

REGULATORY ALERT

NATIONAL CREDIT UNION ADMINISTRATION
1775 DUKE STREET, ALEXANDRIA, VA 22314

DATE: March 2003 **NO:** 03-RA-03

TO: All Federally-Insured Credit Unions

SUBJECT: USA PATRIOT Act Section 314(a) Information Requests

This is to inform you that the Financial Crimes Enforcement Network (FinCEN) is reinstating information requests associated with section 314(a) of the USA Patriot Act effective February 17, 2003, and to provide guidance for handling these requests. A moratorium was placed on these requests on November 26, 2002 pending revisions to the information process. NCUA, along with other regulatory agencies and federal law enforcement, agreed upon an information request process and developed guidance for financial institutions to handle them. It is essential that all credit unions comply with the information requests. Failure to do so is a violation of the Bank Secrecy Act (31 CFR 103.100).

Credit unions that provided NCUA with an e-mail address or fax number, as requested by NCUA Letter to Credit Unions #01-CU-18 (October 2001), should be receiving the requests. Beginning with the March 31, 2003 call report, all credit unions must provide a specific contact's e-mail address or fax number in order to receive the requests and comply with required searches. Examiners will determine that this contact information is reported during each call report cycle to ensure its accuracy.

Changes to the request process include the following:

- 314(a) requests from FinCEN will be batched and issued every two weeks, unless otherwise indicated in the request.
- After receiving a 314(a) request, financial institutions will have two weeks, rather than one week, to complete their searches and respond with any matches.
- Searches will be limited to specific records and, unless otherwise noted, will be a one-time search.
- If a financial institution identifies a match for a named subject, the institution need only respond to FinCEN that it has a match and provide point-of-contact information for the requesting law enforcement agency to follow-up directly with the institution.

FinCEN will send the general instructions with the bi-weekly requests. A list of Frequently Asked Questions (FAQs) will be sent to the "System 314 addressees" one time only.

If you have any questions regarding this process, please contact your appropriate regional office, examiner, or state supervisory authority. You may also direct questions to FinCEN's Regulatory Helpline at 1-800-949-2732.

Sincerely,

/S/

Dennis Dollar
Chairman