

RESCINDED

Transmittal – See OCC 2020-11

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Suspicious Activity Reports (SARs): Final Rules

The attached final rules were published in the *Federal Register* on December 3, 2010.

The attached part 21 final rule revises the Office of the Comptroller of the Currency's (OCC) regulations that implement the Bank Secrecy Act governing the confidentiality of a suspicious activity report (SAR). The final rule: (1) clarifies the scope of the statutory prohibition on a financial institution's disclosure of a SAR; (2) explains how the statutory prohibition on the government's disclosure of a SAR affects the OCC's standards governing the disclosure of SARs; (3) makes clear that the exclusive standard applicable to the OCC's disclosure of a SAR, or any information that would reveal the existence of a SAR, is to fulfill official duties consistent with Title II of the BSA; and (4) modifies the safe harbor provision in the SAR regulations to include changes made by the USA PATRIOT Act. The amendments to part 21 are based upon a similar final rule issued simultaneously by the Financial Crimes Enforcement Network (FinCEN).

In addition, the OCC is revising its part 4 regulations governing the release of nonpublic OCC information. The part 4 final rule makes clear that the OCC's decision to release SARs is governed by the standards set forth in the amendments to part 21 of the OCC's regulations.

You can download the final rules from the Website addresses noted below.

For questions concerning these final rules, contact the Legislative and Regulatory Activities Division at (202) 649-5740.

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Related Links

- [Part 21 Final Rule \(Confidentiality of SARs\)](#)
- [Part 4 Final Rule \(Standards Governing the Release of a SAR\)](#)

To

Chief Executive Officers of All
National Banks, Federal
Branches and Agencies,
Department and Division Heads,
and All Examining Personnel