

**Office of Thrift Supervision**

Department of the Treasury

Managing Director, Examinations, Supervision, and Consumer Protection

1700 G Street, N.W., Washington, DC 20552 • (202) 906-7984

February 15, 2005

MEMORANDUM FOR: CHIEF EXECUTIVE OFFICERS**FROM:**

Scott M. Albinson

SUBJECT:

FinCEN's New Web-based 314(a) Distribution System

As you are aware, under section 314(a) of the USA PATRIOT Act, FinCEN may request that savings associations share information regarding certain named individuals, entities, or organizations. Pursuant to this authority, FinCEN developed and implemented an electronic system for law enforcement to request information about suspected terrorists and money launderers from savings associations.

The purpose of this letter is to alert you that FinCEN plans to introduce a new, web-based 314(a) delivery and reporting system during the month of February that should be fully operational by March 1, 2005. Under this new system, FinCEN will no longer send 314(a) subject lists by e-mail attachment to savings association points of contact (POCs). Instead, POCs will go to a secure web site operated by FinCEN where the POCs will be able to locate the current 314(a) subject lists and download the files in various formats for searching (for example, tab delineated, MS Word, MS Excel, etc.). POCs will also be able to use this Internet site to return positive and inconclusive hits to FinCEN. FinCEN will continue to distribute the 314(a) subject lists by facsimile transmission to those savings associations that currently receive the lists in that manner.

For the February 2005 distributions, FinCEN will send the 314(a) subject lists as e-mail attachments as usual, and will also provide the Internet address (URL) for the secure web site along with an invitation for all POCs to register to obtain access to the new system. We encourage you to establish a login ID and password now. Once the new system becomes mandatory, it will be much easier for you to access the system if you have already established a login ID and user password. Those POCs that have been participating in the pilot will already be registered and will not need to register again in February. Beginning March 1, 2005, FinCEN will no longer distribute the 314(a) subject lists by e-mail attachments.

Each 314(a) subject list will be available on the web site for a four-week period. Once a 314(a) subject list has been replaced by a more current subject list, the previous 314(a) subject list will no longer be available.

FinCEN will continue to send bi-weekly e-mails to the POCs. However, the bi-weekly e-mails will simply notify users that new 314(a) subject lists have been posted to the secure web site. As a result, the current e-mail distribution process will continue to be used and maintained by FinCEN, and changes and updates to your association's 314(a) POC information will continue to be required.

You should make any changes and updates to your association's POC and emergency contact information by using the OTS Electronic Filing Software (EFS). Since September 2004, you have been able to change FinCEN POC information through the EFS by accessing the FinCEN "tab" from the system contacts drop down menu and then transmitting the TFR or transmitting a general message. There is a system contacts drop down that will display the Emergency, FinCEN, HRC, and TRC "tabs". Make any updates under the FinCEN "tab" and upon transmission to OTS, we will make the changes available to FinCEN. It is important to keep the EFS contacts up-to-date to reflect the most current contacts. This will prevent the contact information from being blanked or reset to incorrect or prior values. As of March 1, 2005, you must use EFS and you will no longer be able to use the OTS e-mail address: usap.contact@ots.treas.gov to update the FinCEN POC information.

If you do not receive information from FinCEN concerning the new web-based delivery and reporting system during the month of February, you should promptly contact FinCEN to obtain access to the web site and register. Contact information for FinCEN is:

Financial Crimes Enforcement Network (FinCEN)
e-mail: sys314a@fincen.treas.gov
fax: (703) 905-3660
Telephone: FinCEN Regulatory Help Line at 1-800-949-2732

Be sure to include your association's name, address, OTS Docket number, phone number, and contact information on all written correspondence to FinCEN and cc: usap.contact@ots.treas.gov.

If you have any questions about the information provided in this letter or any other BSA/USA PATRIOT Act related issue, please contact your OTS regional office. You may also call our USA PATRIOT Act phone line at (202) 906-6012, or consult our web resource page at www.ots.treas.gov/BSA