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# **Convergence of Financial Crimes**

***Terrorism Financing and Money Laundering Forum***  
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\* The views expressed herein are solely those of the speaker and do not necessarily reflect the views of the Department, Criminal Division or Fraud Section.

# Tools of Federal Prosecutors

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- ❑ Bank Fraud (18 U.S.C. Section 1344)
- ❑ Money Laundering (18 U.S.C. Sections 1956 and 1957)
- ❑ Mail Fraud (18 U.S.C. Section 1341)
- ❑ Wire Fraud (18 U.S.C. Section 1343)
- ❑ False Statements to Fed'l Official (18 U.S.C. Sect. 1001)
- ❑ False Stmts. on Loan Applications (18 U.S.C. Sect. 1014)
- ❑ Access Device Fraud (18 U.S.C. Section 1029)
- ❑ Identity Theft (18 U.S.C. Sections 1028 and 1028A (aggravated ID theft))
- ❑ Computer Fraud (18 U.S.C. Section 1030)
- ❑ Conspiracy (18 U.S.C. Sections 371 and 1349)
- ❑ Bank Secrecy Act violations (Title 31)
- ❑ Tax offenses
- ❑ Other statutes



# Environment Of Payments Systems

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- ❑ Volume of activity.
- ❑ Speed of activity.
- ❑ Globalization of activity (and victims).
- ❑ Emerging financial innovation.
- ❑ Increasing threats and vulnerabilities.



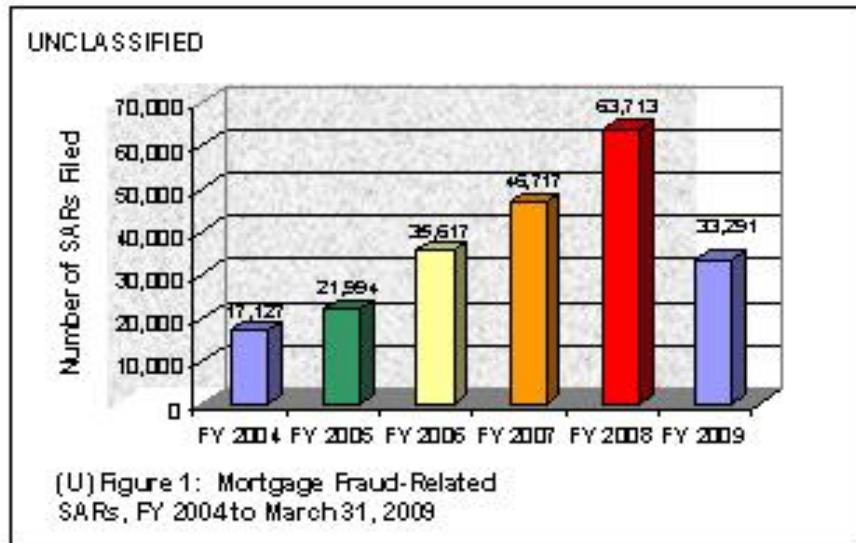
# Payments Fraud Working Group

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- Inter-agency group -- law enforcement, financial regulators, and financial intelligence.
  - Examines ways to protect payments systems.
  - Provides mechanism to enhance familiarity and develop guidance.
  - Enhances information-sharing and outreach.
  - Identifies/monitors emerging trends.
- Scope: Checks, ACH, Credit/Debit/Stored Value Cards, Wire Transfers, etc.  
(<http://portalsandrails.frbatlanta.org/>)

# Mortgage Fraud

- ❑ Prevalence of mortgage fraud.
- ❑ Importance of Suspicious Activity Reports.
- ❑ Department of Justice efforts to combat mortgage fraud.



# Fraud Enforcement and Recovery Act

(May 20, 2009)



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## □ “Financial Institution”:

- “Mortgage lending business” – organization that finances/refinances debt secured by real estate (including private mortgage companies and subsidiaries).
- Maker of “Federally related mortgage loan.”

## □ Santos Fix:

- Overturns Supreme Court plurality (4-4-1).
- “Proceeds” defined as “any property derived from or obtained or retained, directly or indirectly, through some form of unlawful activity, including the gross receipts of such activity.”



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