



THE 2026 AML/CFT PROGRAM RULE: PROPOSED CHANGES & WHY IT MATTERS

ENN Group — Briefing

Overview

FinCEN's 2026 proposed rule represents the most significant modernization of AML/CFT program requirements in more than a decade. The rule shifts expectations from technical, checklist-driven compliance toward true program effectiveness, clarifies supervisory standards, and strengthens risk-based decision-making across all financial institutions.

Key Changes at a Glance

- Clear distinction between program establishment (design) and program maintenance (implementation)
- Requires a documented, risk-based assessment process as a component of AML/CFT programs across all covered financial institutions
- AML/CFT Priorities must be incorporated into risk assessments
- Independent testing must rely on objective, risk-based criteria
- Compliance officer must be U.S.-based and accessible to regulators
- Board or senior management must approve the written AML/CFT program
- Enforcement focuses on systemic failures, not isolated issues

Why This Matters

These reforms elevate expectations for governance, documentation, and risk-based decision-making. Institutions will need to reassess how they design, document, and maintain their AML/CFT programs to align with the new effectiveness-driven framework. The rule also increases the importance of defensible methodologies and clear governance structures.

What Institutions Need to Do Now

1. Update Risk Assessments

- Document methodology clearly
- Map risks across products, services, customers, channels, and geographies
- Integrate AML/CFT Priorities
- Establish triggers for timely updates

2. Reevaluate Independent Testing

- Ensure testing criteria are objective and risk-aligned
- Remove subjective auditor judgment
- Confirm independence and documentation standards



3. Strengthen Governance

- Formalize board/senior management approval
- Document oversight roles and responsibilities
- Ensure the AML/CFT Officer is U.S.-based

4. Modernize Policies & Procedures

- Align with updated definitions and terminology
- Integrate CDD under internal controls
- Refresh training programs to reflect risk profile

What This Means for Your Institution

The proposed rule raises expectations for documentation, governance, and operational execution. Institutions that proactively update their frameworks will be better positioned for supervisory reviews and less likely to face enforcement actions. Those that delay may encounter operational disruption and heightened regulatory scrutiny.

Need Help Preparing?

Most institutions will need to redesign core elements of their AML/CFT programs. ENN Group provides:

- AML/CFT Program Review & Development
- Risk Assessments
- KYC/CDD & Onboarding Frameworks
- Policy & Procedure Updates
- Audit Readiness
- AML Training & Advisory

Free 30-Minute Readiness Call Get a rapid, actionable assessment of your institution's preparedness for the 2026 rule.

Contact ENN Strategic Compliance Advisory to get started.