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To: Comments, Regulation; infocollection.comments@ots.treas.gov
Subject: ATTN: 1506-0001, Revised Suspicious Activity Reports by Financial Institutions



March 31, 2006

Financial Crimes Enforcement Network

Information Collection Comments

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Attention: 1506-0001, Revised Suspicious Activity Report by Financial Institutions

To Whom It May Concern:

MidFirst Bank appreciates the opportunity to comment on the Suspicious Activity Report by Depository Institutions (SAR) revisions as published in the February 17, 2006, Federal Register beginning on page 8640. The proposed changes appear to provide clarity as to the information financial institutions should provide on the Suspicious Activity Report and therefore will make the reporting process more consistent and useful. Despite the overall benefit, MidFirst offers a few items areas for consideration.

1. Given the confidential nature of the SAR, MidFirst questions items 1 and 26 b regarding the joint filing of SAR reports by multiple financial institutions. MidFirst appreciates the benefit afforded law enforcement via the joint filing, yet MidFirst is concerned that existing prohibitions on sharing of SAR related information with third parties actually prevent such joint filing to occur. MidFirst requests that FinCEN and the banking agencies provide specific examples of the types of situations in which a joint filing might be warranted as well as specific confirmation that such a joint filing would not adversely effect the safe harbor provisions for the institutions reporting in a joint manner. With respect to a joint filing, MidFirst requests FinCEN to clarify that an institution is only responsible for the retention of records between the subject and the respective institution and is not responsible for records between the subject and the other institutions a part of the SAR filing.

2. Under SAR Instruction Item 14, the financial institution is instructed to enter "Unknown" if the subject's date of birth is not known. In addition, if the subject is an entity, financial institutions are instructed to enter N/A into this same field. However, when e-filing a report, it does not appear that letters are valid entries for this field. MidFirst requests additional explanation be provided as to data entry for this field when date of birth is not known or the subject is an entity. Advising institutions as to whether this field should be left blank or if the financial institution should fill this field with a series of 1's similar to the SSN/EIN/TIN fields may assist the reporting institution when e-filing.

3. Similarly, if the subject's Zip Code is not known, FinCEN might consider providing instruction as to whether financial institutions should leave this field blank or fill the field with a series of 1's (similar to the SSN/EIN/TIN fields). The proposed instructions do not provide guidance on how the Zip Code should be treated if it is unknown.

4. For clarification, the instructions for 15 should read "You must list the ID number of the identifying document and the issuing authority in 15e and 15f." The proposed instructions state that this information should be entered into 16e and 16f.

5. For clarification on the instructions of items 36 through 55, if no branch addresses are involved, "not applicable" should be entered in item 36 rather than item 37.

Finally, MidFirst would suggest that FinCEN perform an analysis of the time financial institutions spend on SAR research and preparation in relation to the utilization by law enforcement of all reported SARs. This study should be intended to optimize the benefit to law enforcement in relation to the time and cost of reporting. If the reporting thresholds were increased, resources currently devoted by financial institutions in filing smaller dollar SARs could be more efficiently deployed and more thorough reporting of the remaining SARs could be achieved. FinCEN is in the best position to determine whether an increase in such thresholds would be valuable in total or not.

Again, MidFirst appreciates the opportunity to offer comments and assist in refining the SAR process so that it is efficient and beneficial for all parties involved. Should additional questions exist, please contact the undersigned.

Sincerely,

Charles R. Lee

Vice President and

Director of Bank Administration

MidFirst Bank

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