

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

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March 24, 2016

The Honorable Chuck Grassley
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Patrick Leahy
437 Russell Senate Building
Washington, DC 20510

Dear Senators Grassley and Leahy:

On behalf of the Federal Law Enforcement Officers Association (FLEOA) – the nation's largest professional, non-profit association representing 26,000 federal law enforcement officers from 65 agencies – I am writing you regarding the Incorporation Transparency and Law Enforcement Assistance Act S-2489.

Since our last letter of support on this issue, nothing has changed. Suspected terrorists, drug trafficking organizations and other criminal enterprises continue to exploit the anonymity afforded to them through the current corporate filing process in a few states. Hiding behind a registered agent, these criminals are able to incorporate without disclosing who the beneficial owners are for their company(s). This enables them to establish corporate flow-through entities, otherwise known as "shell companies," to facilitate money laundering and narco-terrorist financing.

Even through the due process of proper service of a court order, law enforcement officers are unable to determine who the beneficial owners are of these entities. This has to stop. While we fully recognize and respect the privacy concerns of law abiding citizens, we need to install a baseline of checks and balances to deter the criminal exploitation of our corporate filing process.

We recommend that states safeguard the identities of the beneficial owner(s), and only disclose this information to authorized law enforcement officials through the subpoena process. This common sense approach would afford law abiding citizens the privacy they deserve, while rolling up the welcome mat for terrorists and other criminals.

FLEOA members from the FBI, ICE, IRS, and the DEA have provided numerous examples of how suspected terrorists and other criminals have exploited the filing process in certain states. In light of the sequester and the drastic reduction in law enforcement resources, we cannot continue to ignore this critical homeland security issue. Members of my legislative team and I are available to meet with members of your committee and provide feedback from the law enforcement community as necessary.

FLEOA appreciates your time and effort regarding the Incorporation Transparency and Law Enforcement Assistance Act S-2489.

Respectfully,

Dominick L. Stokes

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FLEOA Vice President for Legislative Affairs