

MEMO# 15630

February 7, 2003

FINCEN ANNOUNCES NEW 314(A) INFORMATION REQUEST PROCEDURES; WILL BEGIN MAKING INFORMATION REQUESTS WEEK OF FEBRUARY 17, 2003

[15630] February 7, 2003 TO: BROKER/DEALER ADVISORY COMMITTEE No. 6-03 COMPLIANCE ADVISORY COMMITTEE No. 13-03 MONEY LAUNDERING RULES WORKING GROUP No. 12-03 TRANSFER AGENT ADVISORY COMMITTEE No. 17-03 RE: FINCEN ANNOUNCES NEW 314(A) INFORMATION REQUEST PROCEDURES; WILL BEGIN MAKING INFORMATION REQUESTS WEEK OF FEBRUARY 17, 2003 In a press release dated February 6, 2003, the Financial Crimes Enforcement Network (FinCEN) announced that it intends to reinstate its information requests pursuant to Section 314(a) of the USA Patriot Act. Section 314(a) allows federal law enforcement agencies to request information from financial institutions about suspected money launderers and terrorists.¹ According to the press release, FinCEN expects to issue these information requests in a batched manner every two weeks. After receiving a 314(a) request, financial institutions will have two weeks to complete their searches and report any matches. Searches will be limited to one-time searches of specific records, unless otherwise noted in the request. FinCEN also has published general instructions and Frequently Asked Questions (FAQs) concerning the revised 314(a) request process. Copies of the press release, the general instructions and the FAQs are attached. Robert C. Grohowski Associate Counsel Attachment (in .pdf format)

1 For more information about Section 314(a) information requests, including a description of a recent NASD Notice to Members on this topic, see Memorandum to Broker/Dealer Advisory Committee No. 49-02, Compliance Advisory Committee No. 110-02, Money Laundering Rules Working Group No. 72-02, and Transfer Agent Advisory Committee No. 106-02, dated December 6, 2002.