

**MEMO# 14733**

May 20, 2002

## **DRAFT LETTER TO TREASURY ON MUTUAL FUND AML PROGRAM RULE**

URGENT/ACTION REQUESTED [14733] May 20, 2002 TO: MONEY LAUNDERING RULES WORKING GROUP No. 25-02 RE: DRAFT LETTER TO TREASURY ON MUTUAL FUND AML PROGRAM RULE As you know, the Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) recently issued an interim final rule that would prescribe minimum standards for anti-money laundering compliance programs established by mutual funds.<sup>1</sup> Attached for your review is a draft of the Institute's comment letter on this interim final rule. The comment letter discusses five issues: (1) the treatment of omnibus and similar accounts; (2) AML compliance officers' titles; (3) the delegation of AML compliance functions; (4) reporting on Form 8300; and (5) compliance enforcement. We are seeking input from the working group on all aspects of the draft letter. However, in particular, we would be interested in comments on the section on omnibus accounts and the distinction drawn between omnibus accounts and "broker-controlled" accounts. The letter must be submitted to Treasury by May 29th. If you have any comments on the attached draft, please contact me at (202) 371-5430 (email: [rcg@ici.org](mailto:rcg@ici.org)) or Frances Stadler at (202) 326-5822 (email: [frances@ici.org](mailto:frances@ici.org)) by the close of business on Friday, May 24th. Robert C. Grohowski Associate Counsel Attachment (in .pdf format) 1 See Memorandum to Money Laundering Rules Working Group No. 22-02, dated April 25, 2002.