



OFFICE OF THE DIRECTOR

U.S. DEPARTMENT OF THE TREASURY
FINANCIAL CRIMES ENFORCEMENT NETWORK

March 11, 2013

Mr. [REDACTED]
[REDACTED]

Re: FinCEN 2013-90

Dear Mr. [REDACTED]

This letter responds to your February 7, 2013 letter appeal of the Financial Crimes Enforcement Network's ("FinCEN") decision to redact or withhold in full information responsive to your November 9, 2012 Freedom of Information Act ("FOIA") request to the Consumer Financial Protection Bureau ("CFPB"). I have reviewed the appeal and based on the statutory authorities referenced below, I hereby deny it in part, and grant it in part.

Some of the records you seek were collected under the Bank Secrecy Act ("BSA"), codified at 31 U.S.C. §§ 5311-5314; 5316-5331. Reports filed under the BSA are exempt from disclosure under the Freedom of Information Act in accordance with 5 U.S.C. § 552(b)(3), the exemption that relates to records specifically exempted from disclosure by statute. The language in the BSA exempting BSA reports from release under the Freedom of Information Act can be found at 31 U.S.C. § 5319.

The remaining records were redacted in part pursuant to the FOIA exemptions found at 5 U.S.C. §§ 552(b)(6), (b)(7)(C), and (b)(7)(E). In applying exemption (b)(6), FinCEN withheld information relating to personnel, medical, financial, and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Upon further review, I am instructing FinCEN's FOIA Officer to reproduce one of the pages it produced to you initially, with fewer redactions. In applying exemption (b)(7)(C), FinCEN withheld information relating to law enforcement records, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. And in applying exemption (b)(7)(E), FinCEN withheld information relating to law enforcement records, the release of which would disclose techniques and procedures for law enforcement investigations and prosecutions. In reviewing these pages on appeal, we find no error in our earlier determinations regarding the relevant FOIA exemptions.

You may obtain judicial review of this determination in the U.S. District Court for the judicial district in which you reside or have a principal place of business, the judicial district in which the requested records are located, or the District of Columbia, in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

Frederick Reynolds
Deputy Director