



FleetBoston Financial

October 4, 2002

Office of Chief Counsel
Financial Crimes Enforcement Network
Department of the Treasury
PO Box 39
Vienna, Virginia 22183
Attn: PRA Comments-SAR-Securities and Futures Industry Form

Ladies and Gentlemen:

This comment letter is submitted on behalf of FleetBoston Financial ("Fleet") in response to the Financial Crimes Enforcement Network (FinCEN) proposed new form, "Suspicious Activity Report by the Securities and Futures Industry (SAR-SF)."

Fleet is the seventh-largest financial holding company in the United States. A \$191 billion diversified Financial Services Company, it offers a comprehensive array of innovative financial solutions to 20 million customers in more than 20 countries and territories. Among the company's key lines of business are: retail banking, with over 1,500 branches and more than 3,700 ATMs in the Northeast; commercial banking, including capital markets and commercial finance; investment services, including discount brokerage; and full-service banking through more than 250 offices in Latin America. Fleet is headquartered in Boston and is listed on the New York Stock Exchange (NYSE: FBF) and the Boston Stock Exchange (BSE: FBF).

Fleet appreciates the opportunity to comment on the proposed form. Our comments are based upon the perspective of a financial institution that may need to file both SAR-SF and the existing Suspicious Activity Report (SAR). While the forms may or may not be prepared by the same individuals, undoubtedly there would be some people (both within the bank and within the government agencies who receive the SARs) who would need to use, review, and understand the content of whichever type is filed.

In addition, we have reviewed the form with a view of filing the form electronically. Fleet prepares SARs electronically and files them with FinCEN via electronic means. In addition, we were a pilot participant in PACS. We support FinCEN's desire to encourage electronic filing because of its efficiency, and because it can ensure important data is delivered promptly to the government agencies that need it. In that respect, we strongly recommend as much consistency as possible between types of SARs, to reduce errors as well as to facilitate analysis and understanding.

Identical Lists between the current SAR form and form SAR-SF

Whenever the SAR forms include a list with similar choices, the lists should be identical unless there is a compelling need for distinctions. Use of identical lists will facilitate analysis of the data (both by law enforcement and by financial institutions), and will reduce the risk of errors in selecting codes. In addition, this consistency is particularly important to support FinCEN's desire to foster electronic filings. The software for electronic filing can more easily accommodate the two SAR forms (and others if needed in future) if codes are kept consistent wherever possible. Examples where similar information is required on both forms:

- a) SAR-SF: Part I-Field 17, "Government issued identification (if available)." The choices given are sufficiently similar to the SAR: Part II-Field 29 that they should be made exactly the same. The title of the fields should also be consistent ("Government issued identification" Vs. "Forms of Identification for Suspect").
- b) SAR-SF: Part II-Field 30, "Type of suspicious activity" should match "Summary characterization of suspicious activity," on the SAR: Part III-Field 35.
- c) SAR-SF: Part I-Field 20, "Is individual/business associated /affiliated with the reporting institution?" Instead of Yes/No, we suggest a set of choices consistent with the SAR: Part II-Field 30, Relationship to Financial Institution.
- d) SAR-SF: Part III-Field 31, law enforcement contacted. The list should match that in the SAR: Part III-Field 40. In addition, the use of "Other" should be done in a similar manner, with the "other" explained in an identifiable field. It also seems inconsistent to provide for two law enforcement contacts in the SAR but not in the SAR-SF.

Consistent Fields between SAR-SF and SAR form

We suggest that fields that are added to the SAR-SF form should be added to the SAR form. Such fields include a field for AKA (SAR-SF, Part I-Field 6) and a field for E-mail address (SAR-SF, Part I-Field 13). Additionally, on the SAR form is "Part II-Field 28, Admission/Confession?" which is not on the SAR-SF form.

Enhanced Communication

One additional comment is offered to facilitate communication between FinCEN (as well as law enforcement) and the filing institution. A field should be added in which the filing institution would place a unique identifier, presumably a numerical (or alphanumeric) code.

Our experience is that, in the absence of such a straightforward unique identifier, it is sometimes difficult and time-consuming to identify a SAR that FinCEN is referring to, and in some instances the information is ambiguous. With a unique identifier, FinCEN and law enforcement could ask a bank about SAR # 1234 or case # AB45678, etc. This also would facilitate electronic communication about and analysis of SARs. We also urge that this feature be considered for the present SAR form. If and when the present SAR form (and its associated electronic file format) is revised, we urge that FinCEN add such a unique identification field to the present SAR as well.

Once again, we appreciate this opportunity to comment on this new form. If you have any questions concerning these comments, or if we can otherwise be of assistance in

connection with this matter, please do not hesitate to contact Jim Roberts at (781) 467-2353, Cathy Kelso at (781) 467-2537 or me at (781) 467- 2435.

Sincerely,



James R. Richards
BSA Compliance Officer