



LIMITED PURPOSE

Comptroller of the Currency
Administrator of National Banks

Washington, DC 20219

PUBLIC DISCLOSURE

September 30, 2012

COMMUNITY REINVESTMENT ACT PERFORMANCE EVALUATION

American Express Bank, FSB
Charter Number 715648

4315 South 2700 West
Salt Lake City, UT 84184

Office of the Comptroller of the Currency

Large Bank Supervision
400 7th Street SW
Washington, DC 20219

NOTE: This document is an evaluation of this institution's record of meeting the credit needs of its entire community, including low- and moderate-income neighborhoods consistent with safe and sound operation of the institution. This evaluation is not, nor should it be construed as, an assessment of the financial condition of this institution. The rating assigned to this institution does not represent an analysis, conclusion, or opinion of the federal financial supervisory agency concerning the safety and soundness of this financial institution.

INSTITUTION'S CRA RATING:

This institution is rated Satisfactory.

The conclusions for the three rating criteria are:

- The bank demonstrates a high level of community development lending, community development services, and qualified investment activity, particularly investments that have social impact.
- The bank demonstrates extensive use of innovative or complex qualified investments, and community development loans.
- The bank demonstrates excellent responsiveness to credit and community development needs in its assessment area.

Illegal credit practices noted during this rating period (see "Fair Lending or Other Illegal Credit Practices Review" section on page 10), were considered in our overall evaluation and resulted in the rating being downgraded to "Satisfactory."

Scope of the Examination

In evaluating American Express Bank, FSB's (FSB or "the bank") performance under the Community Reinvestment Act (CRA), we reviewed community development activities from November 1, 2009 through September 30, 2012. We reviewed the level and nature of qualified investments, community development lending, and community development services. In addition, we considered the level of innovation, complexity, responsiveness to community credit needs, and the degree to which these instruments are not routinely provided by others. At the bank's request, we also considered qualified investments, community development lending, and community development services provided by FSB affiliates. The prior examination dated November 9, 2009 was conducted by the Office of Thrift Supervision and the bank was rated Satisfactory. This is the first CRA evaluation conducted by the Office of the Comptroller of the Currency (OCC) following the bank's supervision and regulation transfer from the Office of Thrift Supervision to the OCC on July 21, 2011.

During the evaluation period, an implementation of changes to Metropolitan Statistical Area (MSA) designations made by the Office of Management and Budget (OMB) became effective in 2012. However, as FSB is evaluated as a limited purpose institution and is not, therefore, evaluated under the Lending Test, these changes did not affect our assessment of the bank's performance. Additionally, the changes to the Salt Lake MSA, encompassing Salt Lake, Summit and Tooele Counties in northern Utah were minimal. The composition of the census tracts in the Salt Lake City MSA changed with the 2010 Census with the number of census tracts increasing from 205 in 2000 to 236 in 2010, however; there was little change to the relative percentages of tracts as measured by income classification. See the Description of the Assessment Area section of this evaluation for full details.

If a bank has adequately addressed its assessment area needs, the OCC considers community development activities the bank submits that benefit areas outside of its assessment area in the evaluation of its performance. The bank has adequately addressed the needs of its assessment area, and therefore, outside of assessment area qualified investments, community development loans and services were considered in evaluating its performance.

Description of Institution

American Express Bank, FSB is a federally chartered stock savings institution, headquartered in Salt Lake City, Utah. FSB is a wholly-owned subsidiary of American Express Travel Related Services Company, Inc (TRS). TRS is a wholly-owned subsidiary of American Express Company headquartered in New York, NY. FSB reported total assets of \$35 billion as of year-end 2011.

The bank maintains a single office in Salt Lake City, UT and operates primarily as a nationwide credit card lender. There are no branches and products and services are offered remotely through internet, fax, telephone, and mail. FSB offers limited deposit products. The bank has been designated a limited purpose institution due to its narrow product line of American Express branded credit and charge cards to consumers and businesses. The limited purpose designation was approved by the Office of Thrift Supervision effective March 20, 2006.

FSB's CRA program is administered through their Center for Community Development (CCD). The immediate focus of the CCD is addressing the needs of the Salt Lake MSA. The CCD meets the needs of the community through partnerships with community organizations, local, state, and federal government agencies, and tribal entities. The CCD strives to build the strength and capacity of the non-profit and government sectors so they can better serve the low-to-moderate income communities. The CCD also provides training to bank employees on roles and responsibilities for serving on a board of a non-profit and assists with placing employees on qualified boards. Secondary initiatives of the CCD include FFIEC designated disaster areas, state of Utah distressed communities, and CRA opportunities in the western region of the U.S.

There are no known legal constraints that may impact the bank's ability to meet the community development needs of its assessment area (AA).

Table 1: Financial Information (\$000s)

| | Year-end 2009 | Year-end 2010 | Year-end 2011 | Average for Evaluation Period* |
|-----------------------------|--------------------------|--------------------------|--------------------------|---|
| Tier 1 Capital | 4,783,598 | 5,585,832 | 6,493,103 | 5,620,844 |
| Total Income | 6,274,913 | 6,784,371 | 7,782,582 | 6,947,289 |
| Net Operating Income | -411,126 | 1,252,654 | 2,149,583 | 997,037 |
| Total Assets | 31,896,253 | 34,921,458 | 35,401,794 | 34,073,168 |

Source: Thrift Financial Report.* Average of evaluation period inclusive of only full calendar years.

Description of Assessment Area

FSB has defined the Salt Lake City, UT MSA (#41620) as its AA. The Salt Lake City MSA is comprised of Salt Lake, Summit, and Tooele Counties. These counties are located in northern Utah spanning from the western border to the eastern border and are widely dispersed. Salt Lake City is the largest city in the county and is also the Utah state capital. Salt Lake County comprises the central portion of the AA and the adjacent counties are comprised of more rural communities. Tooele County experienced significant growth in the last decade due to more affordable housing options. Summit County is mostly rural but home to the ski resort community of Park City.

The composition of the census tracts in the Salt Lake City MSA changed with the 2010 Census; the number of census tracts increased from 205 in 2000 to 236 in 2010. This increase is the result of 79 additional census tracts and the removal of 48 census tracts that result in a net increase of 31 census tracts. There was little change to the relative percentages of tracts as measured by income classification. Low-income tracts made up 2 percent of the total tracts in 2000 and increased to 5 percent per the 2010 U.S. Census. However, moderate-income tracts totaled 22 percent of the number of tracts in 2000 and declined to 18 percent per the 2010 U.S. Census. There was no significant change in the percentage of middle-income or upper-income tracts. The 2000 U.S. Census median family income is \$54,586 and the 2012 HUD updated median family income is \$71,300.

Per the 2000 U.S. Census Data, the Salt Lake MSA consisted of 342,289 housing units; 64.69% of which were owner occupied, 28.26% of which were occupied rental units, and 7.05% were vacant. Of the owner-occupied housing units, 0.20% are in low-income tracts, 16.53% in moderate-income tracts, 52.75% in middle-income tracts, and 30.52% in upper-income tracts. Per the National Association of Realtors, the median home value in the Salt Lake MSA is \$182,200 as of year-end 2011. New residential construction has slowed. The increased rate of foreclosure starts in Utah continued to weigh heavily on housing and the broader economic recovery during the evaluation period. There is a shortage of affordable housing for low- and moderate-income persons that was further exacerbated by increased closures of mobile home parks.

FSB operates in a highly competitive environment with 47 FDIC insured institutions operating

269 branches in the AA as of June 30, 2012. The highly competitive banking market is a result of a large number of industrial banks and the favorable business climate. FSB's major competitors include Morgan Stanley Bank, Goldman Sachs Bank, and General Electric Retail Bank. All of these institutions compete for a limited supply of qualified community development opportunities. FSB maintains the fifth largest deposit market share at 6.95% within the Salt Lake MSA.

The Salt Lake MSA economy is comprised of a highly skilled workforce, a stable base of state employment, and below-average business costs. The area's largest employers are Intermountain Health Care, University of Utah, and the state of Utah. Service businesses are the principal industry and include healthcare, government, financial, and educational. Utah also has the nation's youngest population.

The Bureau of Labor Statistics reports a civilian labor force of 595,345 in the Salt Lake MSA at year-end 2011 with an unemployment rate of 6.5%, down from 7.8% in December 2010. The Salt Lake MSA unemployment does not significantly deviate from the Utah state unemployment rate of 6.7% at year-end 2011. The Salt Lake MSA experienced lower unemployment than the nationwide 8.9% level at December 2011. The recession that began in 2008 caused an increase in unemployment rates; however, Utah has the sixteenth lowest unemployment rate in the nation.

Identified needs by both the bank and through community contacts within Salt Lake County include affordable housing (rental and homeownership), financial literacy and education, job creation/retention benefiting low- and moderate-income persons, funding for certified housing counseling agencies (including foreclosure prevention), and economic development activities. Cuts in local, state, and federal budgets have greatly affected low- and moderate-income persons and the nonprofit organizations who serve them.

Table 2: Salt Lake City, UT MSA Assessment Area Description

| | Number | Low (%) | Moderate (%) | Middle (%) | Upper (%) |
|-------------------|---------|---------|--------------|------------|-----------|
| Tracts | 205 | 2.44 | 21.95 | 47.32 | 28.29 |
| Families | 233,707 | 16.76* | 19.97* | 24.84* | 38.44* |
| Businesses | 138,339 | 5.35** | 17.51** | 42.21** | 34.93** |

Source: Demographic Data - 2000 U.S. Census, Dun & Bradstreet Data. *Represents families by income level. **Represents businesses by income level of census tract.

Table 2a: Salt Lake City, UT MSA Assessment Area Description

| | Number | Low (%) | Moderate (%) | Middle (%) | Upper (%) |
|-------------------|---------|---------|--------------|------------|-----------|
| Tracts | 236 | 5.08 | 18.22 | 47.03 | 28.39 |
| Families | 260,590 | 3.81* | 16.01* | 50.77* | 29.41 |
| Businesses | 127,061 | 4.20** | 17.32** | 43.82** | 34.24** |

Source: Demographic Data - 2010 U.S. Census, Dun & Bradstreet Data. *Represents families by income level. **Represents businesses by income level of census tract.

Conclusions about Performance

Summary

- FSB provided a high level of qualified investments, CD loans, and CD services in relation to its capacity and opportunities. During the evaluation period, \$281 million in qualified investments and community development loans were provided to the AA. Employees of the bank and its affiliates provided over 12,000 hours of service to 31 community development organizations in the AA. An additional \$327 million in community development loans and qualified investments were made in areas outside of the AA. Many of the FSB's qualified investments are not routinely made by private investors and have a social impact.
- FSB demonstrates extensive use of innovative or complex qualified investments and CD loans. Many of the bank's investment transactions utilized Low Income Housing Tax Credits (LIHTCs) and New Market Tax Credits (NMTCs). FSB developed its own fund for purchasing LIHTCs that addresses affordable multifamily rental housing. These transactions required significant amounts of time and effort to develop.
- FSB's qualified investments and grants and community development loans and services exhibited excellent responsiveness to the credit needs within the AA. FSB has taken a leadership role in promoting, supporting, and/or providing credit education opportunities for community development organizations. The institution took initiatives to help reduce the rate of foreclosures in the state of Utah by participating on task forces to identify and implement solutions. Grants have supported foreclosure prevention, financial literacy, homelessness, and small business development. FSB has also been responsive to the needs of local Native American communities that are economically challenged.

Qualified Investments

FSB originated qualified investments totaling \$54 million in the AA during the evaluation period. Because the bank adequately addressed the needs of its AA, we considered an additional \$324 million in qualified investments made outside of its AA when evaluating their performance.

Qualified grants by the bank totaling \$3.5 million were made to numerous community development organizations and programs. The major grants went to organizations focused on affordable housing development and preservation and homeownership education. Additionally, grants went to organizations focusing on financial education, job training and placement targeting low- and moderate-income individuals, and those targeting services to Native American communities historically suffering higher rates of poverty and unemployment.

FSB's parent and other non-bank affiliates also made approximately \$5 million in qualifying investments and grants that were allocated to FSB for CRA purposes¹. While some of these investments were within the assessment area or in Utah, most were national in scope or in parts of the country where the affiliates had operations. These investments included \$2.75 million in deposits of minority-owned institutions and qualifying grants totaling \$2.25 million.

The institution also has outstanding investments totaling \$166 million from the prior evaluation period. This includes \$69.7 million in LIHTCs (with a \$1.6 million remaining commitment), \$8.3 million in venture capital investments (with a \$1.0 million remaining commitment), \$57 million in mortgage-backed security pools, \$21 million in CRA mutual funds, \$6.5 million in housing bonds, and \$0.8 million in SBA investment pools.

The following tables quantify the level of investments in terms of average tier 1 capital and average total income over the evaluation period:

Table 3a: Qualified Investment Activity (000s)

| | Benefits AA | Outside AA* | Totals |
|---|-------------|-------------|---------|
| Originated Investments | 53,829 | 324,130 | 377,959 |
| Originated Grants | 3,456 | 2,249 | 5,705 |
| Prior-Period Investments that Remain Outstanding | 166,492 | 0 | 166,492 |
| Total Qualified Investments | 223,777 | 326,379 | 550,156 |

* \$94MM of investments included in the Outside AA column have potential to benefit to the AA as they are located in the broader statewide or regional area.

Table 4a: Qualified Investment Percentages

| | Benefits AA (%) | Outside AA (%) | Total (%) |
|---|-----------------|----------------|-----------|
| Total Investments/Average Tier 1 Capital | 3.98 | 5.81 | 9.79 |
| Total Investments/Average Total Income | 3.22 | 4.70 | 7.92 |

Described below are some of the most significant qualified investments and grants:

- During the evaluation period, the bank purchased mortgage back securities totaling \$102.6 million. The original underlying mortgages provided funding for over 560 low- and moderate-income borrowers in the AA.
- The institution established the American Express West Equity Fund, in partnership with Enterprise Community Investment, to help address the need for affordable multifamily rental housing. The Fund purchases LIHTC projects and is unique in that it provides equity to smaller non-profit entities that may not be able to sell tax credits to national

¹ The investments made by AmEX FSB affiliates are not captured or reported by any other financial institution for CRA purposes.

multi-investor funds. During the evaluation period, the Fund provided over \$90 million to thirteen affordable housing projects.

- The bank increased its investment in the CRA Fund by \$5 million during the evaluation period. The Fund, a mutual fund managed by Community Capital Management, supports community development activities such as taxable municipal bonds, Utah Housing Corporation single-family bonds, or Fannie Mae DUS bonds within Utah. The Fund allocated over 96 percent of the additional investment toward the development of affordable housing opportunities for low- and moderate-income individuals.
- The bank invested \$1.7 million in a Small Business Association loan fund which helps to finance small businesses and create permanent employment opportunities for low- and moderate-income individuals.
- In addition to supporting local community development organizations (CDOs), FSB management has taken a leadership role in the support of local Native American Communities. Management has sought out opportunities to provide funding to CDOs that provide services targeted to the revitalization and stabilization of these economically challenged areas. An example of this is FSB’s expansion of its grant program in 2012 to provide special funding to community development financial institutions (CDFIs) serving unmet needs, with an emphasis on Native American CDFIs to address high poverty rates and concurrent unemployment levels in these communities.

Community Development Lending

During the evaluation period, FSB extended 19 community development loans in the AA totaling approximately \$57 million. Because the bank adequately addressed the needs of the AA, we considered an additional \$782 thousand in loans made outside of the AA.

Table 5a: Community Development Lending Percentages

| | Benefits AA (%) | Outside AA (%) | Total (%) |
|--|----------------------------|---------------------------|----------------------|
| Total CD Lending/Average Tier 1 Capital | 1.01 | .02 | 1.03 |
| Total CD Lending/Average Total Income | .82 | .01 | .83 |

In response to the identified credit needs of the AA, the vast majority of the loans focused on projects for the creation or renovation of affordable housing for low- and moderate-income individuals. The following are examples of significant community development lending:

- The bank partnered with Utah Housing Corporation (UHC) to provide financing for low- and moderate-income first-time home buyers by purchasing 100 percent of mortgage participation pools from the UHC Single Family Mortgage Program. The financing provided to UHC will allow them to fund low- and moderate-income individuals for

acquisition or refinancing of homes through this program. This innovative loan demonstrates that the bank's responsiveness to the ongoing need for affordable housing. Partnering with UHC, which is located within the bank's immediate AA, will help address the need for affordable housing in the local community. FSB committed a total of \$50 million to the Single Family Mortgage Program during the evaluation period.

- FSB also continued its partnership with the Utah Community Reinvestment Corporation (UCRC), a multi-financial consortium comprised of 29 financial institutions. The consortium offers flexible financing for new construction or rehabilitation of multifamily affordable housing development projects. During the evaluation period, bank provided funding contributed to the creation or rehabilitation of 821 units of affordable housing for low- and moderate-income individuals.

Community Development Services

Through their involvement on the boards and committees of community service organizations, delivery of financial literacy seminars and credit counseling, and provision of other financial services, bank employees are highly responsive to community development needs. During the evaluation period, FSB employees provided 6,295 hours of qualified service and employees have served on boards and/or committees of 31 different non-profit community organizations. Employees are encouraged to provide at least eight hours of community service annually. Additional community service hours have been allocated to FSB for CRA purposes from FSB affiliates. FSB affiliates provided over 6,000 hours of qualified services. Services are inclusive of employees serving on boards and/or committees and non-board employee service. While some of the services to organizations benefited the AA and Utah, the majority of services were national in scope.

The bank and its affiliates have developed and maintained strong relationships with community development organizations that focus on providing affordable housing to low- and-moderate income persons, financial literacy, and creating and expanding small businesses. A significant portion of service hours were spent on educational efforts. To help build the capacity of the non-profit sector and further meet the needs of the lower income communities, FSB administered numerous multi-day training seminars benefiting hundreds of non-profit and local government partners. Additionally, initiatives were taken to reduce the rate of foreclosures in the state of Utah by participating on task forces to identify and implement solutions. A large number of service activities are also provided in conjunction with grant and/or community development loans. The following are examples of community development services:

- Qualified services were provided to a non-profit organization that offers low-income students programs to improve personal finance and build economic skills needed for life. Twenty-eight bank employees administered a five week in-class curriculum in which bank employees guided students through operating a business and making personal financial decisions. Bank employees provided 945 hours of service and the training was received by over 800 students from nine Title 1 qualified schools within the AA.

- Qualified services were provided to a non-profit organization targeted to low-to-moderate income youths providing real-life simulations that teach budgeting, credit usage, and other financial skills. Bank employees provided 1,253 hours of service to over 730 persons to assist in simulations that help with budgeting and making smart financial decisions to low-to-moderate income youths within the AA.
- A vice president of the bank served on the Board of Directors of a non-profit organization that revitalizes neighborhoods and creates affordable housing in low-to-moderate income communities. The employee provided over 320 hours of service during the evaluation period and provided technical assistance.
- FSB partnered with a national non-profit community development organization to address community needs identified by FSB. Several workshops were developed and administered by FSB employees to assist and provide technical assistance to non-profit organizations regarding affordable housing and economic development.
- FSB is represented on the Utah Governor appointed Homeless Coordination Committee. Its mission is to end chronic homelessness in the state by 2015.

Fair Lending or Other Illegal Credit Practices Review

Pursuant to 12 C.F.R. 195.28(c), in determining a Federal savings association's (FSA) CRA rating, the OCC considers evidence of discriminatory or other illegal credit practices in any geography by the FSA, or in any assessment area by an affiliate whose loans have been considered as part of the bank's or FSA's lending performance.

We considered two substantive violations of Section 5 of the Federal Trade Commission Act identified in the supervisory process. One was related to deceptive credit collection processes and the second involved insufficient controls over ID Protection products sold to customers.

Further, section 1025 of the Dodd–Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111-203) assigns to the CFPB exclusive examination authority, and primary enforcement authority, to ensure compliance by banks and FSAs with Federal consumer financial laws, if the bank or FSA has more than \$10 billion in assets. During the supervisory process, the following substantive violations were identified: Deceptive debt collection practices contrary to the Consumer Financial Protection Act, excessive hybrid card late fees contrary to the Truth-in-Lending Act, and failure to report credit disputes contrary to the Fair Credit Reporting Act.

Although the bank initiated prompt and corrective action for each of the violations discussed above, because of these violations, the CRA rating was adjusted downward to "Satisfactory".

Definitions and Common Abbreviations

The following terms and abbreviations are used throughout this performance evaluation. The definitions are intended to provide the reader with a general understanding of the terms, not a strict legal definition.

Affiliate: Any company that controls, is controlled by, or is under common control with another company. A company is under common control with another company if both companies are directly or indirectly controlled by the same company. A bank subsidiary is controlled by the bank and is, therefore, an affiliate.

Assessment Area (AA): A geographic area that consists generally of one or more MAs (using the MA boundaries that were in effect as of January 1 of the calendar year in which the delineation is made) or one or more contiguous political subdivisions, such as counties, cities, or towns, in which the bank has its main office, branches, and deposit-taking ATMs.

Benefit to Assessment Area: A qualified Community Development activity benefits the assessment area if (i) the activity benefits areas within the assessment area, or (ii) the activity benefits a broader statewide or regional area that includes the bank's assessment area. If a bank has adequately addressed the needs of its assessment area, then the OCC also considers activities submitted by the bank that benefit areas outside of its assessment area.

Census Tract (CT): Small, locally defined statistical areas within Metropolitan Areas. These areas are determined by the United States Census Bureau in an attempt to group homogenous populations. A CT has defined boundaries per 10-year census and an average population of 4,000.

Community Development (CD): Affordable housing for low- or moderate-income individuals; community services targeted to low- or moderate-income individuals; activities that promote economic development by financing businesses or farms that meet the size eligibility standards of the Small Business Administration's Development Company or Small Business Investment Company programs (13 CFR 121.301) or have gross annual revenues of \$1 million or less; or activities that revitalize or stabilize low- or moderate-income geographies.

Effective September 1, 2005, the Board of Governors of the Federal Reserve System, Office of the Comptroller of the Currency, and the Federal Deposit Insurance Corporation have adopted the following additional language as part of the revitalize or stabilize definition of community development. Activities that revitalize or stabilize-

- (i) Low- or moderate-income geographies;
- (ii) Designated disaster areas; or
- (iii) Distressed or underserved nonmetropolitan middle-income geographies designated by the Board, Federal Deposit Insurance Corporation, and Office of the Comptroller of the Currency, based on-
 - a. Rates of poverty, unemployment, and population loss; or

- b. Population size, density, and dispersion. Activities that revitalize and stabilize geographies designated based on population size, density, and dispersion if they help to meet essential community needs, including needs of low- and moderate-income individuals.

Community Reinvestment Act (CRA): The statute that requires the OCC to evaluate a bank's record of meeting the credit needs of its local community, consistent with the safe and sound operation of the bank, and to take this record into account when evaluating certain corporate applications filed by the bank.

Geography: A census tract delineated by the United States Bureau of the Census in the most recent decennial census.

Limited Purpose Institution: An institution that offers only a narrow product line (such as credit cards or automobile loans) to a regional or broader market and for which a designation as limited purpose bank is in effect. [*This definition is not needed if bank is designated a wholesale institution.*]

Median Family Income (MFI): The median income determined by the United States Census Bureau every 10 years and used to determine the income level category of geographies. Also, it is the median income determined by the Department of Housing and Urban Development annually that is used to determine the income level category of families. For any given geography, the median is the point at which half of the families have income above it and half below it. (See the four categories of median income below.)

- **Low-Income** – An income level that is less than 50% of the MFI.
- **Moderate-Income** – An income level that is at least 50% and less than 80% of the MFI.
- **Middle-Income** – An income level that is at least 80% and less than 120% of the MFI.
- **Upper-Income** – An income level that is 120% or more of the MFI.

Metropolitan Area (MA): Refers to an MSA or a metropolitan division.

Metropolitan Division (MD): As defined by Office of Management and Budget, a county or group of counties within a Metropolitan Statistical Area that contains a population of at least 2.5 million. A Metropolitan Division consists of one or more counties that represent an employment center or centers, plus adjacent counties associated with the main county or counties through commuting ties.

Metropolitan Statistical Area: An area, defined by the Office of Management and Budget, as having at least one urbanized area that has a population of at least 50,000. The Metropolitan Statistical Area comprises the central county or counties, plus adjacent outlying counties having a high degree of social and economic integration with the central county as measured through commuting.

Net Operating Income: As listed in the Consolidated Report of Condition and Income: Income before income taxes and extraordinary items and other adjustments. [*Schedule RI - Income Statement, line 8 or UBPR, page 2, "PreTax Operating Income (TE)"*]

Pass-Through Receivables: Outstanding receivables tied to all accounts issued or owned by the bank. Pass-through receivables include receivables attributable and receivables retained on balance sheet as those terms are used in 12 CFR 8. *[If not already reported to the OCC, the bank provides this information. If not applicable to institution being examined, definition is not required.]*

Qualified Investment: A qualified investment is defined as any lawful investment, deposit, membership share, or grant that has as its primary purpose community development.

Tier 1 Capital: The total of common shareholders' equity, perpetual preferred shareholders' equity with noncumulative dividends, retained earnings and minority interests in the equity accounts of consolidated subsidiaries. *[Schedule RC-R - Regulatory Capital, line 3a(1) or UBPR, page 11A, "Net Tier One"]*

Total Assets: Total bank assets as listed in the Consolidated Report of Condition and Income. *[Schedule RC - Balance Sheet, line 12 or UBPR, page 4, "Total Assets"]*

Total Income: From the Consolidated Report of Condition and Income – Total Interest income plus Total Noninterest income. *[Schedule RI - Income Statement, Total Interest Income, line 1g and Total Noninterest Income, line 5g, except for banks with domestic offices only and total assets less than \$100 million, line 5c or UBPR, page 2, "Total Interest Income" and "Noninterest Income"]*

Wholesale Institution: An institution that is not in the business of extending home mortgage, small business, small farm, or consumer loans to retail customers and for which a designation as a wholesale bank is in effect.