



DEPARTMENT OF THE TREASURY
FINANCIAL CRIMES ENFORCEMENT NETWORK

January 30, 2014

Ms. Pam Martens
Wall Street on Parade



Re: FinCEN 2014-63 (also 2014-01-027)

Dear Ms. Martens:

This letter responds to your online Freedom of Information Act (FOIA) request to the U.S. Department of the Treasury (Treasury) "requesting the Suspicious Activity Report filed in the late 90s by a bank holding an account for Bernard Madoff or one of his affiliated businesses." You stated that the "report raised questions about unusual transfers of monies between Norman F. Levy and this bank and a Madoff account at Chemical Bank and/or Chase Manhattan Bank." You also stated that you are "requesting all documents related to the investigation carried out by FinCEN."

As you know, Treasury referred your request to us at the Financial Crimes Enforcement Network (FinCEN) on January 10, 2014. Thank you for clarifying your request for us on January 24, 2014, indicating that you are not requesting documents "relating to the recent investigation of JPMorgan/Madoff which resulted in a deferred prosecution agreement."

Regarding your request for documents of investigation carried out by FinCEN, we conducted a thorough search of our investigative and enforcement records for the time period estimated in your request using search terms you provided and can find no documents responsive to your request.

Though FinCEN is authorized under the Bank Secrecy Act (BSA) to receive reports such as Suspicious Activity Reports, those records were not searched. If such BSA records exist that may be responsive to your request, the reports and any information from the reports are exempt from disclosure under the FOIA in accordance with 5 U.S.C. 552(b)(3), which covers records specifically exempted from disclosure by statute. The statutory provision that specifically exempts records collected under the Bank Secrecy Act from disclosure under the FOIA can be found in Section 5319 of Title 31 of the United States Code.

If you believe this response to be in error, you may appeal it by writing to the following address: FinCEN FOIA Appeal, P.O. Box 39, Vienna, VA 22183. The appeal must be received within 35 days from the date of this letter and must specify the date of your initial request as well

as the date of this letter. Both the letter and the envelope should be clearly marked "FOIA Appeal" and must include a statement explaining why you believe this response is in error.

Sincerely yours,

A handwritten signature in cursive script that reads "Amanda Michanczyk". The signature is written in black ink and is positioned above the printed name and title.

Amanda Michanczyk
Disclosure Officer