

## CUSTOMER IDENTIFICATION PROGRAM

**Objective:** *Assess the bank's compliance with the BSA regulatory requirements for the Customer Identification Program (CIP).*

### Regulatory Requirements for Customer Identification Programs

This section outlines the regulatory requirements for banks in 12 CFR Chapters I through III and VII, and 31 CFR Chapter X regarding CIPs. Specifically, this section covers:

- [12 CFR 21.21\(c\)\(2\)](#)
- [12 CFR 208.63\(b\)\(2\)](#), [12 CFR 211.5\(m\)\(2\)](#), [12 CFR 211.24\(i\)\(2\)](#)
- [12 CFR 326.8\(b\)\(2\)](#)
- [12 CFR 748.2\(b\)\(2\)](#)
- [31 CFR 1020.220](#)

A bank, including certain domestic subsidiaries,<sup>1</sup> must have a written CIP<sup>2</sup> that is appropriate for its size and type of business and that includes certain minimum requirements. The CIP must be incorporated into the bank's BSA/AML compliance program,<sup>3</sup> which is subject to approval by the bank's board of directors.<sup>4</sup> Minor weaknesses, deficiencies, and technical violations alone are not indicative of an inadequate CIP.

### Identity Verification Procedures

The CIP must include risk-based procedures for verifying the identity of each customer to the extent reasonable and practicable.<sup>5</sup> The procedures must enable the bank to form a reasonable belief that it knows the true identity of each customer and be based on the bank's assessment of relevant risks, including:

- The types of accounts maintained by the bank.
- The bank's methods of opening accounts.

<sup>1</sup> See OCC 12 CFR [3.34\(e\)\(3\)](#) and [3.38\(e\)\(3\)](#) (examination and supervision of operating subsidiaries of national banks and federal savings associations). See also [FinCEN, Federal Reserve, FDIC, NCUA, OCC, OTS, Treasury \(April 28, 2005\), "Interagency Interpretive Guidance on Customer Identification Program Requirements under Section 326 of the USA PATRIOT Act," Definition of "bank" FAQ #3](#). The FDIC will evaluate each subsidiary relationship in the context of the bank's safety and soundness before determining whether the CIP applies to the bank's subsidiaries. Wholly- or majority-owned credit union service organizations (CUSOs) may be considered subsidiaries of the credit union owner; however, as separate legal entities, the NCUA has no direct regulatory authority over CUSOs.

<sup>2</sup> 12 CFR [208.63\(b\)\(2\)](#), [211.5\(m\)\(2\)](#), and [211.24\(i\)\(2\)](#) (Federal Reserve); 12 CFR [326.8\(b\)\(2\)](#) (FDIC); 12 CFR [748.2\(b\)\(2\)](#) (NCUA); 12 CFR [21.21\(c\)\(2\)](#) (OCC); and 31 CFR [1020.220](#) (FinCEN).

<sup>3</sup> 12 CFR [208.63\(b\)\(2\)](#), [211.5\(m\)\(2\)](#), and [211.24\(i\)\(2\)](#) (Federal Reserve); 12 CFR [326.8\(b\)\(2\)](#) (FDIC); 12 CFR [748.2\(b\)\(2\)](#) (NCUA); 12 CFR [21.21\(c\)\(2\)](#) (OCC); and 31 CFR [1020.220](#) (FinCEN).

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<sup>5</sup> 31 CFR [1020.220\(g\)\(2\)](#).

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