

Letter Agreement Regarding the Provision of Jointly Held Confidential Supervisory Information to the Financial Crimes Enforcement Network

On September 30, 2004, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision (collectively, the “Federal Banking Agencies” (“FBAs”)) entered into a memorandum of understanding (the “FBA MOU”) with the U.S. Department of the Treasury’s Financial Crimes Enforcement Network (“FinCEN”). The FBA MOU sets forth procedures for the exchange between the FBAs and FinCEN of certain information pertaining to the administration of the Bank Secrecy Act (the “BSA”). Information to be shared under the FBA MOU may include confidential supervisory information relating to BSA compliance. The FBA MOU provides that confidential supervisory information that is jointly held by a FBA and a state financial institution supervisory agency (“State Agency”) will not be disclosed to FinCEN by a FBA without approval of the State Agency.

The State Agencies have reached agreement with FinCEN on a separate agreement for the sharing of information relating to administration of the BSA (the “State Agency MOU”). The State Agency MOU also provides for the sharing of confidential supervisory information, including information that is jointly held by a State Agency and a FBA. The State Agency MOU provides that such jointly held information will not be disclosed to FinCEN by a State Agency without the approval of the FBA.

This letter sets forth the mutual understanding of the undersigned FBAs and State Agencies regarding approval of disclosures to FinCEN under the FBA MOU or the State Agency MOU of confidential supervisory information that is jointly held by a State Agency and a FBA.

1. A State Agency approves the disclosure by a FBA to FinCEN of jointly held confidential supervisory information, provided that the disclosure is made pursuant to the terms of the FBA MOU and that the FBA making the disclosure to FinCEN contemporaneously sends to the State Agency that jointly holds the confidential supervisory information either (1) a copy of such information or (2) a reasonably detailed description of such information.

2. A FBA approves the disclosure by a State Agency to FinCEN of jointly held confidential supervisory information, provided that the disclosure is made pursuant to the terms of the State Agency MOU and that the State Agency making the disclosure to FinCEN contemporaneously sends to the FBA that jointly holds the confidential supervisory information either (1) a copy of such information or (2) a reasonably detailed description of such information.

This letter describes the procedure for obtaining approval of disclosures to FinCEN of jointly held confidential supervisory information relating to BSA compliance. This letter does not create any obligation on the part of any of the undersigned FBAs or State Agencies.

A State Agency or FBA may terminate its participation in this Agreement by giving notice to the other relevant Parties. The terminations shall be effective 30 days after the date of the notice.

Board of Governors of the Federal Reserve System

By:

Date: _____

Federal Deposit Insurance Corporation

By:

Date: _____

National Credit Union Administration

By:

Date: _____

Signature

Of:

Date:

By:

Alabama

By:

Alaska

By:

Arizona

By:

Arkansas

By:

California

By:

Colorado

By:

Connecticut

By:

Delaware

By:

District of Columbia

By:

Florida

By:

Georgia

By:

Guam

By:

Hawaii

By:

Idaho

Signature

Of:
Illinois

Date:

By: _____

Indiana

By: _____

Iowa

By: _____

Kansas

By: _____

Kentucky

By: _____

Louisiana

By: _____

Maine

By: _____

Maryland

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Massachusetts

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Michigan

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Minnesota

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Mississippi

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Missouri

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Montana

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Nebraska

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Signature

Of:

Date:

By:

Nevada

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New Hampshire

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New Jersey

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New Mexico

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New York

By:

North Carolina

By:

North Dakota

By:

Ohio

By:

Oklahoma

By:

Oregon

By:

Pennsylvania

By:

Puerto Rico

By:

Rhode Island

South Carolina

<u>Signature</u>	<u>Of:</u>	<u>Date:</u>
By: _____	South Dakota	_____
By: _____	Tennessee	_____
By: _____	Texas	_____
By: _____	Utah	_____
By: _____	Vermont	_____
By: _____	Virgin Islands	_____
By: _____	Virginia	_____
By: _____	Washington	_____
By: _____	West Virginia	_____
By: _____	Wisconsin	_____
By: _____	Wyoming	_____

