

**Congress of the United States**  
**Washington, DC 20515**

February 20, 2008

Mr. James H. Freis, Jr.  
Director  
Department of Treasury  
Financial Crimes Enforcement Network  
2070 Chain Bridge Road  
Vienna, VA 22182

Dear Director Freis,

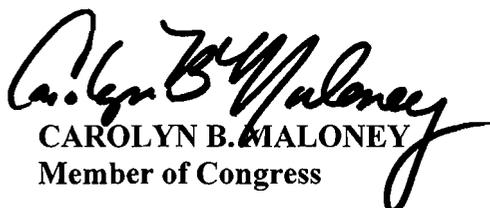
We, as Chair of the House Financial Institutions and Consumer Credit subcommittee and as a Member of the House Committee on Foreign Affairs respectively, and as co-chairs of the Americans Abroad Caucus, are very concerned over the reports that American citizens living abroad are being denied access to United States banks.

According to different organizations representing Americans abroad, a large number of American citizens residing abroad have been denied new accounts with American banks and in some instances accounts that have existed for some time are being terminated by the bank over the objections of the account holder. The banks involved reportedly attribute their activities to the Know Your Customer requirements of the Patriot Act.

It is our view that neither the Patriot Act nor the regulations thereunder preclude an American citizen living abroad from having an account with an American bank. That view is apparently shared by the State Department which has issued a letter for American citizens living abroad to give to their bank stating that the Patriot Act does not explicitly prohibit American banks from having American clients who reside overseas. Apparently, several overseas residents have shared this letter with their banks but the banks still close their accounts citing regulatory guidance.

We would very much appreciate your guidance on how we can resolve this issue. As the agency responsible for coordinating regulatory implementation of the Know Your Customer provisions, the Financial Crimes Enforcement Network should be working with the other federal banking regulators to make sure their guidance does not prevent Americans living abroad from having United States bank accounts. We look forward to your timely response.

Sincerely,

  
CAROLYN B. MALONEY  
Member of Congress

  
JOE WILSON  
Member of Congress

CC: Secretary Henry M. Paulson (Department of the Treasury)  
Chairman Ben Bernanke (Federal Reserve Board)  
Comptroller John C. Dugan (Office of the Comptroller of the Currency)  
Chairwoman Sheila C. Bair (Federal Deposit Insurance Corporation)