



BOARD OF GOVERNORS
OF THE
FEDERAL RESERVE SYSTEM

WASHINGTON, D. C. 20551

DIVISION OF BANKING
SUPERVISION AND REGULATION

SR 07-9

June 19, 2007

TO THE OFFICER IN CHARGE OF SUPERVISION
AT EACH FEDERAL RESERVE BANK

SUBJECT: Notification of Delay in the Implementation of the Revised Suspicious Activity Report
by Depository Institutions

The Financial Crimes Enforcement Network (FinCEN) has issued a Federal Register notice and press release (attached) announcing a delay in the implementation of certain revised Suspicious Activity Report (SAR) forms that were scheduled to become effective on June 30, 2007 and mandatory on December 31, 2007. This delay affects the implementation dates for the Suspicious Activity Report by Depository Institutions, which were set forth in SR 07-02, published January 12, 2007. FinCEN will establish new effective and mandatory compliance dates for these revised forms in a future Federal Register notice.

This announcement does not affect a banking organization's SAR filing obligations. Banking organizations should continue to file using the current Suspicious Activity Report by Depository Institutions (Form TD F 90-22.47) in accordance with regulatory requirements.

Reserve Banks are asked to distribute this SR letter to supervisory staff and to the domestic and foreign banking organizations in their Districts that they supervise. Questions may be addressed to Suzanne Williams, Manager, BSA/AML Risk Section, (202) 452-3513; or Dawn Adams, Sr. Special AML Examiner, (202) 452-3964.

Roger T. Cole
Director

Attachments: Federal Register notice
FinCEN's Press Release dated April 26, 2007

Supersedes: SR 07-2

after 1993 is attributable in part to the amendment to FMVSS No. 111 (effective in December 1993), which required the areas in front of and along the sides of school buses to be viewable by the driver. Manufacturers are using cross view mirrors to comply with these requirements. We want to ensure that the drivers of these buses receive every possible reminder to make proper use of cross view mirrors.

Since the cross view mirror labels remind school bus drivers of the appropriate use of these mirrors, NHTSA has reconsidered its view concerning the label and now believes that driver training is not an adequate substitute for missing labels or labels that are not visible to the seated driver.

In consideration of the foregoing, NHTSA has decided that U.S. Bus has not met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, U.S. Bus's petition is hereby denied, and the petitioner must notify according to 49 U.S.C. 30118 and remedy according to 49 U.S.C. 30120.

Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: April 24, 2007.

Daniel C. Smith,

Associate Administrator for Enforcement.

[FR Doc. E7-8200 Filed 4-30-07; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network; Suspicious Activity Reporting; Release of Revised Suspicious Activity Reports

AGENCY: Financial Crimes Enforcement Network, Department of the Treasury.

ACTION: Notice.

SUMMARY: The Financial Crimes Enforcement Network ("FinCEN") is issuing this notice to communicate a delay in the dates for using the revised Suspicious Activity Report ("SAR") forms. The revised SAR forms that support joint filing were originally scheduled to become effective on June 30, 2007 and mandatory on December 31, 2007. FinCEN will establish new dates for using the revised SAR forms in a future notice.

FOR FURTHER INFORMATION CONTACT: Regulatory Policy and Programs Division, Financial Crimes Enforcement Network at (800) 949-2732.

SUPPLEMENTARY INFORMATION:

Background

It is FinCEN's intention to implement revised SAR forms that facilitate joint filing for depository institutions,¹ casinos and card clubs,² insurance companies,³ and the securities and futures industries.⁴ On December 21, 2006, FinCEN issued a notice on its Web site explaining that financial institutions would be able to begin filing the revised SAR forms with FinCEN on June 30, 2007.⁵ We are postponing this date and the date by which use of the revised forms becomes mandatory because of recently implemented data quality initiatives. FinCEN will provide advance notice of the new dates for using the revised forms at a future time. In the meantime, financial institutions will continue to report suspicious activities using the existing SAR forms.⁶

Dated: April 26, 2007.

William F. Baity,

Deputy Director, Financial Crimes Enforcement Network.

[FR Doc. E7-8320 Filed 4-30-07; 8:45 am]

BILLING CODE 4810-02-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[REG-138176-02]

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing proposed regulation, REG-138176-02 (NPRM), Timely Mailing Treated As Timely Filing.

¹ 31 CFR 103.18.

² 31 CFR 103.21.

³ 31 CFR 103.16.

⁴ 31 CFR 103.15, 103.17, and 103.19.

⁵ See Additional Suspicious Activity Reports (SAR) Revised for Other Industries to Support Joint Filing and Reduce Duplicate SARs, <http://www.fincen.gov>.

⁶ The current SAR forms can be found on FinCEN's Web page at: http://www.fincen.gov/reg_bsaforms.html#SAR.

DATES: Written comments should be received on or before July 2, 2007 to be assured of consideration.

ADDRESSES: Direct all written comments to Glenn Kirkland, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulation should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the Internet at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: Timely Mailing Treated As Timely Filing.

OMB Number: 1545-1899.

Regulation Project Number: REG-138176-02.

Abstract: Under I.R.C. section 7502, in order for taxpayers to establish the postmark date and prima facie evidence of delivery when using registered or certified mail to file documents with the IRS, taxpayers will need to retain the sender's receipt.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, business or other for-profit organizations, not-for-profit institutions, farms, Federal government and State, local, or tribal government.

Estimated Number of Respondents: 10,847,647.

Estimated Time per Respondent: 6 minutes.

Estimated Total Annual Burden Hours: 1,084,765.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information may be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the



Financial Crimes Enforcement Network

A bureau of the U.S. Department of the Treasury

FinCEN news releases are available on the Internet and by e-mail subscription at www.fincen.gov.
For more information, please contact FinCEN's Office of Public Affairs at (703) 905-3770.

FOR IMMEDIATE RELEASE
April 26, 2007

CONTACT: Office of Public Affairs
(703) 905-3770

FinCEN Delays Implementation of Revised Suspicious Activity Report (SAR) Forms *Financial Institutions Should File Using Current Forms Until Further Notice*

The Financial Crimes Enforcement Network (FinCEN) today filed a Federal Register notice announcing the delayed implementation of certain revised Suspicious Activity Report (SAR) forms that were scheduled to become effective on June 30, 2007. The agency is withdrawing this effective date for the revised SAR forms for depository institutions, casinos and card clubs, insurance companies, and the securities and futures industries. FinCEN will establish new effective and mandatory compliance dates for these revised forms in a future notice. The delay does not impact ongoing suspicious activity reporting, which will continue using the current forms.

FinCEN, in cooperation with the Internal Revenue Service (IRS), recently initiated an information-technology modernization strategy that includes a newly-established Bank Secrecy Act (BSA) data quality management program to further ensure that the data is accurate, complete and available in a timely manner to law enforcement agencies and financial institution regulators. Program staff re-examined many legacy data management protocols and discovered problems that, if not corrected, could continue to adversely impact how certain limited information sets are loaded into the database. As a result, FinCEN and the IRS have agreed to focus on optimizing the current database environment prior to introducing any new products or procedures.

“As FinCEN and the IRS move forward with this optimization process, we need to be vigilant in monitoring for any transitional problems that may arise. This modernization strategy affirms our responsibility to make the financial sector’s contributions to law enforcement and national security most useful,” said Ed Dorris, FinCEN’s Chief Information Officer. “This temporary delay allows FinCEN, working with the IRS, to make certain that the data protocol issues are addressed before accepting the new SAR format. It is also very important that financial institutions receive as much notice as possible to make business decisions based on our deadlines.”

IRS Chief Information Officer Richard Spires noted, “The IRS and FinCEN are working collaboratively to identify issues and implement improvements to strengthen the reliability of the BSA data.”

This announcement does not affect the BSA filing requirements, and financial institutions should continue filing using the current SAR forms. The delay of the SAR forms for depository institutions, casinos and card clubs, insurance companies, and the securities and futures industries does not alter the effective date of the revised forms for money services businesses, which became effective on March 31, 2007 and will become mandatory October 1, 2007.

FinCEN has alerted BSA data users, such as the law enforcement community and regulators, of the data protocol issues and is providing information on the actions that have been taken to address them. As FinCEN and the IRS continue to pursue their data-quality management objectives, they will advise database users of pending adjustments to ensure that the system retains its superior investigatory value.

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