

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or for a copy of the form should be directed to Charles D. Klingman, Office of Financial Institutions Policy, at (703) 905-3920; or Cynthia A. Langwiser, Attorney-Advisor, Office of Legal Counsel, at (703) 905-3590. A copy of the CMIR form, as well as all other forms required by the Bank Secrecy Act, can be obtained through the Internet at http://www.irs.ustreas.gov/prod/forms_pubs/forms.html.

SUPPLEMENTARY INFORMATION: The Bank Secrecy Act, Titles I and II of Pub. L. 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5314, 5316-5330, authorizes the Secretary of the Treasury, *inter alia*, to issue regulations requiring records and reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters. Regulations implementing Title II of the Bank Secrecy Act (codified at 31 U.S.C. 5311-5314, 5316-5330) appear at 31 CFR Part 103. The authority of the Secretary to administer the Bank Secrecy Act regulations has been delegated to the Director of FinCEN.

The Bank Secrecy Act specifically states that "a person or an agent or bailee of the person shall file a report * * * when the person, agent, or bailee knowingly—(1) Transports, is about to transport, or has transported, monetary instruments of more than \$10,000 at one time—(A) from a place in the United States to or through a place outside the United States; or (B) to a place in the United States from or through a place outside the United States; or (2) receives monetary instruments of more than \$10,000 at one time transported into the United States from or through a place outside the United States." 31 U.S.C. 5316(a). The requirement of 31 U.S.C. 5316(a) has been implemented through regulations promulgated at 31 CFR 103.23 and through the instructions to the *Report of International Transportation of Currency or Monetary Instruments*, U.S. Customs Service Form 4790.

Information collected on the CMIR is made available, in accordance with strict safeguards, to appropriate criminal law enforcement and regulatory personnel in the official performance of their duties. The information contained is of use in investigations involving international and domestic money laundering, tax evasion, fraud, and other financial crimes.

This notice does not propose any change to the current text of the *Report of International Transportation of Currency or Monetary Instruments* or to

its instructions. However, FinCEN intends to replace the current OMB Control Number for this collection requirement (1515-0079) with a new OMB Control Number, 1506-0005. FinCEN believes that by centralizing responsibility for Bank Secrecy Act information collection requirements, it will be easier to maintain oversight over the collection requirement. Accordingly, this collection requirement notice is in the form of an extension, and if approved, the existing OMB Control Number 1515-0079 for this collection requirement will be withdrawn, so as to avoid duplication.

In accordance with requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), and its implementing regulations, 5 CFR 1320, the following information concerning the collection of information on U.S. Customs Service Form 4790 is presented to assist those persons wishing to comment on the information collection. (The number of respondents has significantly varied each year; the estimates below are based on an average.)

Title: Report of International Transportation of Currency or Monetary Instruments.

Form Number: U.S. Customs Service Form 4790.

OMB Number: 1506-0005.

Description of Respondents: All persons.

Estimated Number of Respondents: 200,000.

Frequency: As required.

Estimate of Burden: Reporting average of 13 minutes per response; recordkeeping average of 2 minutes per response.

Estimate of Total Annual Burden on Respondents: Reporting burden estimate = 43,333 hours; recordkeeping burden estimate = 6,667 hours. Estimated combined total of 50,000 hours.

Estimate of Total Annual Cost to Respondents for Hour Burdens: Based on \$20 per hour, the total cost to the public is estimated to be \$1,000,000.

Estimate of Total Other Annual Costs to Respondents: None.

Type of Review: Extension.

FinCEN specifically invites comments on the following subjects: (a) Whether the proposed collection of information is necessary for the proper performance of the mission of FinCEN, including whether the information shall have practical utility; (b) the accuracy of FinCEN's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (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.

In addition, the Paperwork Reduction Act of 1995 requires agencies to estimate the total annual cost burden to respondents or recordkeepers resulting from the collection of information. Thus, FinCEN also specifically requests comments to assist with this estimate. In this connection, FinCEN requests commenters to identify any additional costs associated with the completion of the form. These comments on costs should be divided into two parts: (1) Any additional costs associated with reporting; and (2) any additional costs associated with recordkeeping.

Responses to this notice will be summarized and included in FinCEN's request for Office of Management and Budget approval. All comments will become a matter of public record.

Dated: August 6, 1996.

Stanley E. Morris,
Director, Financial Crimes Enforcement Network.

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Proposed Collection; Comment Request

AGENCY: Financial Crimes Enforcement Network, Treasury.

ACTION: Notice.

SUMMARY: In order to comply with the requirements of the Paperwork Reduction Act of 1995 concerning proposed extensions of information collection requirements, the Financial Crimes Enforcement Network ("FinCEN") is soliciting comments on the information collected on currency transactions involving casinos under the Bank Secrecy Act regulations on Internal Revenue Service Form 8362, *Currency Transaction Report by Casinos* ("CTR-C").

DATES: Submit written comments by October 11, 1996.

ADDRESSES: Direct all written comments to the Financial Crimes Enforcement Network, Office of Regulatory Policy and Enforcement, Attn.: CTR-C Comments, Suite 200, 2070 Chain Bridge Road, Vienna, VA 22182-2536.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or for a copy of the form should be directed to Leonard Senia, Office of Financial Institutions Policy, at (703) 905-3931; Charles D. Klingman, Office of Financial Institutions Policy, at (703) 905-3920; or Cynthia A. Langwiser,

Attorney-Advisor, Office of Legal Counsel, at (703) 905-3590. A copy of the CTR-C form, as well as all other forms required by the Bank Secrecy Act, can be obtained through the Internet at http://www.irs.ustreas.gov/prod/forms__pubs/forms.html.

SUPPLEMENTARY INFORMATION: The Bank Secrecy Act, Titles I and II of Pub. L. 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5314, 5316-5330, authorizes the Secretary of the Treasury, *inter alia*, to issue regulations requiring records and reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters. Regulations implementing Title II of the Bank Secrecy Act (codified at 31 U.S.C. 5311-5314, 5316-5330) appear at 31 CFR Part 103. The authority of the Secretary to administer the Bank Secrecy Act regulations has been delegated to the Director of FinCEN.

The Bank Secrecy Act specifically provides the Secretary the authority to issue regulations that require a report when "a domestic financial institution is involved in a transaction for the payment, receipt, or transfer of United States coins or currency (or other monetary instruments the Secretary of the Treasury prescribes), in an amount, denomination, or amount and denomination, or under circumstances the Secretary prescribes * * *." 31 U.S.C. 5313(a). The Bank Secrecy Act also provides the Secretary with the explicit authority to define casinos as financial institutions. 31 U.S.C. 5312(a)(2)(X). See 31 CFR 103.11(n)(7)(i). The authority of 31 U.S.C. 5313(a) has been implemented through regulations promulgated at 31 CFR 103.22 and through the instructions to the *Currency Transaction Report by Casinos*, Internal Revenue Service Form 8362.

Information collected on the CTR-C is made available, in accordance with strict safeguards, to appropriate criminal law enforcement and regulatory personnel in the official performance of

their duties. The information contained is of use in investigations involving international and domestic money laundering, tax evasion, fraud, and other financial crimes.

This notice does not propose any change to the current text of the *Currency Transaction Report by Casinos* or to its instructions. However, FinCEN intends to replace the current OMB Control Number for this collection requirement (1545-0906) with a new OMB Control Number, 1506-0003. FinCEN believes that by centralizing responsibility for Bank Secrecy Act information collection requirements, it will be easier to maintain oversight over the collection requirement. Accordingly, this collection requirement notice is in the form of an extension, and if approved, the existing OMB Control Number 1545-0906 for this collection requirement will be withdrawn, so as to avoid duplication.

In accordance with requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), and its implementing regulations, 5 CFR 1320, the following information concerning the collection of information on Form 8362 is presented to assist those persons wishing to comment on the information collection. (The number of respondents has significantly varied each year; the estimates below are based on an average.)

Title: Currency Transaction Report by Casinos.

Form Number: IRS Form 8362.

OMB Number: 1506-0003.

Description of Respondents: All United States casinos.

Estimated Number of Respondents: 125,000.

Frequency: As required.

Estimate of Burden: Reporting average of 19 minutes per response; recordkeeping average of 5 minutes per response.

Estimate of Total Annual Burden on Respondents: Reporting burden estimate = 39,583 hours; recordkeeping burden

estimate = 10,417 hours. Estimated combined total of 50,000 hours.

Estimate of Total Annual Cost to Respondents for Hour Burdens: Based on \$20 per hour, the total cost to the public is estimated to be \$1,000,000.

Estimate of Total Other Annual Costs to Respondents: None.

Type of Request: Extension.

FinCEN specifically invites comments on the following subjects: (a) Whether the proposed collection of information is necessary for the proper performance of the mission of FinCEN, including whether the information shall have practical utility; (b) the accuracy of FinCEN's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (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.

In addition, the Paperwork Reduction Act of 1995 requires agencies to estimate the total annual cost burden to respondents or recordkeepers resulting from the collection of information. Thus, FinCEN also specifically requests comments to assist with this estimate. In this connection, FinCEN requests commenters to identify any additional costs associated with the completion of the form. These comments on costs should be divided into two parts: (1) any additional costs associated with reporting; and (2) any additional costs associated with recordkeeping.

Responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record.

Dated: August 6, 1996.

Stanley E. Morris,
Director, Financial Crimes Enforcement Network.

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