

Exhibit A

Form **4789**  
(Rev. June 1998)  
Department of the Treasury  
Internal Revenue Service

**Currency Transaction Report**  
▶ Use this 1998 revision effective June 1, 1998.  
▶ For Paperwork Reduction Act Notice, see page 3. ▶ Please type or print.  
(Complete all parts that apply—See instructions)

OMB No. 1506-0004

1 Check all box(es) that apply:  
a  Amends prior report    b  Multiple persons    c  Multiple transactions

**Person(s) Involved in Transaction(s)**

**Section A—Person(s) on Whose Behalf Transaction(s) Is Conducted**

2 Individual's last name or Organization's name    3 First name    4 M.I.

5 Doing business as (DBA)    6 SSN or EIN

7 Address (number, street, and apt. or suite no.)    8 Date of birth M M D D Y Y Y Y

9 City    10 State    11 ZIP code    12 Country (if not U.S.)    13 Occupation, profession, or business

14 If an individual, describe method used to verify identity:  
a  Driver's license/State I.D.    b  Passport    c  Alien registration    d  Other .....  
e Issued by:    f Number:

**Section B—Individual(s) Conducting Transaction(s) (if other than above).**  
If Section B is left blank or incomplete, check the box(es) below to indicate the reason(s):  
a  Armored Car Service    b  Mail Deposit or Shipment    c  Night Deposit or Automated Teller Machine (ATM)  
d  Multiple Transactions    e  Conducted On Own Behalf

15 Individual's last name    16 First name    17 M.I.

18 Address (number, street, and apt. or suite no.)    19 SSN

20 City    21 State    22 ZIP code    23 Country (if not U.S.)    24 Date of birth M M D D Y Y Y Y

25 If an individual, describe method used to verify identity:  
a  Driver's license/State I.D.    b  Passport    c  Alien registration    d  Other .....  
e Issued by:    f Number:

**Amount and Type of Transaction(s). Check all boxes that apply.**

26 Cash In \$ \_\_\_\_\_ .00    27 Cash Out \$ \_\_\_\_\_ .00    28 Date of Transaction M M D D Y Y Y Y

29  Foreign Currency \_\_\_\_\_ (Country)    30  Wire Transfer(s)    31  Negotiable Instrument(s) Purchased

32  Negotiable Instrument(s) Cashed    33  Currency Exchange(s)    34  Deposit(s)/Withdrawal(s)

35  Account Number(s) Affected (if any): \_\_\_\_\_  
\_\_\_\_\_

36  Other (specify) \_\_\_\_\_  
\_\_\_\_\_

**Financial Institution Where Transaction(s) Takes Place**

37 Name of financial institution    Enter Federal Regulator or BSA Examiner code number from the instructions here. ▶ [    ]

38 Address (number, street, and apt. or suite no.)    39 SSN or EIN

40 City    41 State    42 ZIP code    43 MICR No.

**Sign Here** ▶

44 Title of approving official    45 Signature of approving official    46 Date of signature M M D D Y Y Y Y

47 Type or print preparer's name    48 Type or print name of person to contact    49 Telephone number (    )

Cat. No. 42004W

Form **4789** (Rev. 6-98)

**Multiple Persons**

(Complete applicable parts below if box 1b on page 1 is checked.)

**Person(s) Involved in Transaction(s)**

**Section A—Person(s) on Whose Behalf Transaction(s) Is Conducted**

2 Individual's last name or Organization's name		3 First name		4 M.I.	
5 Doing business as (DBA)			6 SSN or EIN		
7 Address (number, street, and apt. or suite no.)			8 Date of birth		
9 City	10 State	11 ZIP code	12 Country (if not U.S.)	13 Occupation, profession, or business	
14 If an individual, describe method used to verify identity:					
a <input type="checkbox"/> Driver's license/State I.D.		b <input type="checkbox"/> Passport		c <input type="checkbox"/> Alien registration	
e Issued by:		d <input type="checkbox"/> Other			
f Number:					

**Section B—Individual(s) Conducting Transaction(s) (if other than above).**

15 Individual's last name		16 First name		17 M.I.	
18 Address (number, street, and apt. or suite no.)			19 SSN		
20 City	21 State	22 ZIP code	23 Country (if not U.S.)	24 Date of birth	
25 If an individual, describe method used to verify identity:					
a <input type="checkbox"/> Driver's license/State I.D.		b <input type="checkbox"/> Passport		c <input type="checkbox"/> Alien registration	
e Issued by:		d <input type="checkbox"/> Other			
f Number:					

**Person(s) Involved in Transaction(s)**

**Section A—Person(s) on Whose Behalf Transaction(s) Is Conducted**

2 Individual's last name or Organization's name		3 First name		4 M.I.	
5 Doing business as (DBA)			6 SSN or EIN		
7 Address (number, street, and apt. or suite no.)			8 Date of birth		
9 City	10 State	11 ZIP code	12 Country (if not U.S.)	13 Occupation, profession, or business	
14 If an individual, describe method used to verify identity:					
a <input type="checkbox"/> Driver's license/State I.D.		b <input type="checkbox"/> Passport		c <input type="checkbox"/> Alien registration	
e Issued by:		d <input type="checkbox"/> Other			
f Number:					

**Section B—Individual(s) Conducting Transaction(s) (if other than above).**

15 Individual's last name		16 First name		17 M.I.	
18 Address (number, street, and apt. or suite no.)			19 SSN		
20 City	21 State	22 ZIP code	23 Country (if not U.S.)	24 Date of birth	
25 If an individual, describe method used to verify identity:					
a <input type="checkbox"/> Driver's license/State I.D.		b <input type="checkbox"/> Passport		c <input type="checkbox"/> Alien registration	
e Issued by:		d <input type="checkbox"/> Other			
f Number:					

**Paperwork Reduction Act Notice.**—The requested information is useful in criminal, tax, and regulatory investigations and proceedings. Financial institutions are required to provide the information under 31 U.S.C. 5313 and 31 CFR Part 103, commonly referred to as the Bank Secrecy Act (BSA). The BSA is administered by the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN). You are not required to provide the requested information unless a form displays a valid OMB control number.

The time needed to complete this form will vary depending on individual circumstances. The estimated average time is 19 minutes. If you have comments concerning the accuracy of this time estimate or suggestions for making this form simpler, you may write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send this form to this office. Instead, see **When and Where To File** below.

### Suspicious Transactions

This Currency Transaction Report (CTR) should NOT be filed for suspicious transactions involving \$10,000 or less in currency OR to note that a transaction of more than \$10,000 is suspicious. Any suspicious or unusual activity should be reported by a financial institution in the manner prescribed by its appropriate federal regulator or BSA examiner. (See the instructions for Item 37.) If a transaction is suspicious and in excess of \$10,000 in currency, then both a CTR and the appropriate referral form must be filed.

Should the suspicious activity require immediate attention, financial institutions should telephone 1-800-800-CTRS. An Internal Revenue Service (IRS) employee will direct the call to the local office of the IRS Criminal Investigation Division (CID). This toll-free number is operational Monday through Friday, from approximately 9:00 am to 6:00 pm Eastern Standard Time. If an emergency, consult directory assistance for the local IRS CID Office.

### General Instructions

**Who Must File.**—Each financial institution (other than a casino, which instead must file Form 8362 and the U.S. Postal Service for which there are separate rules), must file Form 4789 (CTR) for each deposit, withdrawal, exchange of currency, or other payment or transfer, by, through, or to the financial institution which involves a transaction in currency of more than \$10,000. Multiple transactions must be treated as a single transaction if the financial institution has knowledge that (1) they are by or on behalf of the same person, and (2) they result in either currency received (Cash In) or currency disbursed (Cash Out) by the financial institution totaling more than \$10,000 during any one business day. For a bank, a business day is the day on which transactions are routinely posted to customers' accounts, as normally communicated to depository customers. For all other financial institutions, a business day is a calendar day.

Generally, financial institutions are defined as banks, other types of depository institutions, brokers or dealers in securities, money transmitters, currency exchangers, check cashers, issuers and sellers of money orders and traveler's checks. Should you have questions, see the definitions in 31 CFR Part 103.

**When and Where To File.**—File this CTR by the 15th calendar day after the day of the transaction with the IRS Detroit Computing Center, ATTN: CTR, P.O. Box 33604, Detroit, MI 48232-5604 or with your local IRS office. Keep a

copy of each CTR for five years from the date filed.

A financial institution may apply to file the CTRs magnetically. To obtain an application to file magnetically, write to the IRS Detroit Computing Center, ATTN: CTR Magnetic Media Coordinator, at the address listed above.

**Identification Requirements.**—All individuals (except employees of armored car services) conducting a reportable transaction(s) for themselves or for another person must be identified by means of an official document(s).

Acceptable forms of identification include a driver's license, military, and military/dependent identification cards, passport, state issued identification card, cedular card (foreign), non-resident alien identification cards, or any other identification document or documents, which contain name and preferably address and a photograph and are normally acceptable by financial institutions as a means of identification when cashing checks for persons other than established customers.

Acceptable identification information obtained previously and maintained in the financial institution's records may be used. For example, if documents verifying an individual's identity were examined and recorded on a signature card when an account was opened, the financial institution may rely on that information. In completing the CTR, the financial institution must indicate on the form the method, type, and number of the identification. Statements such as "known customer" or "signature card on file" are not sufficient for form completion.

**Penalties.**—Civil and criminal penalties are provided for failure to file a CTR or to supply information or for filing a false or fraudulent CTR. See 31 U.S.C. 5321, 5322 and 5324.

**For purposes of this CTR, the terms below have the following meanings:**

**Currency.**—The coin and paper money of the United States or any other country, which is circulated and customarily used and accepted as money.

**Person.**—An individual, corporation, partnership, trust or estate, joint stock company, association, syndicate, joint venture or other unincorporated organization or group.

**Organization.**—Person other than an individual.

**Transaction In Currency.**—The physical transfer of currency from one person to another. This does not include a transfer of funds by means of bank check, bank draft, wire transfer or other written order that does not involve the physical transfer of currency.

**Negotiable Instruments.**—All checks and drafts (including business, personal, bank, cashier's and third-party), money orders, and promissory notes. For purposes of this CTR, all traveler's checks shall also be considered negotiable instruments. All such instruments shall be considered negotiable instruments whether or not they are in bearer form.

### Specific Instructions

Because of the limited space on the front and back of the CTR, it may be necessary to submit additional information on attached sheets. Submit this additional information on plain paper attached to the CTR. Be sure to put the individual's or organization's name and identifying number (items 2, 3, 4, and 6 of the CTR) on any additional sheets so that if it becomes separated, it may be associated with the CTR.

**Item 1a. Amends Prior Report.**—If this CTR is being filed because it amends a report filed

previously, check Item 1a. Staple a copy of the original CTR to the amended one, complete Part III fully and only those other entries which are being amended.

**Item 1b. Multiple Persons.**—If this transaction is being conducted by more than one person or on behalf of more than one person, check Item 1b. Enter information in Part I for one of the persons and provide information on any other persons on the back of the CTR.

**Item 1c. Multiple Transactions.**—If the financial institution has knowledge that there are multiple transactions, check Item 1c.

### PART I - Person(s) Involved in Transaction(s)

Section A must be completed. If an individual conducts a transaction on his own behalf, complete Section A; leave Section B BLANK. If an individual conducts a transaction on his own behalf and on behalf of another person(s), complete Section A for each person; leave Section B BLANK. If an individual conducts a transaction on behalf of another person(s), complete Section B for the individual conducting the transaction, and complete Section A for each person on whose behalf the transaction is conducted of whom the financial institution has knowledge.

**Section A. Person(s) on Whose Behalf Transaction(s) Is Conducted.**—See instructions above.

**Items 2, 3, and 4. Individual/Organization Name.**—If the person on whose behalf the transaction(s) is conducted is an individual, put his/her last name in Item 2, first name in Item 3 and middle initial in Item 4. If there is no middle initial, leave item 4 BLANK. If the transaction is conducted on behalf of an organization, put its name in Item 2 and leave Items 3 and 4 BLANK.

**Item 5. Doing Business As (DBA).**—If the financial institution has knowledge of a separate "doing business as" name, enter it in Item 5. For example, Johnson Enterprises DBA PJ's Pizzeria.

**Item 6. Social Security Number (SSN) or Employer Identification Number (EIN).**—Enter the SSN or EIN of the person identified in Item 2. If none, write NONE.

**Items 7, 9, 10, 11 and 12. Address.**—Enter the permanent street address including zip code of the person identified in Item 2. Use the Post Office's two letter state abbreviation code. A P.O. Box should not be used by itself and may only be used if there is no street address. If a P.O. Box is used, the name of the apartment or suite number, road or route number where the person resides must also be provided. If the address is outside the U.S., provide the street address, city, province, or state, postal code (if known), and the name of the country.

**Item 8. Date of Birth.**—Enter the date of birth. Eight numerals must be inserted for each date. The first two will reflect the month of birth, the second two the calendar day of birth, and the last four numerals the year of birth. Zero (0) should precede any single digit number. For example, if an individual's birth date is April 3, 1948, Item 8 should read 04 03 1948.

**Item 13. Occupation, Profession, or Business.**—Identify fully the occupation, profession or business of the person on whose behalf the transaction(s) was conducted. For example, secretary, shoe salesman, carpenter, attorney, housewife, restaurant, liquor store, etc. Do not use non-specific terms such as merchant, self-employed, businessman, etc.

**Item 14. If an Individual, Describe Method Used To Verify.**—If an individual conducts the transaction(s) on his/her own behalf, his/her identity must be verified by examination of an acceptable document (see **General Instructions**). For example, check box **a** if a driver's license is used to verify an individual's identity, and enter the state that issued the license and the number in items **e** and **f**. If the transaction is conducted by an individual on behalf of another individual not present or an organization, enter **N/A** in item 14.

**Section B. Individual(s) Conducting Transaction(s)** (if other than above).—Financial institutions should enter as much information as is available. However, there may be instances in which items 15-25 may be left **BLANK** or incomplete.

If items 15-25 are left **BLANK** or incomplete, check one or more of the boxes provided to indicate the reason(s).

**Example:** If there are multiple transactions that, if only when aggregated, the financial institution has knowledge the transactions exceed the reporting threshold, and therefore, did not identify the transaction(s), check box **d** for **Multiple Transactions**.

**Items 15, 16, and 17. Individual(s) Name.**—Complete these items if an individual conducts a transaction(s) on behalf of another person. For example, if John Doe, an employee of XYZ Grocery Store makes a deposit to the store's account, XYZ Grocery Store should be identified in Section A, and John Doe should be identified in Section B.

**Items 18, 20, 21, 22, and 23. Address.**—Enter the permanent street address including zip code of the individual. (See the instructions for items 7, 9, 10, 11, and 12.)

**Item 19. SSN.**—If the individual has an SSN, enter it in item 19. If the individual does not have an SSN, enter **NONE**.

**Item 24. Date of Birth.**—Enter the individual's date of birth. See the instructions for item 8.

**Item 25. If an Individual, Describe Method Used To Verify.**—Enter the method by which the individual's identity is verified (see **General Instructions** and item 14).

**PART II - Amount and Type of Transaction(s)**

Complete Part II to identify the type of transaction(s) reported and the amount(s) involved.

**Items 26 and 27. Cash In/Cash Out.**—In the spaces provided, enter the amount of currency received (Cash In) or disbursed (Cash Out) by the financial institution. If foreign currency is exchanged, use the U.S. dollar equivalent on the day of the transaction.

If less than a full dollar amount is involved, increase that figure to the next highest dollar. For example, if the currency totals \$20,000.05, show the total as \$20,001.00.

**Item 28. Date of Transaction.**—Eight numerals must be inserted for each date. (See the instructions for item 8.)

**Determining Whether Transactions Meet the Reporting Threshold**

Only cash transactions that, if alone or when aggregated, exceed \$10,000 should be reported on the CTR. Transactions shall not be offset against one another.

If there are both Cash In and Cash Out transactions that are reportable, the amounts should be considered separately and not aggregated. However, they may be reported on a single CTR.

If there is a currency exchange, it should be aggregated separately with each of the Cash In and Cash Out totals.

**Example 1:** A person deposits \$11,000 in currency to his savings account and withdraws \$3,000 in currency from his checking account.

The CTR should be completed as follows: Cash In \$11,000 and no entry for Cash Out. This is because the \$3,000 transaction does not meet the reporting threshold.

**Example 2:** A person deposits \$11,000 in currency to his savings account and withdraws \$12,000 in currency from his checking account.

The CTR should be completed as follows: Cash In \$11,000, Cash Out \$12,000. This is because there are two reportable transactions. However, one CTR may be filed to reflect both.

**Example 3:** A person deposits \$6,000 in currency to his savings account and withdraws \$4,000 in currency from his checking account. Further, he presents \$5,000 in currency to be exchanged for the equivalent in French francs.

The CTR should be completed as follows: Cash In \$11,000 and no entry for Cash Out. This is because in determining whether the transactions are reportable, the currency exchange is aggregated with each of the Cash In and the Cash Out amounts. The result is a reportable \$11,000 Cash In transaction. The total Cash Out amount is \$9,000 which does not meet the reporting threshold; therefore, it is not entered on the CTR.

**Example 4:** A person deposits \$6,000 in currency to his savings account and withdraws \$7,000 in currency from his checking account. Further, he presents \$5,000 in currency to be exchanged for the equivalent in French francs.

The CTR should be completed as follows: Cash In \$11,000, Cash Out \$12,000. This is because in determining whether the transactions are reportable, the currency exchange is aggregated with each of the Cash In and Cash Out amounts. In this example, each of the Cash In and Cash Out totals exceed \$10,000 and must be reflected on the CTR.

**Item 29. Foreign Currency.**—If foreign currency is involved, check item 29 and identify the country. If multiple foreign currencies are involved, identify the country for which the largest amount is exchanged.

**Items 30-33.**—Check the appropriate item(s) to identify the following type of transaction(s):

- 30. Wire Transfer(s)
- 31. Negotiable Instrument(s) Purchased
- 32. Negotiable Instrument(s) Cashed
- 33. Currency Exchange(s)

**Item 34. Deposits/Withdrawals.**—Check this item to identify deposits to or withdrawals from accounts, e.g., demand deposit accounts, savings accounts, time deposits, mutual fund accounts or any other account held at the financial institution. Enter the account number(s) in item 35.

**Item 35. Account Numbers Affected (if any).**—Enter the account numbers of any accounts affected by the transaction(s) that are maintained

at the financial institution conducting the transaction(s). If necessary, use additional sheets of paper to indicate all of the affected accounts.

**Example 1:** If a person cashes a check drawn on an account held at the financial institution, the CTR should be completed as follows: indicate **Negotiable Instrument(s) Cashed** and provide the account number of the check.

If the transaction does not affect an account, make no entry.

**Example 2:** A person cashes a check drawn on another financial institution. In this instance, **Negotiable Instrument(s) Cashed** would be indicated, but no account at the financial institution has been affected. Therefore, item 35 should be left **BLANK**.

**Item 36. Other (specify).**—If a transaction is not identified in items 30-34, check item 36 and provide an additional description. For example, a person presents a check to purchase "foreign currency".

**Part III - Financial Institution Where Transaction(s) Takes Place**

**Item 37. Name of Financial Institution and Identity of Federal Regulator or BSA Examiner.**—Enter the financial institution's full legal name and identify the federal regulator or BSA examiner, using the following codes:

FEDERAL REGULATOR OR BSA EXAMINER	CODE
Comptroller of the Currency (OCC)	. . . . . 1
Federal Deposit Insurance Corporation (FDIC)	. . . . . 2
Federal Reserve System (FRS)	. . . . . 3
Office of Thrift Supervision (OTS)	. . . . . 4
National Credit Union Administration (NCUA)	. . . . . 5
Securities and Exchange Commission (SEC)	. . . . . 6
Internal Revenue Service (IRS)	. . . . . 7
U.S. Postal Service (USPS)	. . . . . 8

**Items 38, 40, 41, and 42. Address.**—Enter the street address, city, state, and ZIP code of the financial institution where the transaction occurred. If there are multiple transactions, provide information on the office or branch where any one of the transactions has occurred.

**Item 39. EIN or SSN.**—Enter the financial institution's EIN. If the financial institution does not have an EIN, enter the SSN of the financial institution's principal owner.

**Item 43. MICR Number.**—If a depository institution, enter the Magnetic Ink Character Recognition (MICR) number.

**Signature**

**Items 44 and 45. Title and Signature of Approving Official.**—The official who reviews and approves the CTR must indicate his/her title and sign the CTR.

**Item 46. Date the Form Was Signed.**—The approving official must enter the date the CTR is signed. (See the instructions for item 8.)

**Item 47. Preparer's Name.**—Type or print the full name of the individual preparing the CTR. The preparer and the approving official may not necessarily be the same individual.

**Items 48 and 49. Contact Person/Telephone Number.**—Type or print the name and telephone number of an individual to contact concerning questions about the CTR.



**Exhibit B**

**TD F 90-22.53**  
Treasury form  
(January 1999)

**Designation of Exempt Person**



OMB No. 1506-0012

Please type or print

- 1 Check appropriate box (see instructions):  
 a  Initial Designation      b  Biennial Renewal
- 2 Check appropriate box:  
 a  Exemption Amended      b  Exemption Revoked

**Part I Exempt Person**

3 Business Name or Name of Sole Proprietor \_\_\_\_\_

4 Doing Business As (DBA) \_\_\_\_\_

5 Address (Number, Street, and Apt. or Suite No.) \_\_\_\_\_

6 City \_\_\_\_\_

7 State \_\_\_\_\_

8 Zip/Postal Code \_\_\_\_\_

9 Taxpayer Identification Number \_\_\_\_\_

**Part II Basis for Exemption**

10 Exemption Basis

a  Bank      b  Government Agency / Governmental Authority      c  Listed company      d  Listed Company Subsidiary

e  Eligible Non-listed business      f  Payroll Customer

11 Effective date of the exemption  
 M M D D Y Y Y Y

12 Has there been a change in control of the exempt person? For 10(e) and (f) only.  
 a  Yes      b  No

**Part III Bank Granting or Revoking Exemption**

13 Name of Bank \_\_\_\_\_

14 Primary Federal Regulator (check only one)  
 a  OCC      b  FDIC      c  FRS      d  OTS      e  NCUA

15 Address (Number, Street, and Apt. or Suite No.) \_\_\_\_\_

16 City \_\_\_\_\_

17 State \_\_\_\_\_

18 Zip/Postal Code \_\_\_\_\_

19 Taxpayer Identification Number \_\_\_\_\_

20 Title of approving official \_\_\_\_\_

21 Signature of approving official \_\_\_\_\_

22 Date of Signature  
 M M D D Y Y Y Y

23 Last name of person to contact \_\_\_\_\_

24 First name of person to contact \_\_\_\_\_

25 Telephone number  
 ( ) -

26 For Biennial Updates ONLY (see item 1(b))

I certify on behalf of the above listed bank that its system of monitoring the transactions in currency of an exempt person for suspicious activity has been applied as necessary, and at least annually, to the account of this exempt person.

Sign Here Signature of Approving Official \_\_\_\_\_

This form must be used by a bank or other depository institution to designate an eligible customer as an exempt person from currency transaction reporting rules of the Department of the Treasury (31 CFR 103.22). File this form with:

U.S. Department of the Treasury, P.O. Box 33112, Detroit, MI 48232-0112.

Paperwork Reduction Act Notice: The purpose of this form is to provide an effective means for banks and depository institutions to exempt eligible customers from currency transaction reporting. This report is required by law, pursuant to 31 CFR 103.22. Federal law enforcement and regulatory agencies, including the U.S. Department of the Treasury and other authorized authorities may use and share this information. You are not required to provide the requested information unless a form displays a valid OMB control number. Public reporting and recordkeeping burden for this form is estimated to average 70 minutes per response, and includes time to gather and maintain information on the required report, review the instructions, and complete the information collection. The record retention period is five years. Send comments regarding this burden estimate, including suggestions for reducing the burden, to the Financial Crimes Enforcement Network, Attn: Paperwork Reduction Act, Suite 200, 2070 Chain Bridge Road, Vienna VA 22182-2536

Cat. No. 26697V

**INSTRUCTIONS****General Instructions**

**Who Must File this Report:** Any bank (see definition) that wishes to designate a customer as an exempt person for purposes of CTR reporting must file this report. 31 CFR 103.22(d)(3)(i)

In addition, banks must file this form for the biennial renewal of the exempt person designation of eligible non-listed businesses and payroll customers. 31 CFR 103.22(d)(5)

A bank may, but is not required to, use this form to notify the Treasury that the bank has revoked the designation of a customer as an exempt person.

For further information, please refer to Title 31 of the Code of Federal Regulations, Part 103. See 31 CFR 103.11 for many definitions, and 31 CFR 103.22(d) for information on exemptions to CTR reporting.

**When and Where to File** -This report must be filed with the U.S. Department of the Treasury: Designation at P.O. Box 33112, Detroit MI 48232-0112. The report must be filed no later than 30 days after the first transaction to be exempted.

**Biennial Renewal (for eligible non-listed businesses and payroll customers only):** The report must be filed by March 15 of the second calendar year following the year in which the initial designation is made, and by every other March 15 thereafter.

**General Definitions**

**Bank:** A domestic bank, savings association, thrift institution, or credit union. See 31 CFR 103.11(c). These may be exempted only to the extent of their domestic (i.e. US) operations.

**Biennial Renewal:** As provided for by 31 CFR 103.22(d)(5)(ii), the exemption status of all eligible non-listed businesses or payroll customers (see Item 10 e and f) must be updated once every two years, by March 15. This update is a biennial renewal of the exemption for these customers.

**Government Agency / Governmental Authority:** A department or agency of the United States, a State, or a political subdivision of a State, or (2) an entity established under the laws of the United States, of any State, or political subdivision of a State, or under interstate compact between 2 or more States, exercising governmental authority (i.e. the power to tax, police powers, or the power of eminent domain).

**Listed Company:** A business, other than a bank, whose common stock or analogous equity interests are listed on the New York Stock Exchange, the American Stock Exchange, or the National Association of Securities Dealers Automated Quotation System - National Market System.

See 31 CFR 103.22(d)(2) for the extent to which listed companies that are financial institutions may be exempted.

**Listed Company Subsidiary:** A subsidiary, other than a bank, which is owned at least 51%, and is controlled, by a Listed Company.

See 31 CFR 103.22(d)(2) for the extent to which listed companies' subsidiaries that are financial institutions may be exempted.

**Eligible Non-Listed business:** A business which (1) has had a transaction account at the bank for at least 12 months; (2) frequently engages in currency transactions greater than \$10,000; (3) is incorporated, or organized under the laws of the United States or a State, or is registered as and eligible to do business in the United States; and (4) is not an ineligible business.

Eligible non-listed businesses may be exempted only to the extent of their domestic (i.e. US) operations.

**Payroll Customers:** A business which (1) has had a transaction account at the bank for at least 12 months; (2) frequently withdraws more than \$10,000 in currency for payroll purposes in order to pay its employees in the US; (3) is incorporated or organized under the laws of the United States or a State, or is registered as and eligible to do business in the United States.

**Ineligible Businesses:** A business engaged primarily in one or more of the following activities: serving as financial institutions or agents of financial institutions of any type; purchase or sale to customers of motor vehicles of any kind, vessels, aircraft, farm equipment or mobile homes; the practice of law, accountancy, or medicine; auctioning of goods; chartering or operation of ships, buses, or aircraft; gaming of any kind (other than licensed pari-mutuel betting at race tracks); investment advisory services or investment banking services; real estate brokerage; pawn brokerage; title insurance and real estate closing; trade union activities; and any other activities that may be specified by FinCEN.

A business that engages in multiple business activities is not an ineligible business as long as no more than 50% of its gross revenues is derived from one or more ineligible business activities.

**United States:** The States of the United States, the District of Columbia, the Indian lands (as defined in the Indian Gaming Regulatory Act), and the Territories and Insular Possessions of the United States.

**EXPLANATIONS FOR SPECIFIC ITEMS**

**Item 3 - Business Name or Last Name of Sole Proprietor:** List the full legal name of the business being exempted, or the complete last name of the person being exempted.

**Item 9 - Taxpayer Identification Number:** Generally, the Employer Identification Number of the Exempt Person.

**Item 14 - Primary Federal Regulator:**  
OCC = Office of the Comptroller of the Currency; OTS = Office of Thrift Supervision; FRS = Federal Reserve System; FDIC = Federal Deposit Insurance Corporation; NCUA = National Credit Union Administration.

**Item 23, 24, 25 - Contact:** The last and first name, and the telephone number of the person within the depository institution to be contacted for questions regarding this report.

Exhibit C

		DEPARTMENT OF THE TREASURY UNITED STATES CUSTOMS SERVICE	Form Approved OMB No. 1515-0079
(U.S. Customs Use Only) Control No. _____ <small>31 U.S.C. 5316; 31 CFR 103.23 and 103.25</small> ▶ Please type or print.		<b>REPORT OF INTERNATIONAL                  TRANSPORTATION OF CURRENCY                  OR MONETARY INSTRUMENTS</b>	
<b>FOR INDIVIDUAL DEPARTING FROM OR ENTERING THE UNITED STATES</b>			
1. NAME (Last or family, first, and middle)		2. IDENTIFYING NO. (See instructions)	3. DATE OF BIRTH (Mo./Day/Yr.)
4. PERMANENT ADDRESS IN UNITED STATES OR ABROAD			5. OF WHAT COUNTRY ARE YOU A CITIZEN/SUBJECT?
6. ADDRESS WHILE IN THE UNITED STATES			7. PASSPORT NO. & COUNTRY
8. U.S. VISA DATE	9. PLACE UNITED STATES VISA WAS ISSUED		10. IMMIGRATION ALIEN NO. (If any)
11. CURRENCY OR MONETARY INSTRUMENT WAS: (Complete 11A or 11B)			
A. EXPORTED		B. IMPORTED	
Departed From: (City in U.S.)	Arrived At: (Foreign City/Country)	From: (Foreign City/Country)	At: (City in U.S.)
<b>FOR PERSON SHIPPING, MAILING, OR RECEIVING CURRENCY OR MONETARY INSTRUMENTS</b>			
12. NAME (Last or family, first, and middle)		13. IDENTIFYING NO. (See instructions)	14. DATE OF BIRTH (Mo./Day/Yr.)
15. PERMANENT ADDRESS IN UNITED STATES OR ABROAD			16. OF WHAT COUNTRY ARE YOU A CITIZEN/SUBJECT?
17. ADDRESS WHILE IN THE UNITED STATES			18. PASSPORT NO. & COUNTRY
19. U.S. VISA DATE	20. PLACE UNITED STATES VISA WAS ISSUED		21. IMMIGRATION ALIEN NO. (If any)
22. CURRENCY OR MONETARY INSTRUMENTS	23. CURRENCY OR MONETARY INSTRUMENTS	NAME AND ADDRESS	24. IF THE CURRENCY OR MONETARY INSTRUMENT WAS MAILED, SHIPPED, OR TRANSPORTED COMPLETE BLOCKS A AND B.
DATE SHIPPED	<input type="checkbox"/> Shipped To ▶		A. Method of Shipment (Auto, U.S. Mail, Public Carrier, etc.)
DATE RECEIVED	<input type="checkbox"/> Received From ▶		B. Name of Transporter/Carrier
<b>CURRENCY AND MONETARY INSTRUMENT INFORMATION (SEE INSTRUCTIONS ON REVERSE) (To be completed by everyone)</b>			
25. TYPE AND AMOUNT OF CURRENCY/MONETARY INSTRUMENTS		Value in U.S. Dollars	26. IF OTHER THAN U.S. CURRENCY IS INVOLVED, PLEASE COMPLETE BLOCKS A AND B. (SEE SPECIAL INSTRUCTIONS)
Coins	<input type="checkbox"/> A. ▶	\$	A. Currency Name
Currency	<input type="checkbox"/> B. ▶		B. Country
Other Instruments (Specify Type) →	<input type="checkbox"/> C. ▶		
(Add lines A, B and C)		TOTAL AMOUNT ▶	\$
<b>GENERAL - TO BE COMPLETED BY ALL TRAVELERS, SHIPPERS, AND RECIPIENTS</b>			
27. WERE YOU ACTING AS AN AGENT, ATTORNEY OR IN CAPACITY FOR ANYONE IN THIS CURRENCY OR MONETARY INSTRUMENT ACTIVITY? (If "Yes" complete A, B and C) <input type="checkbox"/> Yes <input type="checkbox"/> No			
PERSON IN WHOSE BEHALF YOU ARE ACTING ▶	A. Name	B. Address	C. Business activity, occupation, or profession
Under penalties of perjury, I declare that I have examined this report, and to the best of my knowledge and belief it is true, correct and complete.			
28. NAME AND TITLE		29. SIGNATURE	30. DATE

(Replaces IRS Form 4790 which is obsolete.)

Customs Form 4790 (031695)

**GENERAL INSTRUCTIONS**

This report is required by Treasury Department regulations (31 Code of Federal Regulations 103).

**Who Must File.** --Each person who physically transports, mails, or ships, or causes to be physically transported, mailed, shipped or received currency or other monetary instruments in an aggregate amount exceeding \$10,000 on any one occasion from the United States to any place outside the United States, or into the United States from any place outside the United States.

**A TRANSFER OF FUNDS THROUGH NORMAL BANKING PROCEDURES WHICH DOES NOT INVOLVE THE PHYSICAL TRANSPORTATION OF CURRENCY OR MONETARY INSTRUMENTS IS NOT REQUIRED TO BE REPORTED.**

**Exceptions.** --The following persons are not required to file reports: (1) a Federal Reserve bank, (2) a bank, a foreign bank, or a broker or dealer in securities in respect to currency or other monetary instruments mailed or shipped through the postal service or by common carrier, (3) a commercial bank or trust company organized under the laws of any State or of the United States with respect to overland shipments of currency or monetary instruments shipped to or received from an established customer maintaining a deposit relationship with the bank, in amounts which the bank may reasonably conclude do not exceed amounts commensurate with the customary conduct of the business, industry, or profession of the customer concerned, (4) a person who is not a citizen or resident of the United States in respect to currency or other monetary instruments mailed or shipped from abroad to a bank or broker or dealer in securities through the postal service or by common carrier, (5) a common carrier of passengers in respect to currency or other monetary instruments in the possession of its passengers, (6) a common carrier of goods in respect to shipments of currency or monetary instruments not declared to be such by the shipper, (7) a travelers' check issuer or its agent in respect to the transportation of travelers' checks prior to their delivery to selling agents for eventual sale to the public, nor by (8) a person engaged as a business in the transportation of currency, monetary instruments and other commercial papers with respect to the transportation of currency or other monetary instruments overland between established offices of banks or brokers or dealers in securities and foreign persons.

**WHEN AND WHERE TO FILE:**

**A. Recipients.** --Each person who receives currency or other monetary instruments shall file Form 4790, within 30 days after receipt, with the Customs officer in charge at any port of entry or departure or by mail with the Commissioner of Customs, Attention: Currency Transportation Reports, Washington DC 20229.

**B. Shippers or Mailers:** --If the currency or other monetary instrument does not accompany the person entering or departing the United States, Form 4790 may be filed by mail on or before the date of entry, departure, mailing, or shipping with the Commissioner of Customs, Attention: Currency Transportation Reports, Washington DC 20229.

**C. Travelers.** --Travelers carrying currency or other monetary instruments with them shall file Form 4790 at the time of entry into the United States or at the time of departure from the United States with the Customs officer in charge at any Customs port of entry or departure.

An additional report of a particular transportation, mailing, or shipping of currency or the monetary instruments, is not required if a complete and truthful report has already been filed. However, no person otherwise required to file a report shall be excused from liability for failure to do so if, in fact, a complete and truthful report has not been filed. Forms may be obtained from any United States Customs Service office.

**PENALTIES.** --Civil and criminal penalties, including under certain circumstances a fine of not more than \$500,000 and imprisonment of not more than five years, are provided for failure to file a report, supply information, and for filing a false or fraudulent report. In addition, the currency or monetary instrument may be subject to seizure and forfeiture. See section 103.47, 103.48 and 103.49 of the regulations.

**DEFINITIONS:**

**Bank.** --Each agent, agency, branch or office within the United States of a foreign bank and each agency, branch or office within the United States of any person doing business in one or more of the capacities listed: (1) a commercial bank or trust company organized under the laws of any state or of the United States; (2) a private bank; (3) a savings and loan association or a building and loan association organized under the laws of any state or of the United States; (4) an insured institution as defined in section 401 of the National Housing Act; (5) a savings bank, industrial bank or other thrift institution; (6) a credit union organized under the laws of any state or of the United States; and (7) any other organization chartered under the banking laws of any state and subject to the supervision of the bank supervisory authorities of a state.

**Foreign Bank.** --A bank organized under foreign law, or an agency, branch or office located outside the United States of a bank. The term does not include an agent, agency, branch or office within the United States of a bank organized under foreign law.

**Broker or Dealer in Securities.** --A broker or dealer in securities, registered or required to be registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934.

**IDENTIFICATION NUMBER.** --Individuals must enter their social security number, if any. However, aliens who do not have a social security number should enter passport or alien registration number. All others should enter their employer identification number.

**Investment Security.** --An instrument which: (1) is issued in bearer or registered form; (2) is of a type commonly dealt in upon securities exchanges or markets or commonly recognized in any areas in which it is issued or dealt in as a medium for investment; (3) is either one of a class or series or by its terms is divisible into a class or series of instruments; and (4) evidences a share, participation or other interest in property or in an enterprise or evidences an obligation of the issuer.

**Monetary Instruments.** --Coin or currency of the United States or of any other country, travelers' checks, money orders, investment securities in bearer form or otherwise in such form that title thereto passes upon delivery, and negotiable instruments (except warehouse receipts or bills of lading) in bearer form or other in such form that title thereto passes upon delivery. The term includes bank checks, travelers' checks and money orders which are signed but on which the name of the payee has been omitted, but does not include bank checks, travelers' checks or money orders made payable to the order of a named person which have not been endorsed or which bear restrictive endorsements.

**Person.** --An individual, a corporation, a partnership, a trust or estate, a joint stock company, and association, a syndicate, joint venture or other unincorporated organization or group, and all entities cognizable as legal personalities.

**SPECIAL INSTRUCTIONS:**

You should complete each line which applies to you. **Part II.** --Line 22, enter the exact date you shipped or received currency or monetary instrument(s). Line 23, check the applicable box and give the complete name and address of the shipper or recipient. **Part III.** --Line 26, if currency or monetary instruments of more than one country is involved, attach a schedule showing each kind, country, and amount.

**PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE**

Pursuant to the requirements of Public Law 93-579 (Privacy Act of 1974), notice is hereby given that the authority to collect information on Form 4790 in accordance with 5 U.S.C. 552a(e)(3) is Public Law 91-508; 31 U.S.C. 5316; 5 U.S.C. 301; Reorganization Plan No. 1 of 1950; Treasury Department No.165, revised, as amended; 31 CFR 103; and 44 U.S.C. 3501.

The principal purpose for collecting the information is to assure maintenance of reports or records where such reports or records have a high degree of usefulness in criminal, tax, or regulatory investigations or proceedings. The information collected may be provided to those officers and employees of the Customs Service and any other constituent unit of the Department of the Treasury who have a need for the records in the performance of their duties. The records may be referred to any other department or agency of the Federal Government upon the request of the head of such department or agency.

Disclosure of this information is mandatory. Failure to provide all or any part of the requested information may subject the currency or monetary instruments to seizure and forfeiture, as well as subject the individual to civil and criminal liabilities.

Disclosure of the social security number is mandatory. The authority to collect this number is 31 CFR 103.25. The social security number will be used as a means to identify the individual who files the record.

The collection of this information is mandatory pursuant to 31 U.S.C. 5316.

Statement Required by 5 CFR 1320.21: The estimated average burden associated with this collection of information is 10 minutes per respondent or recordkeeper depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to U.S. Customs Service, Paperwork Management Branch, Washington DC 20229. **DO NOT send completed form(s) to this office.**

Exhibit D

Department of the Treasury <b>TD F 90-22.1</b> SUPERSEDES ALL PREVIOUS EDITIONS		<b>REPORT OF FOREIGN BANK AND FINANCIAL ACCOUNTS</b> Do <b>NOT</b> file with your Federal Tax Return		 OMB No. 1505-0063
1 Filing for Calendar Year Y . Y . Y . Y		2 Type of Filer a <input type="checkbox"/> Individual b <input type="checkbox"/> Partnership c <input type="checkbox"/> Corporation d <input type="checkbox"/> Fiduciary		3 Taxpayer Identification Number
<b>Filer Information</b>				
4 Last Name or Organization Name		5 First Name		6 Middle Initial
7 Address (Number, Street, and Apt. or Suite No.)			8 Date of Birth M M D D Y . Y . Y . Y	
9 City	10 State	11 Zip/Postal Code	12 Country	13 Title (Not necessary if reporting a personal account)
14 Are these account jointly owned? a <input type="checkbox"/> Yes b <input type="checkbox"/> No		15 Number of joint owners	16 Taxpayer Identification Number of joint owner (if known)	
17 Last Name or Organization Name		18 First Name		19 Middle Initial
<b>Information on Financial Accounts</b>				
20 Number of Foreign Financial Accounts in which a financial interest is held		21 Type of account a <input type="checkbox"/> Bank b <input type="checkbox"/> Securities c <input type="checkbox"/> Other _____		
22 Maximum value of account a <input type="checkbox"/> Under \$10,000 c <input type="checkbox"/> \$100,000 to \$1,000,000 b <input type="checkbox"/> \$10,000 to \$99,999 d <input type="checkbox"/> Over \$1,000,000		23 Account Number or other designation		
24 Name of Financial Institution with which account is held		25 Country in which account is held		
26 Does the filer have a financial interest in this account? a <input type="checkbox"/> Yes b <input type="checkbox"/> No If no, complete boxes 27-35.		27 Last Name or Organization Name of Account Owner		
28 First Name		29 Middle Initial		30 Taxpayer Identification Number
31 Address (Number, Street, and Apt. or Suite No.)				32 City
33 State	34 Zip/Postal Code	35 Country		
36 Signature				37 Date M M D D Y . Y . Y . Y

This form should be used to report a financial interest in, signature authority, or other authority over one or more financial accounts in foreign countries, as required by the Department of the Treasury Regulations (31 CFR 103). No report is required if the aggregate value of the accounts did not exceed \$10,000. SEE INSTRUCTIONS FOR DEFINITION File this form with:

**U.S. Department of the Treasury, P.O. Box 32621, Detroit, MI 48232-0621.**

**PRIVACY ACT NOTIFICATION**

Pursuant to the requirements of Public Law 93-579 (Privacy Act of 1974), notice is hereby given that the authority to collect information on TD F 90-22.1 in accordance with 5 USC 552a(e) is Public Law 91-508; 31 USC 5314; 5 USC 301; 31 CFR 103.

The principal purpose for collecting the information is to assure maintenance of reports where such reports or records have a high degree of usefulness in criminal, tax, or regulatory investigations or proceedings. The information collected may be provided to those officers and employees of any constituent unit of the Department of the Treasury who have a need for the records in the performance of their duties. The records may be referred to any other department or agency of the United States upon the request of the head of such department or agency for use in a criminal, tax, or regulatory investigation or proceeding.

Disclosure of this information is mandatory. Civil and criminal penalties, including certain circumstances a fine of not more than \$500,000 and imprisonment of not more than five years, are provided for failure to file a report, supply information, and for filing a false or fraudulent report.

Disclosure of the Social Security number is mandatory. The authority to collect is 31 CFR 103. The Social Security number will be used as a means to identify the individual who files the report.

Form TD F 90-22.1

This side can be copied as many times as necessary in order to provide information on all accounts.

1 Filing for Calendar Year Y . Y . Y . Y		3 Taxpayer Identification Number		4 Filer Last Name or Business Name		Page Number OF	
2 Type of Filer a <input type="checkbox"/> Individual c <input type="checkbox"/> Corporation b <input type="checkbox"/> Partnership d <input type="checkbox"/> Fiduciary		21 Type of Account a <input type="checkbox"/> Bank c <input type="checkbox"/> Other b <input type="checkbox"/> Securities		22 Maximum Value of Account a <input type="checkbox"/> Under \$10,000 c <input type="checkbox"/> \$100,000 to \$1,000,000 b <input type="checkbox"/> \$10,000 to \$99,999 d <input type="checkbox"/> Over \$1,000,000			
23 Account Number or other designation				24 Name of Financial Institution with which account is held			
25 Country in which account is held		26 Does the filer have a financial interest in this account? a <input type="checkbox"/> Yes b <input type="checkbox"/> No If no, complete boxes 27-35.		27 Last Name or Organization Name of Account Owner			
28 First Name		29 Middle Initial	30 Taxpayer Identification Number		31 Address (Number, Street, and Apt. or Suite No.)		
32 City		33 State	34 Zip/Postal Code		35 Country		

  

2 Type of Filer a <input type="checkbox"/> Individual c <input type="checkbox"/> Corporation b <input type="checkbox"/> Partnership d <input type="checkbox"/> Fiduciary		21 Type of Account a <input type="checkbox"/> Bank c <input type="checkbox"/> Other b <input type="checkbox"/> Securities		22 Maximum Value of Account a <input type="checkbox"/> Under \$10,000 c <input type="checkbox"/> \$100,000 to \$1,000,000 b <input type="checkbox"/> \$10,000 to \$99,999 d <input type="checkbox"/> Over \$1,000,000			
23 Account Number or other designation				24 Name of Financial Institution with which account is held			
25 Country in which account is held		26 Does the filer have a financial interest in this account? a <input type="checkbox"/> Yes b <input type="checkbox"/> No If no, complete boxes 27-35.		27 Last Name or Organization Name of Account Owner			
28 First Name		29 Middle Initial	30 Taxpayer Identification Number		31 Address (Number, Street, and Apt. or Suite No.)		
32 City		33 State	34 Zip/Postal Code		35 Country		

  

2 Type of Filer a <input type="checkbox"/> Individual c <input type="checkbox"/> Corporation b <input type="checkbox"/> Partnership d <input type="checkbox"/> Fiduciary		21 Type of Account a <input type="checkbox"/> Bank c <input type="checkbox"/> Other b <input type="checkbox"/> Securities		22 Maximum Value of Account a <input type="checkbox"/> Under \$10,000 c <input type="checkbox"/> \$100,000 to \$1,000,000 b <input type="checkbox"/> \$10,000 to \$99,999 d <input type="checkbox"/> Over \$1,000,000			
23 Account Number or other designation				24 Name of Financial Institution with which account is held			
25 Country in which account is held		26 Does the filer have a financial interest in this account? a <input type="checkbox"/> Yes b <input type="checkbox"/> No If no, complete boxes 27-35.		27 Last Name or Organization Name of Account Owner			
28 First Name		29 Middle Initial	30 Taxpayer Identification Number		31 Address (Number, Street, and Apt. or Suite No.)		
32 City		33 State	34 Zip/Postal Code		35 Country		

This form should be used to report a financial interest in, signature authority, or other authority over one or more financial accounts in foreign countries, as required by the Department of the Treasury Regulations (31 CFR 103). No report is required if the aggregate value of the accounts did not exceed \$10,000. SEE INSTRUCTIONS FOR DEFINITION. File this form with:

**U.S. Department of the Treasury, P.O. Box 32621, Detroit, MI 48232-0621.**

**Paperwork Reduction Act** The estimated average burden associated with this collection of information is 10 minutes per respondent or recordkeeper, depending on individual circumstances. Comments regarding the accuracy of this burden estimate, and suggestions for reducing the burden should be directed to the Department of the Treasury, Financial Crimes Enforcement Network, Suite 200, 2070 Chain Bridge Road, Vienna VA 22182-2536.

**INSTRUCTIONS****General Instructions**

**Who Must File this Report** Each United States person, who has a financial interest in or signature authority, or other authority over any financial accounts, including bank, securities, or other types of financial accounts in a foreign country, if the aggregate value of these financial accounts exceeds \$10,000 at any time during the calendar year, must report that relationship each calendar year by filing TD F 90-22.1 with the Department of the Treasury on or before June 30, of the succeeding year.

**Exceptions**

An officer or employee of a bank which is subject to the supervision of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Office of Thrift Supervision, or the Federal Deposit Insurance Corporation need not report that he has signature or other authority over a foreign bank, securities or other financial account maintained by the bank, if the officer or employee has NO personal financial interest in the account.

An officer or employee of a domestic corporation whose equity securities are listed upon national securities exchanges or which has assets exceeding \$10 million and 500 or more shareholders of record need not file such a report concerning the other signature authority over a foreign financial account of the corporation, if he has NO personal financial interest in the account and he has been advised in writing by the chief financial officer of the corporation that the corporation has filed a current report, which includes that account.

Report any financial account (except a military banking facility as defined in these instructions) that is located in a foreign country, even if it is held at an affiliate of a United States bank or other financial institution. Do not report any account maintained with a branch, agency, or other office of a foreign bank of other institution that is located in the United States, Guam, Puerto Rico, and the Virgin Islands.

**General Definitions**

**United States Person** The term "United States person" means (1) a citizen or resident of the United States, (2) a domestic partnership, (3) a domestic corporation, or (4) a domestic estate or trust.

**Financial Account** Generally includes any bank, securities, securities derivatives or other financial instruments accounts. Such accounts generally also encompass any accounts in which the assets are held in a commingled fund, and the account owner holds an equity interest in the fund. The term also means any savings, demand, checking, deposit, time deposit, or any other account maintained with a financial institution or other person engaged in the business of a financial institution.

**Account in a Foreign Country** A "foreign country" includes all geographical areas located outside the United States, Guam, Puerto Rico, and the Virgin Islands.

**Financial Interest** A financial interest in a bank, securities, or other financial account in a foreign country means an interest described in either of the following two paragraphs:

(1) A United States person has a financial interest in each account for which such person is the owner of record or has legal title, whether the account is maintained for his or her own benefit or for the benefit of others including non-United States persons. If an account is maintained in the name of two persons jointly, or if several persons each own a partial interest in an account, each of those United States persons has a financial interest in that account.

(2) A United States person has a financial interest in each bank, securities, or other financial account in a foreign country for which the owner of record or holder of legal title is: (a) a person acting as an agent, nominee, attorney, or in some other capacity on behalf of the U.S. person; (b) a corporation in which the United States person owns directly or indirectly more than 50 percent of the total value of shares of stock; (c) a partnership in which the United States person owns an interest in more than 50 percent of the profits (distributive share of income); or (d) a trust in which the United States person either has a present beneficial interest in more than 50 percent of the assets or from which such person receives more than 50 percent of the current income.

**Signature or Other Authority Over an Account** A person has signature authority over an account if such person can control the disposition of money or other property in it by delivery of a document containing his or her signature (or his or her signature and that of one or more other persons) to the bank or other person with whom the account is maintained.

Other authority exists in a person who can exercise comparable power over an account by direct communication to the bank or other person with whom the account is maintained, either orally or by some other means.

**Military Banking Facility** Do not consider as an account in a foreign country, an account in an institution known as a "United States military banking facility" (or "United States military finance facility") operated by a United States financial institution designated by the United States Government to serve U.S. Government installations abroad, even if the United States military banking facility is located in a foreign country.

**Filing Information**

**When and Where to File**-This report must be filed on or before June 30 each calendar year with the Department of the Treasury, Post Office Box 32621, Detroit, MI 48232-0621, or it may be hand carried to any local office of the Internal Revenue Service for forwarding to the Department of the Treasury, Detroit, MI.

**EXPLANATIONS FOR SPECIFIC ITEMS****Consolidated Reporting**

A corporation which owns directly or indirectly more than 50 percent interest in one or more other entities will be permitted to file a consolidated report on TD F 90-22.1, on behalf of itself and such other entities provided that a listing of them is made part of the consolidated report. Such reports should be signed by an authorized official of the parent corporation.

If the group of entities covered by a consolidated report has a financial interest in 25 or more foreign financial accounts, the reporting corporation need only note that fact on the form in Item 20. It will, however, be required to provide detailed information concerning each account when so requested by the Secretary or his delegate.

**Item 14**

If the filer owns the account jointly with any other party, then yes should be marked.

**Item 15**

If the filer holds this account with only one (1) other party, and all accounts listed are held jointly with that party, then complete items 16, 17, 18 and 19. Otherwise, leave these items blank.

**Item 20**

If the filer holds a financial interest in more than 25 foreign financial accounts, indicate the number in this box and do not complete any further items in Part II.

Any person who lists more than 25 foreign financial accounts in item 20 must when requested by the Department of the Treasury provide all the information called for in Part II.

**Item 22****Account Valuation**

For item 22, the maximum value of an account is the largest amount of currency and non-monetary assets that appear on any quarterly or more frequent account statement issued for the applicable year. If periodic account statements are not so issued, the maximum account asset value is the largest amount of currency and non-monetary assets in the account at any time during the year. Convert foreign currency by using the official exchange rate at the end of the year. In valuing currency of a country that uses multiple exchange rates, use the rate which would apply if the currency in the account were converted into United States dollars at the close of the calendar year.

The value of stock, other securities or other non-monetary assets in an account reported on TD F 90-22.1 is the fair market value at the end of the calendar year, or if withdrawn from the account, at the time of the withdrawal.

For purposes of item 22, if you had a financial interest in more than one account, each account is to be valued separately in accordance with the foregoing two paragraphs. If you had a financial interest in one or more but fewer than 25 accounts, and you are unable to determine whether the maximum value of these accounts exceeded \$10,000 at any time during the year, complete Part II or III for each of these accounts.

**Item 26**

United States Persons with Authority Over but No Financial Interest In an Account - Except as provided in the following paragraph, you must state the name, address, and identifying number of each owner of an account over which you had authority, but if you complete items 27-35 for more than one account of the same owner, you need identify the owner only once. If you complete items 27-35 for one or more accounts in which no United States person had a financial interest, you may state on the first line of this item, in lieu of supplying information about the owner, "No U.S. person had any financial interest in the foreign accounts." This statement must be based upon the actual belief of the person filing this form after he or she has taken reasonable measures to ensure its correctness.

If you complete Part II for accounts owned by a domestic corporation and its domestic and/or foreign subsidiaries, you may treat them as one owner and write in the space provided, the name of the parent corporation, followed by "and related entities," and the identifying number and address of the parent corporation.

**Item 36****Signature**

This report must be signed by the person named in Part I. If the report is being filed on behalf of a partnership, corporation, or fiduciary, it must be signed by an authorized individual.

**Penalties**

For criminal penalties for failure to file a report, supply information, and for filing a false or fraudulent report see 31 U.S.C. 5322(a), 31 U.S.C. 5322(b), and 18 U.S.C. 1001.

**Exhibit E****Guidelines for Reviewing Retained Copies of Currency Transaction Reports Filed By Financial Institutions****Purpose**

When processing Currency Transaction Reports (CTRs, i.e. Forms 4789), the Internal Revenue Service (IRS) edits the forms for accuracy and completeness. If certain information is incomplete, illegible or not provided, IRS corresponds with the financial institution to obtain the information.

**General Procedures for Examiners**

1. The instructions on the reverse side of the CTR provide guidance in proper completion of the form.
2. Financial institutions should be encouraged to type or legibly print forms.
3. The IRS may correspond with the financial institution when one or more critical information elements is incomplete, illegible, or not provided. The correspondence is sent to the officer in charge of the financial institution at the address indicated in Part V of the CTR. Responses to IRS should be timely (within 10 days).
4. An examiner should direct an institution to file an amended or corrected form:
  - If the form was not corrected despite correspondence from the IRS, or
  - If (in the absence of IRS correspondence) the form does not adequately provide all the information requested.

**Instructions for Institutions Filing Amended Forms**

Institutions should be instructed to use the following procedures:

1. On a copy of the CTR originally filed, circle in red the incorrect, illegible or missing information.
2. On a clean CTR, check box 2a denoting an amended report.
3. Enter only the correct or amended information on the clean form in the appropriate line item or box and complete all information in Part V.
4. Sign and date the amended or corrected form.
5. Staple the amended or corrected form on top of the copy of the form originally filed.
6. Mail to the IRS Detroit Computing Center, P.O. Box 33604, Detroit, MI 48232-5604 Attn: CTR.

**Exhibit F**

**Bank Secrecy Act  
Cash Control Letter**

Docket # \_\_\_\_\_

Name \_\_\_\_\_

Date: \_\_\_\_\_

Branch: \_\_\_\_\_

\_\_\_\_\_ Officer in Charge; Currency Distribution/Cash Control Center

\_\_\_\_\_ Location

Dear Sir/Madam:

In order to facilitate our review for compliance with Financial Recordkeeping and Reporting Regulations, please submit the following information. Supporting source records should be made available for review upon request.

Please provide, using the attached format for items 1 and 2, the following information for the period

\_\_\_\_\_ to \_\_\_\_\_, inclusive.

1. For branches which ship and receive currency through a central currency distribution center within the institution, please provide:
  - a. A list of all currency shipments between the distribution center and the Federal Reserve Bank or correspondent institution;
  - b. A list, by branch, of all currency shipments between the distribution center and branches;
  - c. A list of currency shipments between branches;
  - d. A list of branches which have shown a significant increase in their use of large bills during the past twelve months, either as a portion of their total shipment of currency or in comparison to other branches.
2. For branches which transact (ship and/or receive currency) with the Federal Reserve Bank or correspondent institution;
  - a. A list of all currency transactions between the branch and the Federal Reserve Bank or correspondent institution;
  - b. A list of all currency transactions with other branches.
3. Copies of all correspondence with the Department of the Treasury or the Internal Revenue Service regarding exemption lists, requests for special exemptions and incorrectly filed Currency Transaction Reports.

Signed \_\_\_\_\_ Title \_\_\_\_\_

**Bank Secrecy Act  
Currency Shipment Report**

Docket # \_\_\_\_\_

Name \_\_\_\_\_

From \_\_\_\_\_

To \_\_\_\_\_

Officer in Charge \_\_\_\_\_

Location \_\_\_\_\_

**Currency Received**

<u>Date</u>	<u>from</u>	<u>Received shipment</u>	<u>Total amount of large (\$50's, \$100's, etc.) bills</u>
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**Currency Shipped**

<u>Date</u>	<u>Shipped to</u>	<u>Total amount of shipment</u>	<u>Total amount of large (\$50's, \$100's, etc.) bills</u>
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Signed \_\_\_\_\_

Title \_\_\_\_\_

\_\_\_\_\_  
(Date)

**Exhibit G****Bank Secrecy Act  
Cash Control Letter**

Docket # \_\_\_\_\_

Name \_\_\_\_\_

Date: \_\_\_\_\_

Branch: \_\_\_\_\_

Dear Sir/Madam:

To facilitate our examination of compliance with Financial Recordkeeping and Reporting Regulations under Public Law 91-508, please furnish the Examiner in Charge with the information listed below.

Examiner \_\_\_\_\_

1. A copy of your list of customers who normally have currency transactions over \$10,000 (exempt customers)
2. Describe how currency transactions over \$10,000 for customers are recorded and reported by individual tellers at your office.
3. Describe the record used at your office to document, by denomination, currency transfers between tellers, including transfer from and to vault cash.
4. Name of person in your office who is responsible for filing Currency Transaction Reports (Form 4789).
5. Indicate where copies of all Currency Transaction Reports (Form 4789) prepared by your office are maintained.
6. A list of transactions for which Currency Transaction Reports (Form 4789) are due to be filed but have not yet been submitted by your office.
7. If periodic reviews are conducted by office management of exempt customers to ensure that their status has not changed under Recordkeeping and Reporting Regulations, please make supporting documentation available, including:
  - a. dates of last two reviews;
  - b. description of work reviewed;
  - c. names of individuals who conducted the review and their findings

Currency Transaction Reports (Form 4789) have been completed for all required transactions. Lists of customers who normally have currency transactions over \$10,000 (exempt customers) are currently maintained.

(Signed) \_\_\_\_\_ Office Manager

**Exhibit H****Guidelines for Branch Review**

## 1. Guidelines for Selection of Branches.

- a. In reviewing the information provided in Exhibit E and F (Branch Letter), use the following criteria to select branches for on-site review:
  - \_ Branch requests for large denomination currency exceeding normal requirements for that branch.
  - \_ Branch requests for large denomination currency are significantly greater than average branch requirements;
  - \_ Branch does not ship large denomination currency;
  - \_ Branch reports no exempt list;- Branch manager would not sign the statement in Exhibit F; and
  - \_ Branch is characterized by unusual cash transactions with the Cash Control Center, Federal Reserve Bank, or correspondent institution.
- b. In the absence of significant leads, consider selecting a random sample of branches for on-site review.

## 2. Guidelines for Selection of Tellers

The selection of tellers should be governed by the institution's internal procedures. For example, if it is the institution's practice to direct all large currency transactions to specific tellers, concentrate on the work of those tellers. In the absence of such procedures, or if the procedures are not being followed, the examiner may determine that the work of all tellers should be reviewed. The selection may include recently hired tellers.

## 3. Guidelines for Selecting Dates for Review

When at the office location, the examiner is to review the work of selected tellers for a specific time period. In selecting the time frame in which the examination will be conducted, the examiner should take into account both the fact that the time period allowed for filing Forms 4789 and 4790 is 15 calendar days and the fact that the Internal Revenue Service processing time is 45 calendar days. If the examiner is reviewing transactions for two calendar weeks, the test period should be at least 60 calendar days prior to the examination date.

## Exhibit I

## Frequently Violated BSA Provisions And Proper Citation

Violations of the Treasury Department regulations implementing the Bank Secrecy Act, 31 CFR Part 103, and of the Office of Thrift Supervision regulations 12 CFR Part 563.177 for monitoring compliance with the Bank Secrecy Act are often incorrectly cited. The following chart provides the proper regulatory cite for the most common violations frequently cited incorrectly.

**U.S. DEPARTMENT OF THE TREASURY REGULATIONS  
31 CFR Part 103**

<u>Regulatory Cite</u>	<u>Provisions</u>	<u>Violations</u>
103.22(a)	Non, sub-paragraphs state specific provisions.	None.
103.22(a)(1)	Financial institutions must report currency transactions of more than \$10,000. Multiple transactions totaling more than \$10,000 shall be treated as a single transaction.	Currency transactions in excess of \$10,000 not reported. Multiple currency transactions in excess of \$10,000 not reported. Cash purchases of travelers checks, money orders, and/or cashiers checks in excess of \$10,000 not reported.
103.22(b)(1) & 103.22(b)(2)	Allowable exemptions.	Exemptions granted for businesses other than those covered by these sections.
103.22(d)	Exemptions must be supported by a signed written statement by the customer with required information.	Exemptions granted without obtaining a signed written statement from the customer. Customer statement not containing all of the required information.
103.22(f)	Exemptions must be maintained on a centralized list with the reason for the exemption and other required information.	Lack of a centralized list of exemptions. Exemptions granted but not entered on list. Failure to list banks exempted under Section 103.22(b)(1)(ii). Failure to maintain required information on list.
103.27(a)	None, sub-paragraphs state specific provisions.	None.

103.27(a)(1)	A CTR must be tiled within 15 days of the date of the transaction..	Filing a CTR later than 15 days after the date of the transaction
103.27(a)(3)	A copy of each CTR filed	Failure to retain a copy of a CTR must be retained for 5 years. that was filed. Failure to retain copies of filed CRTs for 5 years.
103.27(d)	Currency Transaction Reports must be on prescribed forms.  All information required on the CTR form shall be furnished.	Use of an outdated CTR form to report a currency transaction.  Omission of any information on a CTR (except for ID information, Box 15, see Section 103.28). Erroneous information on a CTR (except for ID information, Box 15, see Section 103.28)..
103.28	Must verify the identity of the person presenting a reportable transaction as well as the identity of the person or entity on whose behalf the transaction is affected. Documents used to verify the identity should be of the type used in normal check cashing procedures.	Failure to verify identification of customer. Inappropriate documentation used for verification of ID. e.g. signature card, comment such as "known customer," etc. Omission of any information in Box #15.
103.29(a)	Association must maintain chronological log(s) on cash sales of monetary instruments in amounts between \$3,000 and \$10,000 inclusive.	No log(s) maintained, covered transactions have occurred.
103.29(a)(1)(i)	Information required to be maintained in the chronological log(s) for purchasers with a deposit account relationship.	Required information is not recorded in the chronological log(s). Inappropriate information is recorded in the log(s).
103.29(a)(1)(ii)	Identification requirements for purchasers with a deposit account relationship.	Identification of purchaser not obtained. Inappropriate method used to identify purchaser.
103.29(a)(2)(i)	Information required to be maintained in the chronological log(s) for purchasers who do not have a deposit account relationship.	Required information is not recorded in the chronological log(s). Inappropriate information is recorded in the log(s).

103.29(a)(2)(ii)	Identification requirements for purchasers who do not have a deposit account relationship.	Identification of purchaser not obtained. Inappropriate method used to identify purchaser.
103.29(c)	Separate chronological log(s) for association branches must be maintained in a centralized location by the 15th of the following month.	Branch log(s) are not forwarded to centralized location by the 15th of the month following the month for which the log(s) were prepared.

**OFFICE OF THRIFT SUPERVISION REGULATIONS  
12 CFR Part 563.177**

<u>Regulatory Cite</u>	<u>Provisions</u>	<u>Violations</u>
563.177(a)	States purpose of the regulations, sub-paragraphs state specific provisions.	None.
563.177(b)	Written compliance program must be approved by the institution's board of directors by April 27, 1987 and recorded in the minutes. Institution must provide for the continued administration of their program.	Compliance program not in writing. Compliance program not approved by the institution's board of directors. Lack of or inadequate compliance program. Institution has program but are not following own procedures.
563.177(c)(1)	Program must provide for a system of internal controls to assure ongoing compliance.	Lack of or inadequate system of internal controls to ensure accurate reporting of currency transactions in excess of \$10,000. Lack of review procedures prior to filing CTRs.
563.177(c)(2)	Program must provide for independent testing for compliance.	Lack of or inadequate procedures for testing for reportable transactions and accurate CTR filing.
563.177(c)(3)	Program must designate individual(s) responsible for day-to-day compliance.	No employee designated responsibility for monitoring compliance.
563.177(c)(4)	Program must provide for training of personnel.	Lack of or inadequate training program for personnel. Training sessions not documented.