

June 16, 2005

VIA CERTIFIED MAIL

Office of Chief Counsel  
Financial Crimes Enforcement Network  
Department of the Treasury  
P.O. Box 39  
Vienna, VA 22183  
Attn: PRA Comments – SAR-MSB Form

Re: Proposed Revisions to the Suspicious Activity Report by Money Services Business

Ladies and Gentlemen:

On April 1, 2005, the Financial Crimes Enforcement Network (“FinCEN”) published notice of proposed changes to the Suspicious Activity Report by Money Services Business (“SAR-MSB”) and solicited comments to the same. The proposed changes include, without limitation, the deletion of items 17 through 22 of Part I of the SAR-MSB and the deletion of money order and traveler’s check serial numbers and money transfer numbers from Part II of the SAR-MSB. We appreciate this opportunity to submit comments to the proposed revisions to the SAR-MSB and respectfully recommend that FinCEN refrain from implementing them for the reasons set forth below.

1. Proposed Changes Hinder Our Ability to Complete the SAR-MSB

FinCEN’s proposed deletion of certain items from the SAR-MSB actually impairs our ability to complete the SAR-MSB and provide law enforcement with a complete picture of the suspicious activity. In particular, when we review clearance records of money orders, the purchaser’s name and sometimes payee information are illegible. We can often only discern the bank account number of the endorser (item 21 on the SAR-MSB) or the bank of first deposit (item 22 on the SAR-MSB). The proposed deletion of these items would therefore result in our inability to provide any useful information (other than in item 3) in Part I of the SAR-MSB for a majority of filings involving cleared money orders. This overall lack of meaningful information will significantly reduce the effectiveness of such filings.

2. Proposed Changes Delete Information Valuable to Law Enforcement

The proposed changes remove information valuable to law enforcement from the SAR-MSB. Based on our experience, law enforcement values information regarding a customer’s occupation (item 19 related to money transfers), the bank account number (item 21 related to money orders), and the bank of first deposit (item 22 related to money orders). We recognize that, even if FinCEN deletes these items from the SAR-MSB, we can continue to provide this information in the narrative. This, however, would require additional time and procedural changes to complete the SAR-MSB. If, on the other hand, we elect not to provide this information in the narrative, we will undoubtedly receive more follow-up requests from law enforcement for this information, which will also result in the investment of additional time and resources to prepare and provide responses. We also question if the removal of this information will reduce law enforcement’s ability to query the SAR database based on these data elements.

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3. Proposed Changes Require Reconfiguration of Systems and Creation of Additional Records

In order to implement the proposed changes to the SAR-MSB, we will need to significantly reconfigure our systems, adjust our formats and templates for capturing information, and revise our procedures for exporting data in our systems to complete the SAR-MSB. The changes also necessitate the creation of new, additional records. For example, FinCEN proposes to reformat the information requested in Part II of the SAR-MSB to delete money order and traveler's check serial numbers and money transfer numbers. If we do not include this information in Part II, we can no longer readily identify from a SAR-MSB the underlying transactions to which it relates. We will therefore need to create and maintain additional internal records that contain this information so that we may respond efficiently to law enforcement officials, who often direct specific inquires about individual transactions reported on a SAR-MSB.

FinCEN stated in its published notice that the proposed changes to the SAR-MSB "will enhance the industry's ease of completing the form while still obtaining critical information for law enforcement." Unfortunately, the proposed changes will in fact impair our ability to provide subject information for suspicious activity involving cleared money orders; delete information valuable to law enforcement from the SAR-MSB, which will require us to expend more time and resources to provide this information either in the narrative section of the SAR-MSB or in response to subsequent requests from law enforcement; and necessitate a restructuring of our systems to capture and report information in a revised format and to create additional, supporting documentation. Accordingly, we would discourage FinCEN from adopting the proposed changes to the SAR-MSB.

We thank you in advance for your consideration of our comments set forth in this letter. Please do not hesitate to contact us should any questions arise.

Very truly yours,



Joseph Cachey III  
First Deputy Chief Compliance Officer  
AML Global Compliance