

FBAR E-Filing FAQs
V 1.0 March 28, 2014

1. Who is considered an individual filer?

An individual filer is a natural person who owns a reportable foreign financial account or has signature authority but no financial interest in a reportable foreign financial account that requires the filing of an FBAR for the reportable year. An individual who jointly owns an account with a spouse may file a single FBAR report as an individual filer. See FAQ 2. An individual can use the No Registration FBAR page (<http://bsaeiling.fincen.treas.gov/NoRegFBARFiler.html>) on the BSA E-Filing System to file their FBAR. Please review the How To E-File document before starting your electronic submission. (http://bsaeiling.fincen.treas.gov/docs/FBAR_EFILING.pdf)

2. What if I file an FBAR with my spouse? How will I be able to meet the two-signature requirement and E-File?

FinCEN's BSA E-File system's capability only allows for one digital signature. Although the current FBAR instructions state that a spouse included as a joint owner, who does not file a separate FBAR, must also sign the FBAR in Item 44, the E-Filing process will not allow for both signatures on the same electronic form. So, to use the E-Filing system, a Form [114a](http://www.fincen.gov/forms/files/FBARE-FileAuth114aRecordSP.pdf) (<http://www.fincen.gov/forms/files/FBARE-FileAuth114aRecordSP.pdf>) should be completed designating which spouse will file the FBAR. The Form 114a is retained by the filer and not sent to FinCEN. The spouse designated can then use the BSA E-Filing System to E-File the FBAR.

3. Is it permissible to submit more than one FBAR via the BSA E-Filing System on behalf of one individual/entity?

Yes. The BSA E-Filing System does not prohibit the number of FBARs filed on behalf of an individual/entity based on their tax identification number. Note: Institutions (non-individuals) are required to register on the BSA E-Filing website. There can be only one account registration for each tax identification number (TIN). Additional institutional accounts are acceptable but require a separate TIN and designation (ID).

4. Can an attorney, CPA, or an enrolled agent submit an FBAR via the BSA E-Filing System on behalf of a client?

Yes. An attorney, CPA, or an enrolled agent always may assist its clients in the preparation of electronic BSA forms for BSA E-Filing, including the FBAR. Consistent with FinCEN's instructions that provide for approved third-party filing of the FBAR, if an attorney, CPA, or enrolled agent has been provided documented authority (Form 114a) by the legally obligated filers (clients) to sign and submit FBARs on their behalf through the BSA E-Filing System,

that attorney, CPA, or enrolled agent can do so through a single BSA E-Filing account established on the BSA E-Filing System for the attorney, CPA, or enrolled agent.

The client should complete Form [114a](http://www.fincen.gov/forms/files/FBARE-FileAuth114aRecordSP.pdf) (<http://www.fincen.gov/forms/files/FBARE-FileAuth114aRecordSP.pdf>) designating the attorney, CPA, or enrolled agent as the filer/preparer of the client's FBAR. The form should not be sent to FinCEN. A copy of the Form 114a should be retained by the attorney, CPA, or enrolled agent. Attorneys, CPAs, or enrolled agents can establish their institution accounts by accessing the BSA E-Filing System enrollment page (<http://bsae filing.fincen.treas.gov/Enroll.html>), selecting the Institution option, and following the steps to enroll. If the client does not complete Form 114a such authority is not provided, the filings must be signed and submitted by the client. A client signing and submitting his or her own FBAR may use the BSA E-Filing System by accessing the No Registration FBAR page (<http://bsae filing.fincen.treas.gov/NoRegFBARFiler.html>).

5. Can an attorney, CPA, or enrolled agent submit an FBAR on behalf of a client using the Individual filer option on the BSA E-Filing System?

No. An attorney, CPA, or enrolled agent filing an FBAR on behalf of a client may not use the Individual filer option on the BSA E-Filing System. Instead, such an attorney, CPA or enrolled agent must register with the BSA E-Filing System in order to file the FBAR electronically. A non-individual FBAR filer, such as an attorney, CPA, or an enrolled agent filing the FBAR on behalf of a client must register to "Become a BSA E-Filer" (<http://bsae filing.fincen.treas.gov/Enroll.html>) and select the Institution option rather than the Individual option.

Once enrolled as an Institution, a Supervisory User is assigned. The Supervisory User has the ability to create additional General User system accounts, if necessary. These General User accounts uniquely identify the members of the organization that will be filing the FBARs electronically. This feature also allows a CPA firm, for example, to monitor the filing activity for their entire organization using the Track Status feature within the BSA E-Filing System. If you are the sole person in your organization who will be filing the FBARs electronically, there is no need to create additional General User accounts. The organization will also be able to monitor its filing activity using the Track Status feature within the BSA E-Filing System.

6. Can an employer submit an FBAR via the BSA E-Filing System on behalf of its employee, who has an obligation to file an FBAR due to their signature authority over the employer's account(s)?

Yes. An employer may assist its employees in the preparation of electronic FBAR forms for BSA E-Filing. Consistent with FinCEN's instructions that provide for approved third-party filing of the FBAR, if an employer has been provided documented authority (Form 114a) by the legally obligated filers (employees with signature authority over the employer's foreign financial account(s)) to sign and submit FBARs on their behalf through the BSA E-Filing System, that employer can do so through a single BSA E-Filing institutional account established on the BSA E-File System for the employer. Form [114a](#)

<http://www.fincen.gov/forms/files/FBARE-FileAuth114aRecordSP.pdf>) should be completed designating the employer as the filer/preparer of the employee's FBAR. A copy of the Form 114a should be retained by the filer/employer and not sent to FinCEN. Employers can establish their institution accounts by accessing the BSA E-Filing System enrollment page (<http://bsaefiling.fincen.treas.gov/Enroll.html>), selecting the Institution option, and following the steps to enroll. If the employee does not provide its employer with the Form 114a the filings must be signed and submitted by the employee. An employee signing and submitting his or her own FBAR may use the BSA E-Filing System by accessing the No Registration FBAR page (<http://bsaefiling.fincen.treas.gov/NoRegFBARFiler.html>). If such authority is not provided, the filings must be signed and submitted by the employee. In this case, the employee would be filing as an individual (See FAQ 1 above).

- 7. Can an individual and an institution both file separate FBARs via the BSA E-Filing System with respect to the individual in the following set of circumstances:**
- **The individual has an obligation to file an FBAR due to their signature authority over the foreign financial account(s) of their employer.**
 - **The individual has an obligation to file an FBAR due to their personal financial interest in another foreign financial account(s).**

Yes. As clarified in the preceding question, an employer may submit an FBAR via the BSA E-Filing System on behalf of its employee, who has an obligation to file an FBAR due to his/her signature authority over the employer's account(s). Because the FBAR filed by the employer only covers the employer's accounts, the employee continues to have an obligation to file a FBAR via the BSA E-Filing System due a financial interest in his or her foreign financial account(s).