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CORPORATE ALERT

Proposed Changes to the Report of Foreign Bank and Financial Accounts

On March 5, 2013, the Financial Crimes Enforcement Network (“FinCen”) published for comment its proposed update to the Report of Foreign Bank and Financial Accounts Form TD F 90-22.1 (“FBAR”).

The Bank Secrecy Act (“BSA”) authorizes the Internal Revenue Service (“IRS”) to require U.S. persons to file the FBAR with respect to financial accounts in foreign jurisdictions. The reporting requirement specifically applies to any U. S. person with a financial interest in or signature authority over a foreign financial account, including bank accounts, brokerage accounts, mutual funds, trusts, or other type of foreign financial accounts, if the aggregate value of these financial accounts exceeds USD \$10,000 at any time during the calendar year.

FinCen proposes to update the current FBAR to standardize it with other BSA reports by: 1) adding the capability for a third party preparer to file the report; 2) include an item to record taxpayer identification number; 3) incorporate a check box to indicate that the amount is unknown, among others.

FinCen will be receiving comments regarding the proposed update until May 6, 2013. To review the full document, please [click here](#).

If you have any questions or comments on this matter, or wish additional information, you may contact any of the following attorneys:

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