

**OCC ALERT**

Comptroller of the Currency
Administrator of National Banks

Subject: FinCEN 314(a) Distribution List to be Compiled from Contact
Information on the Call Report

TO: Chief Executive Officers of All National Banks and All Federal Branches of Foreign 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

Background

Pursuant to section 314(a) of the USA PATRIOT Act, the Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) developed and implemented an electronic system for law enforcement to request information about suspected terrorists and money launderers from financial institutions. For purposes of developing FinCEN's electronic 314(a) distribution list, national banks and federal branches provided contact information to the Comptroller of the Currency (OCC). All changes and updates to this contact information are currently processed manually by the OCC after a bank or branch sends an e-mail to the OCC at the following e-mail address: nationalbankinfo@occ.treas.gov. On January 5, 2004, the OCC issued Alert 2004-1, which informed national banks and federal branches that: (i) during the first quarter of 2004 FinCEN will be converting to an automated distribution list that will be compiled from information contained in your institution's FFIEC Report of Condition and Income (Call Report), and (ii) national banks and federal branches need to ensure that the 314(a) contact information contained in their Call Reports was complete and accurate. See OCC Alert 2004-1, dated January 2, 2004, at (<http://www.occ.gov/static/news-issuances/alerts/2004/alert-2004-1.pdf>).

Purpose

The purpose of this alert is to inform national banks and federal branches of the date that the conversion to the automated Call Report distribution list will occur. Beginning on March 16, FinCEN will be converting to the automated distribution list that has been compiled from information contained in your institution's year-end Call Report. From this date going forward, if your institution must make any changes or updates to its 314(a) contact information, you will simply file an amended Call Report with the updated information. FinCEN will update the electronic 314(a) distribution list from these amended Call Reports as well as from future quarterly Call Reports.

Procedure

In September 2002 and March 2003, The Federal Financial Institutions Examination Council (FFIEC) added two new instructions to the Call Report. The first new Call Report instruction

requires emergency contact information from your institution in order for the bank regulatory agencies to distribute critical, time-sensitive information to senior officials at your institution designated as emergency contacts. The OCC's emergency e-mail communications system has been created from this Call Report data. *See* OCC Alert 2002-11, dated October 3, 2002, at (<http://www.occ.gov/static/news-issuances/alerts/2002/alert-2002-11.pdf>). The second new Call Report instruction requires all institutions to include their 314(a) contact information for a maximum of two contacts when filing their Call Report. A copy of the applicable page of the Call Report form is attached.

Beginning on March 16, 2004, the 314(a) contact information on the Call Reports will be compiled electronically and shared with FinCEN to create a new distribution list for sending the 314(a) requests to financial institutions. Under this new process, only the two contacts listed on your institution's quarterly Call Report will receive the 314(a) lists from FinCEN.

Going forward, all changes and updates to your institution's 314(a) contact information and emergency contact information will be processed by simply: (1) amending page three of your bank's Call Report and filing the amended Call Report with the FDIC, (2) amending page two of your federal branch's Call Report and filing the amended Call Report with the appropriate Federal Reserve Bank, or (3) amending the appropriate page (two or three) of your quarterly Call Report and filing by the due date as usual. Such changes and updates would include contact changes, phone or fax number changes and e-mail address changes. Sample Call Report forms are available on the FFIEC's Web site (www.ffiec.gov), and the following link on the FDIC's Web site contains a significant amount of helpful Call Report information. (www.fdic.gov/about/contact/ask/contactinformation.html#CallReports).

Because only two 314(a) contacts can be listed on the Call Report, as of March 5, 2004, any additional contacts at your institution who currently may be receiving the 314(a) requests from FinCEN will be dropped from the distribution list after the conversion occurs. Institutions that desire more than two contacts for receiving the 314(a) requests will have to establish either a shared e-mail address that will provide access for these additional contacts, or an internal distribution process for disseminating the 314(a) requests to its additional contacts.

If you discover that your institution is no longer receiving the 314(a) list from FinCEN after the March 16, 2004 conversion date, you should first check to ensure that the 314(a) contact information contained in your institution's Call Report is correct and simply file an amended Call Report to correct any inaccuracies. Typical mistakes in the contact e-mail information include the omission of the "@" symbol, an improperly placed "dot," or a misspelled name. If this information is not correct, your institution should file an amended Call Report to update these records. If you find that the Call Report information is correct but your institution continues to have problems receiving the 314(a) list from FinCEN, then you should contact FinCEN to resolve the problem. 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 institution's name, address, charter number, phone number, and contact information on all written correspondence to FinCEN. **National banks and federal branches will no longer need to provide changes or updates to their 314(a) contact information by**

sending an e-mail to nationalbankinfo@occ.treas.gov. Any communications to this e-mail address will no longer be processed.

Additional Information

Please direct any other inquiries concerning section 314(a) of the USA PATRIOT Act to Jim Vivenzio, special assistant to the deputy chief counsels by phone at (202) 874-5200.

Daniel P. Stipano
Deputy Chief Counsel

Attachments:

- Call Report for Bank with Domestic Offices Only – Page 3 (FFIEC 041)
- Call Report for Bank with Domestic and Foreign Offices – Page 3 (FFIEC 031)
- Call Report for U.S. Branches and Agencies of Foreign Banks – Page 2 (FFIEC 002)

All can be found at [http://www.ffiec.gov/ffiec_report_forms.htm]