

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 13-_____</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: _____</b>
<b>H. JACK MILLER</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>31 U.S.C. §§ 5318(h) and 5322(a)</b>
	<b>:</b>	<b>(willful failure to maintain an</b>
	<b>:</b>	<b>effective anti-money laundering</b>
	<b>:</b>	<b>program - 1 count)</b>
	<b>:</b>	<b>31 U.S.C. §§ 5318(g) and 5322(a)</b>
	<b>:</b>	<b>(willful failure to file suspicious</b>
	<b>:</b>	<b>activity report - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At times material to this information:

1. Defendant H. JACK MILLER was President and Chief Executive Officer of Public Savings Bank (hereafter "PSB"), a private, closely-held corporation. PSB operated through one branch which was located in Huntingdon Valley, Pennsylvania. Defendant MILLER controlled the daily operations of PSB. PSB was a "domestic financial institution," as defined by Title 31, United States Code, Section 5312(a)(2).

2. The Federal Deposit Insurance Corporation ("FDIC") served as the primary federal banking regulator of PSB.

**Overview of the Bank Secrecy Act**

3. As a "financial institution," PSB was subject to the Bank Secrecy Act,

codified at Title 31, United States Code, Section 5311 et seq., and the regulations issued pursuant to those sections.

4. The Bank Secrecy Act was enacted to prevent financial institutions from being used as intermediaries for the transfer or deposit of money derived from criminal activity, such as narcotics trafficking, organized crime, terrorist financing, and other financial crimes. To effect the purpose of the law, the Bank Secrecy Act, and the regulations issued thereunder, required financial institutions to do the following:

a. Establish anti-money laundering (hereafter “AML”) programs, including, at a minimum: (i) internal policies, procedures, and controls designed to guard against money laundering; (ii) an individual or individuals to coordinate and monitor day-to-day compliance with the Bank Secrecy Act and AML requirements; (iii) an ongoing employee training program; and (iv) an independent audit function to test Bank Secrecy Act compliance.

b. File Suspicious Activity Reports (“SARs”) with the United States Department of the Treasury for any possible violation of law or regulation, including any transaction that such financial institution knew, suspected, or had reason to suspect: (i) involved funds derived from illegal activities or was intended or conducted to hide or disguise funds or assets derived from illegal activities; (ii) was designed to evade any requirement under the Bank Secrecy Act; and/or (iii) had no business or apparent lawful purpose or was not the sort of transaction in which the particular customer would normally be expected to engage.

### **The Offense**

5. Beginning in or about January 2009, and continuing until in or about

June 2011, in the Eastern District of Pennsylvania and elsewhere, defendant

**H. JACK MILLER**

willfully violated the Bank Secrecy Act, that is, Title 31, Section 5318(h)(1), and regulations issued there under, that is, Title 31, Code of Federal Regulations, Section 1020.210 [formerly Section 103.120(b)], by failing to develop, implement and maintain an effective AML program at PSB.

In violation of Title 31, United States Code, Sections 5318(h)(1) and 5322(a) and Title 18, United States Code, Section 2.

**COUNT TWO**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 4 of Count One are incorporated herein.
2. On or about March 25, 2010, in the Eastern District of Pennsylvania and elsewhere, defendant

**H. JACK MILLER,**

as the CEO of PSB, willfully failed to report a suspicious transaction relevant to a possible violation of law and regulation, as required by and described in Title 31, United States Code, Section 5318(g) and regulations issued there under, that is, Title 31, Code of Federal Regulations, Section 1020.320(a)(2)(ii), when he failed to file a Suspicious Activity Report (“SAR”) with the United States Department of the Treasury regarding a wire transfer, in the amount of \$86,400, into a PSB account of a foreign account holder suspected by defendant MILLER and PSB employees to be operating an unlicensed money transmitting business.

In violation of Title 31, United States Code, Sections 5318(g)(1) and 5322(a) and Title 18, United States Code, Section 2.

  
**ZANE DAVID MEMEGER**  
United States Attorney