BILLING C

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

Agency Information Collection Activities: Proposed Renewal; Comment Request; Renewal without Change of the Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

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

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, FinCEN invites comments on a renewal, without change, of a generic clearance for the collection of qualitative feedback on agency service delivery. This request for comments is being made pursuant to the Paperwork Reduction Act of 1995.

DATES: Written comments are welcome and must be received on or before **[INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Comments may be submitted by any of the following methods:

• Federal E-rulemaking Portal: *http://www.regulations.gov*. Follow the instructions for submitting comments. Refer to docket number FINCEN-2026-0199 and the Office of Management and Budget (OMB) control number 1506-0062.

• Mail: Regulatory and Strategic Affairs Division, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183. Refer to docket number FINCEN-2026-0199 and OMB control number 1506-0062.

Please submit comments by one method only. Comments will be reviewed consistent with the Paperwork Reduction Act of 1995 (PRA) and applicable OMB regulations and guidance. Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

FOR FURTHER INFORMATION CONTACT: FinCEN's Regulatory Support Section at *www.fincen.gov/contact*.

SUPPLEMENTARY INFORMATION:

I. Statutory and Regulatory Provisions

a. Bank Secrecy Act

The legislative framework generally referred to as the Bank Secrecy Act (BSA) consists of the Currency and Foreign Transactions Reporting Act of 1970,[1] as amended by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act),[2] and other legislation, including the Anti-Money Laundering Act of 2020 (AML Act).[3] The BSA is codified at 12 U.S.C. 1829b and 1951–1960, and 31 U.S.C. 5311–5314 and 5316–5336, and includes notes thereto, with implementing regulations at 31 CFR chapter X.

The BSA authorizes the Secretary of the Treasury (Secretary) to, *inter alia*, 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, risk assessments or proceedings, or in intelligence or counter-intelligence activities, including analysis, to protect against terrorism, and to implement anti-money laundering/countering the financing of terrorism (AML/CFT) programs and compliance procedures.[4] The Secretary has delegated to the Director of FinCEN the authority to administer the BSA.[5]

b. Generic Clearances

A "generic clearance" is an umbrella approval that allows an agency to obtain expedited OMB approval for multiple, similar information collections, rather than seeking full approval for

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[1] Title II of Pub. L. 91-508, 84 Stat. 1118 (Oct. 26, 1970).
[2] Pub. L. 107–56, 115 Stat. 272 (Oct. 26, 2001).
[3] The AML Act was enacted as Division F, sections 6001-6511, of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Pub. L. 116-283, 134 Stat. 3388 (2021).
[4] *See* 31 U.S.C. 5311(1)-(2).
[5] Treasury Order 180-01 (Jan. 14, 2020); *see also* 31 U.S.C. 310(b)(2)(I) (providing that the Director of FinCEN shall "[a]dminister the requirements of subchapter II of chapter 53 of this title, chapter 2 of title I of Public Law 91–508, and section 21 of the Federal Deposit Insurance Act, to the extent delegated such authority by the Secretary.").

each collection individually.[6] This streamlined process is generally limited to information collections that are voluntary, low-burden, and uncontroversial. Before an agency may use a generic clearance, however, it must obtain OMB approval of its initial generic clearance plan through the standard notice and comment process. FinCEN first completed that process in March 2011.[7]

After the initial generic clearance, an agency need not seek further public comment on each specific information collection that falls within the generic clearance plan. Instead, the agency need only obtain OMB approval for each covered collection, subject to the terms of the agency's initial generic clearance plan. The OMB review period for such collections is typically brief, taking approximately five business days instead of the otherwise standard 60-day review period.

Once approved by OMB, a generic clearance plan may remain in place for up to three years, the maximum allowed under the PRA. Each information collection covered under a generic clearance plan is included in the PRA public docket on www.reginfo.gov prior to use.

FinCEN's generic clearance plan and the corresponding PRA public docket are covered by OMB control number 1506-0062.[8] FinCEN conducts surveys under the generic clearance plan to collect qualitative customer and stakeholder feedback, in furtherance of its commitment to improving service delivery. For each information collection covered under FinCEN's generic clearance plan, FinCEN certifies the following:

1. The collection is voluntary.

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[6] *See* Off. of Mgmt. & Budget, Exec. Off. of the President, *Paperwork Reduction Act—Generic Clearances* (May 28, 2010), https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/inforeg/PRA_Gen_ICRs_5-28-2010.pdf; *see also* Off. of Mgmt. & Budget, Exec. Off. of the President, *Flexibilities Under the Paperwork Reduction Act for Compliance with Information Collection Requirements* (July 22, 2016), https://obamawhitehouse.archives.gov/sites/default/files/omb/inforeg/pra_flexibilities_memo_7_22_16_finalI.pdf.

[7] *See* Off. of Mgmt. & Budget, *Agency Information Collection Activities: Proposed Collection; Comment Request; Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery*, 75 FR 80542 (Dec. 22, 2010); *see also* Department of the Treasury, *Submission for OMB Review; Comment Request*, 76 FR 13018 (Mar. 9, 2011).

[8] See the historical information collections under 1506-0062 at https://www.reginfo.gov/public/Forward?SearchTarget=PRA&textfield=1506-0062&Image61.x=19&Image61.y=11.

2. The collection is low-burden for respondents and low-cost for the Federal Government.
3. The collection is non-controversial and does not raise issues of concern to other Federal agencies.
4. The results are not intended to be disseminated to the public.
5. Information gathered will not be used for the purpose of substantially informing influential policy decisions.
6. The collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the future.

II. Paperwork Reduction Act of 1995 (PRA)[9]

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Control Number: 1506–0062.

Form Number: Not applicable.

Abstract: FinCEN is issuing this notice to renew, without change, its capability to solicit feedback from the public with respect to timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders would be unavailable.

Affected Public: Business or other for-profit institutions; non-profit institutions; and certain Federal, state, and local law enforcement and regulatory agencies.

Type of Review: Renewal without change of currently approved information collections.

Frequency: As required, though generally once per year, per survey.

Estimated Number of Potential Respondents: 39,534 respondents, on average.[10]

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[9] *See* 44 U.S.C. 3506(c)(2)(A).

[10] FinCEN anticipates it will send an average of approximately 39,534 survey invitations to businesses or other for-profit institutions; non-profit institutions; and certain Federal, state, and local law enforcement and regulatory

Estimated Number of Expected Respondents: 5,217 respondents, on average.[11]

Estimated Number of Responses: 5,217 responses, on average.[12]

Estimated Total Annual Reporting Burden: 1,496 hours, on average.[13]

Estimated Total Three-Year Reporting Burden: 4,489 hours.[14]

Under the PRA, FinCEN as a Federal 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.

General Request for Comments:

Comments submitted in response to this notice will be summarized or included in a request for OMB approval. All comments will become a matter of public record. Comments are invited on: (1) 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; (2) the accuracy of the agency's estimate of the burden of the collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; (4) ways to minimize the burden imposed on respondents by the collection of information, including through the use of automated collection techniques or other forms of information technology; and (5) estimates of

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agencies each year over the three-year period requested for approval under this OMB control number. The estimated number of potential respondents is based on a conservative assessment of the total number of surveys expected to be sent as informed by historical survey activity. From 2023 to 2025, FinCEN distributed approximately 118,601 survey invitations, averaging approximately 39,534 survey invitations annually. Because some institutions may receive multiple invitations within a given year, the number of survey invitations may not represent the number of unique entities solicited, but rather reflects an upper-bound value of the expected number of potential respondents.

[11] In the three years of survey administration between 2023 and 2025, FinCEN received approximately 15,651 completed surveys, averaging approximately 5,217 completed surveys annually. The estimated number of future respondents is based on a conservative assessment of historical response rates. Because some institutions may have completed multiple invitations within a given year, the number of completed surveys modestly exceeds the number of unique institutions that participated in the activities.

[12] FinCEN anticipates sending surveys to approximately 39,534 respondents annually. Based on survey results from 2023 to 2025, FinCEN estimates receiving 5,217 responses annually. Over the three-year period requested for approval of this OMB control number, this equates to an estimated 15,651 responses.

[13] FinCEN anticipates the respective surveys covered by this control number would require an average of eight (8) to 27 minutes to complete, respectively, or approximately 17.21 minutes, on average, as weighted by the distribution of responses received by survey type in the three-year period between 2023 and 2025. Given an estimated 5,217 expected responses each year, FinCEN conservatively estimates a respondent burden of approximate 1,496 hours annually (17.21 minutes per response × 5,217 responses, converted to hours).

[14] Over the three-year period requested for approval of this OMB control number, the total respondent burden is estimated at approximate 4,489 hours (1,496 hours annually × 3 years).

capital or start-up costs, cost of operation and maintenance, and cost involved in purchasing services.

III. Additional Requests for Comment:

As it continues to implement the AML Act, FinCEN will further assess the PRA burden associated with BSA requirements. To inform that assessment, FinCEN requests comments in response to the following additional questions:

1. Do FinCEN estimates accurately represent the average time spent on survey responses? If not, please provide data or anecdotal evidence that would support revisions.
2. FinCEN estimates of time burden do not include incremental time necessary to access and submit survey responses. Should additional time be assigned to these activities?
3. Are there additional or different questions that should be included in the surveys, or alternative ways of administering them or otherwise soliciting the desired information, that would improve the balance between the value of the information collected and the burden on respondents?

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