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Via electronic submission

April 8, 2020

Mr. Kenneth Blanco
Director
Financial Crimes Enforcement Network
P.O. Box 39
Vienna, Virginia 22183

Dear Director Blanco:

On behalf of community banks nationwide, with more than 52,000 locations, ICBA thanks you for the notices issued on March 16th¹ and April 3rd². Since the beginning of the COVID-19 crisis, ICBA has consistently engaged in discussions with community bankers from across the country and sees first-hand the toll the spread the virus and mitigation efforts are taking on customers, bank staff, communities, and the broader economy. These discussions are daily, and community banks continue to rise to the challenge by striving to meet the needs of their customers. Our members appreciate FinCEN's regulatory relief efforts.

In response to recommendations by health care professionals, stay-at-home orders, and restrictions on businesses, small business owners and their employees will continue to suffer reductions in work hours, loss of revenue, layoffs, and unfortunately, complete closures. The Paycheck Protection Program ("PPP")³, was created to help sustain small business employment during this gravely challenging time. While banks are not required to reverify existing customers seeking PPP loans as noted in FinCEN's April 3rd notice, we believe a more rigorous approach is necessary. Hence, ICBA requests a temporary suspension of the Beneficial Ownership Rule for entities seeking PPP loans that are not current customers of a bank as well as to facilitate quick access for non-PPP loans.

¹ FinCEN Encourages Financial Institutions to Communicate Concerns Related to COVID-19 and to Remain Alert to Related Illicit Financial Activity

² The Financial Crimes Enforcement Network Provides Further Information to Financial Institutions in Response to the Coronavirus Disease 2019 (COVID-19) Pandemic

³ Sections 1102 and 1106 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act")

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To date, a number of regulatory measures have been taken in response to COVID-19 to help banks respond to the urgent financial needs of their customers, and consumers in general, highlighting the nexus between a quick customer/consumer response and bank staff resources. Concerns with staffing levels is at an all-time high. Community banks are also experiencing reduced branch hours, closed branches, and reduced or staggered staff levels. At this time, the beneficial ownership rule will increase burdens to an already burdened industry or result in unintended violations because the staff attention required to comply is not available.

Under normal circumstances, the beneficial ownership rule has proven to be an onerous exercise. COVID-19 has not only highlighted the burden already associated with the rule but has created additional hurdles for small businesses, which creates a barrier for assisting small businesses. Therefore, for the reasons communicated, ICBA respectfully requests the temporary suspension of the beneficial ownership rule.

Sincerely,

/s/

Rebeca Romero Rainey
President and CEO