



OCC ALERT

Comptroller of the Currency
Administrator of National Banks

Subject: Guidance on 314(a)
Information Requests

TO: Chief Executive Officers of All National Banks; All State Banking Authorities; Chairman, Board of Governors of the Federal Reserve System; Chairman, Federal Deposit Insurance Corporation; Conference of State Bank Supervisors; Deputy Comptrollers (districts); Assistant Deputy Comptrollers; District Counsel and Examining Personnel

This alert transmits guidance issued by U.S. Treasury Department's Financial Crimes Enforcement Network (FinCEN) on March 21, 2003. FinCEN has received a number of comments from financial institutions regarding the 314(a) system. The attachment provides financial institutions with additional guidance. It is available on FinCEN's Web site at [<http://www.fincen.gov>] and includes the following major points:

- For search requests that go beyond the general search requirements of 314(a), an institution need not perform the expanded searches unless it is able to do so electronically. However, law enforcement may issue a subpoena for this information at a later date.
- The batched 314(a) transmissions will include a consolidated index of all the names being requested (including aliases) in tab-delimited format to improve the process.
- Only the most significant requests (primarily terrorist-related) are being sent to financial institutions.

Inquiries concerning section 314(a) of the USA PATRIOT Act should be directed to James Vivencio, special assistant to the deputy chief counsel by phone at (202) 874-5200, or Brian C. McCormally, director, or Robert S. Pasley, assistant director, Enforcement and Compliance Division by phone at (202) 874-4800. In addition, copies of the previous OCC Alerts on 314(a) can be obtained from the OCC's Web page at <http://www.occ.treas.gov>.

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Attachment
[http://www.fincen.gov/fin_inst_notice.pdf]