



Financial Crimes Enforcement Network
U.S. Department of the Treasury

Washington, D.C. 20220

February 11, 2025

Patrick McKenzie
2045 W Grand Ave
Ste B 95114
Chicago, IL 60612
Kalzumeus Software, LLC
d/b/a Bits about Money
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Case Numbers: FinCEN 25-130-F
FOIAXpress Case No. 2025-FINF-00126

Dear Patrick McKenzie:

This letter responds to your January 31, 2025, Freedom of Information Act (FOIA) request addressed to the Financial Crimes Enforcement Network (FinCEN) FOIA Office, stating the following:

“I am a journalist seeking aggregated statistics about Currency Transaction Report filings. I would like an aggregate count of the number of CTRs meeting the following criteria. I note that requests for aggregate statistical data are allowed under FOIA under authorities including, but not limited to, the 9th Circuit opinion in *Center for Investigative Reporting vs. U.S. Department of Justice* in 2020. (D.C. No. 3:17-cv06557-JSC) ## Requested Aggregate Data Please count the number of CTRs meeting the following criteria and provide me a spreadsheet (Excel, CSV, or any format convenient to you) with three columns, listing financial institution name, address, and aggregate count of responsive CTRs. I have taken the liberty of citing cell numbers on FinCEN Form 104, but please use your judgement in translating them into the query to run internally. Date of Transaction (Part II, Cell 28): 10/31/2023 Total Cash Out (Part II, Cell 27): Between \$48,000 and \$52,000 inclusive Financial Institution Zip Code (Part III, Cell 42): Any of the following: 11201, 11205, 11206, 11210, 11211, 11213, 11215, 11217, 11226, 11237, 11249, 11385 (I note for your convenience that these are all zipcodes in Brooklyn. If it is more convenient for you to search for records using that and overincluding in the aggregate statistics returned, please feel free, as long as I receive aggregate statistics about bank branches in those zip codes.) Please group the aggregate count by branch (using address of the Financial Institution to identify the branch): Name of Financial Institution (Part III, Cell 37) Address (Part III, Cell 38) ## SQL Pseudocode And thus, SQL pseudocode for answering this query might look something like: `SELECT COUNT(*) AS aggregate_count, financial_institution_name, financial_institution_address WHERE transaction_date = '10/31/2023' AND cash_out_usd > 48000 AND cash_out_usd < 52000 AND financial_institution_zip_code IN (11201, 11205, 11206, 11210, 11211, 11213, 11215, 11217, 11226, 11237, 11249, 11385) FROM ctr_filings GROUP BY financial_institution_name, financial_institution_address`”

You are requesting that we answer your request in your specified format and that for us would be “creating a record.” Under the FOIA, FinCEN is not obligated to create a record to respond to your request. The FOIA also does not require an agency to answer questions that are asked in a request.

To the extent your request relates to Bank Secrecy Act (BSA) records maintained by FinCEN, note that FinCEN collects those records pursuant to the BSA, 31 U.S.C. § 5311, et seq., for limited governmental purposes. These records are maintained in a FinCEN database that has been exempted from the access provisions of the Privacy Act of 1974, 5 U.S.C. § 552a, in accordance with 5 U.S.C. § 552a(j)(2) and (k)(2). See 79 FR 20969 (April 14, 2014); 31 C.F.R. § 1.36. In addition, BSA records are also exempt from disclosure under the FOIA in accordance with 5 U.S.C. § 552 Exemption (b)(3), 31 U.S.C. § 5319, which includes disclosure of reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports.

Fees

There are no fees associated with processing this request because the fees incurred do not exceed the minimum threshold necessary for charge.

Administrative Appeal

If you wish to appeal this partial determination, an administrative appeal may be made in writing to FOIA FinCEN P.O. Box 39 Vienna, VA 22183. Please be sure to clearly mark “FOIA/PA Appeal” on both the letter and envelope. Your appeal must be submitted within 90 days from the date of this determination.

It should contain your FOIA request number and, to the extent possible, the reasons why you believe the initial determination should be reversed. In addition, the envelope in which the appeal is mailed should be prominently marked “FOIA Appeal.” Please note that the determination of the appeal will be administratively final.

Additionally, you have the right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5796.

If you have any questions pertaining to your request, please feel free to contact the FOIA Office at email FinCENFOIA@fincen.gov.

Sincerely,

Terri Robertson
FOIA Officer