

**Sec. 5312. - Definitions and application****(a)**

In this subchapter -

**(1)**

"financial agency" means a person acting for a person (except for a country, a monetary or financial authority acting as a monetary or financial authority, or an international financial institution of which the United States Government is a member) as a financial institution, bailee, depository trustee, or agent, or acting in a similar way related to money, credit, securities, gold, or a transaction in money, credit, securities, or gold.

**(2)**

"financial institution" means -

**(A)**

an insured bank (as defined in section 3(h) of the Federal Deposit Insurance Act ([12 U.S.C. 1813\(h\)](#)));

**(B)**

a commercial bank or trust company;

**(C)**

a private banker;

**(D)**

an agency or branch of a foreign bank in the United States;

**(E)**

an insured institution (as defined in section 401(a) [\[1\]](#) See References in Text note below.

Search this title:

  

[Notes](#)

[Updates](#)

[Parallel authorities \(CFR\)](#)

[Topical references](#)

**(F)**

a thrift institution;

**(G)**

a broker or dealer registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 ([15 U.S.C. 78a](#) et seq.);

**(H)**

a broker or dealer in securities or commodities;

**(I)**

an investment banker or investment company;

**(J)**

a currency exchange;

**(K)**

an issuer, redeemer, or cashier of travelers' checks, checks, money orders, or similar instruments;

**(L)**

an operator of a credit card system;

**(M)**

an insurance company;

**(N)**

a dealer in precious metals, stones, or jewels;

**(O)**

a pawnbroker;

**(P)**

a loan or finance company;

**(Q)**

a travel agency;

**(R)**

a licensed sender of money;

**(S)**

a telegraph company;

**(T)**

a business engaged in vehicle sales, including automobile, airplane, and boat sales;

**(U)**

persons involved in real estate closings and settlements;

**(V)**

the United States Postal Service;

**(W)**

an agency of the United States Government or of a State or local government carrying out a duty or power of a business described in this paragraph;

**(X)**

a casino, gambling casino, or gaming establishment with an annual gaming revenue of more than \$1,000,000 which -

**(i)**

is licensed as a casino, gambling casino, or gaming establishment under the laws of any State or any political subdivision of any State; or

**(ii)**

is an Indian gaming operation conducted under or pursuant to the Indian Gaming Regulatory Act other than an operation which is limited to class I gaming (as defined in section 4(6) of such Act);

**(Y)**

any business or agency which engages in any activity which the Secretary of the Treasury determines, by regulation, to be an activity which is similar to, related to, or a substitute for any activity in which any business described in this paragraph is authorized to engage; or

**(Z)**

any other business designated by the Secretary whose cash transactions have a high degree of usefulness in criminal, tax, or regulatory matters.

**(3)**

"monetary instruments" means -

**(A)**

United States coins and currency;

**(B)**

as the Secretary may prescribe by regulation, coins and currency of a foreign country, travelers' checks, bearer negotiable instruments, bearer investment securities, bearer securities, stock on which title is passed on delivery, and similar material; and

**(C)**

as the Secretary of the Treasury shall provide by regulation for purposes of section 5316, checks, drafts, notes, money orders, and other similar instruments which are drawn on or by a foreign financial institution and are not in bearer form.

**(4)**

"person", in addition to its meaning under section 1 of title 1, includes a trustee, a representative of an estate and, when the Secretary prescribes, a governmental entity.

**(5)**

"United States" means the States of the United States, the District of Columbia, and, when the Secretary prescribes by regulation, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, American Samoa, the Trust Territory of the Pacific Islands, a territory or possession of the United States, or a military or diplomatic establishment.

**(b)**

In this subchapter -

**(1)**

"domestic financial agency" and "domestic financial institution" apply to an action in the United States of a financial agency or institution.

**(2)**

"foreign financial agency" and "foreign financial institution" apply to an action outside the United States of a financial agency or institution

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[\[1\]](#) of the National Housing Act (12 U.S.C. 1724(a));

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