



**Federal Deposit Insurance Corporation**  
550 17th Street NW, Washington, D.C. 20429-9990

**Financial Institution Letter**  
**FIL-5-2006**  
**January 20, 2006**

## **BANK SECRECY ACT**

### **Sharing Suspicious Activity Reports With Controlling Companies**

**Summary:** The Financial Crimes Enforcement Network and the federal banking agencies – the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision – are issuing the attached guidance to notify institutions when a Suspicious Activity Report (SAR) can be shared with a holding company or other controlling company, or with the head office of a U.S. branch or agency of a foreign bank.

**Distribution:**

FDIC-Supervised Banks (Commercial and Savings)

**Suggested Routing:**

Chief Executive Officer  
BSA Compliance Officer

**Related Topics:**

Bank Secrecy Act

**Attachment:**

Interagency Guidance on Sharing Suspicious Activity Reports with Controlling Companies

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**Note:**

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**Highlights:**

- The Financial Crimes Enforcement Network (FinCEN) and the federal banking agencies are providing guidance to confirm that sharing a SAR with a controlling company in accordance with specified procedures is acceptable.
- A controlling company includes a bank or savings association holding company, or a company having the power directly or indirectly to direct the management or policies of an industrial loan company or a parent company, or to vote 25 percent or more of any class of voting shares of an industrial loan company or a parent company.
- Sharing a SAR within an organization is allowable for the head office, or for the controlling entity or party to discharge its oversight responsibilities with respect to enterprise-wide risk management and compliance with applicable laws and regulations.
- Accordingly, a bank or savings association (depository institution) may disclose a SAR to its controlling company(ies), whether domestic or foreign; and a U.S. branch or agency of a foreign bank may disclose a SAR to its head office outside the United States.
- Depository institutions, as part of their anti-money laundering program, must have written confidentiality agreements or arrangements, and proper internal controls in place to protect the confidentiality of the SAR.
- Please distribute this information to the appropriate personnel in your institution.

