Fact Sheet: Proposed Rule to Implement GENIUS Act Customer Identification Program Requirements

The U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN), together with the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (Board), the Federal Deposit Insurance Corporation (FDIC), and the National Credit Union Administration (NCUA), issued a joint proposed rule to implement the Guiding and Establishing National Innovation for U.S. Stablecoins Act's (GENIUS Act) requirement that permitted payment stablecoin issuers (PPSIs) maintain an effective customer identification program (CIP).

The following is a general overview of key elements of the proposed rule. Please refer to the full notice of proposed rulemaking for details. This proposed rule complements a separate proposed rule issued by FinCEN, which would implement the GENIUS Act's directive to apply additional anti-money laundering obligations to PPSIs.

Overview of Proposed Rule

Customer Identification Program

As required by the GENIUS Act, this rulemaking proposes a CIP obligation for PPSIs and would require a PPSI to establish and maintain a written CIP that is appropriate for a PPSI's size and business. The CIP would be part of the PPSI's anti-money laundering and countering the financing of terrorism program.

- *Identity Verification Procedures.* The proposed rule would require that a PPSI's CIP include risk-based procedures for verifying the identity of each customer to the extent reasonable and practicable. The procedures must be based on the PPSI's assessment of the relevant risks and enable the PPSI to form a reasonable belief that it knows the identity of each customer.
    - Customer Information Required. The proposed rule would require a PPSI to obtain from each customer the following information prior to opening an account: (1) name; (2) date of birth, for an individual; or date of formation, for an entity; (3) address; and (4) an identification number.
        - Customer Verification. The proposed rule would require that the CIP contains procedures for verifying the identity of each new customer within a reasonable period of time after the customer's account is opened. The proposed rule would enable verification procedures to include verification through documents and non-documentary methods. Based on the PPSI's risk assessment of a new account opened by a customer that is not an individual, the proposed rule would require a CIP program that includes procedures for the PPSI to obtain information about individuals with authority or control over the account to verify the customer's identity.
    - Lack of Verification. The proposed rule would require a PPSI's CIP to include procedures for when the PPSI cannot form a reasonable belief that it knows the true

identity of a customer. The procedures would be required to describe: (1) when the PPSI should not open an account; (2) the terms under which a customer may use an account while the PPSI attempts to verify the customer's identity; (3) when the PPSI should close an account after attempts to verify a customer's identity fail; and (4) when the PPSI should file a Suspicious Activity Report in accordance with applicable law and regulation.

- *Records.* The proposed rule would require the CIP to include procedures for making and maintaining a record of all information obtained by the PPSI through the CIP.

- *Comparison with Government Lists.* The proposed rule would require a PPSI's CIP to include reasonable procedures for determining whether a customer appears on any list of known or suspected terrorists or terrorist organizations issued by any Federal Government agency and designated as such by Treasury in consultation with the Federal functional regulators.

- *Customer Notice.* The proposed rule would require that the CIP include procedures for providing customers with adequate notice that the PPSI is requesting information to verify their identities.

- *Reliance on Another Financial Institution.* The proposed rule would provide that a PPSI's CIP may include procedures specifying when a PPSI may rely on another Federally regulated financial institution's performance of a procedure with respect to any PPSI customer that is opening or has opened an account. Such reliance would have to be reasonable under the circumstances.

Exemptions

The proposed rule would provide that the appropriate Federal functional regulator, with the concurrence of the Secretary of the Treasury, may by order or regulation exempt any PPSI or any type of account from the CIP requirements. It also would provide that the Secretary, with the concurrence of the Federal functional regulator, may exempt any PPSI or any type of account from the CIP requirements.

Next Steps

Public comment is requested on all aspects of the proposed rule. Comments must be received by August 21st and be submitted in one of the following two ways (please choose only one of the ways listed):

- Electronically at *https://www.regulations.gov*. Follow the "Submit a comment" instructions.

- Written comments may be mailed to the following address: Regulatory and Strategic Affairs Division, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183. Refer to Docket Number FINCEN-2026-0101 and RIN-1506-AB24. Mailed comments must be received by the close of the comment period.

Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

Follow the search instructions on *https://www.regulations.gov* to view public comments. In accordance with 5 U.S.C. 553(b)(4), a summary of this rule may be found at *www.regulations.gov* under Docket FINCEN-2026-0101.

For Further Information

Please send questions or comments regarding the contents of this fact sheet to the FinCEN Regulatory Support Section at www.fincen.gov/contact.