

**OCC ALERT**

Comptroller of the Currency
Administrator of National Banks

Subject: FinCEN 314(a) 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 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.

Purpose and Scope

The purpose of this alert is to provide notice to all national banks and federal branches that during the first quarter of 2004, an automated process will be implemented to create and maintain FinCEN's electronic 314(a) distribution list. At that time, the 314(a) distribution list will be created using the information contained in the FFIEC Report of Condition and Income (Call Report) filed by national banks and federal branches. Institutions must ensure that the information contained in their December 31, 2003, Call Report is complete and accurate. The OCC will provide additional notification and instruction once a conversion date for this new automated process has been established.

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 (www.occ.treas.gov/altlst02.htm). 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.

During the first quarter of 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 Call Report will receive the 314(a) lists from FinCEN. Call Report preparers at your institution must coordinate with the compliance specialists who currently receive the 314(a) requests to ensure that the contact information contained on the year-end Call Report is accurate and correct. Typical mistakes that have come to the OCC are the omission of the "@" symbol, an improperly placed "dot," or a misspelled name.

Since only two 314(a) contacts can be listed on the Call Report, under this new process, additional contacts at your institution who currently may be receiving the 314(a) requests from FinCEN will be dropped from the distribution list. 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.

Once this automated process is in place, you can update your institution's 314(a) contact information by simply filing an amended Call Report with the revised 314(a) contact information. Such changes would include contact changes, phone or fax number changes and e-mail address changes. 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.

The OCC will provide additional notification once a conversion date for this new automated process has been established, however, all national banks and federal branches should be aware that it expects this conversion to take place sometime during the first quarter of 2004, and all national banks and federal branches should ensure that their year-end Call Reports contain accurate contact information for this purpose. Sample Call Report forms are available on both the FFIEC's Web site (www.ffiec.gov) and the FDIC's Web site (www.fdic.gov). **Until such time as the conversion takes place, national banks and federal branches should continue to notify the OCC of changes in their 314(a) contact information by sending an e-mail to nationalbankinfo@occ.treas.gov.**

Additional Information

Please direct 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:
[http://www.ffiec.gov/ffiec_report_forms.htm]

See:

- 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)