 U.S.C. 552a(i)(3) for requesting or obtaining access to records under false pretenses.

(iii) Notwithstanding this paragraph (4)(i) and (ii), the Freedom of Information Act/Privacy Act Officer or other designated official may require additional proof of an