



CBAI Recommends Guiding Principals in Transferring Beneficial Ownership Collection and Reporting Responsibility to FinCEN

CBAI's advocacy effort to relieve the community bank regulatory burden for the collection and reporting of beneficial ownership information dates to our comment letters in 2012 and 2016. In those comment letters, we urged FinCEN to tread lightly on community banks, and we were critical of FinCEN's regulatory impact analysis which justified the estimated cost of compliance to implement their proposed rules. CBAI is gratified that Congress has finally shifted this responsibility from community banks to where it rightfully belongs – with FinCEN.

In a comment letter dated May 5, 2021, CBAI urged that the responsibility to collect and report beneficial ownership information must be unequivocally and completely transferred from community banks to FinCEN. Community banks must have prompt and secure access to this information at no cost to assist them in their efforts to fulfill their many and significant responsibilities in the fight against identity theft, financial fraud, money laundering, and terrorist financing. And, in obtaining beneficial ownership information quickly and securely to assist in their regulatory compliance, community banks must be specifically indemnified and held harmless from liability for accessing and using the information that is collected and reported to FinCEN.

[Read CBAI Comment Letter to FinCEN »](#)