

## Disclosure of Business Continuity Plan

Rule: NASD Rule 3510(e); FINRA 4370.

Bank of America Disclosures to customers are statements made at a high level, addressing the following key elements:

1. Specific scenarios of disruption.
2. Our intention to continue business during the disruption.
3. Our intended response.

Disclosure of identification and maintenance of Secondary Sites. These disclosures are provided to all new customer accounts. They are also available on official customer websites or mailed to customers upon request per policies and procedures maintained by the Supervision Department.

This customer disclosure statement pertains to the institutional lines of businesses (“Global Markets”) of the legal entities listed on page 3.

### **Bank of America**

#### *Client Disclosure for Business Continuity*

Bank of America’s Global Markets (GM) has developed and implemented Business Continuity Plans (BCPs) for all of its businesses. We have created a network of secondary, and in some cases tertiary, business sites as backups to our normal business locations and have established backup communications capabilities for connectivity both internally and to our clients. Associate drills and testing of our BCPs keep our organization prepared and ready to respond at all times. Our goal is to ensure continuous business operations and service to our clients with the least possible impact in the event of any type of emergency, business disruption or other unforeseen circumstances.

#### *Scope*

Our BCPs address the key elements of Life Safety, Business and Technology Recoverability and Risk (both internal to the firm and external to our clients). These plans ensure clients prompt access to their funds and securities-related data during all significant business disruptions (SBDs). “Significant disruption” refers to local or regional events such as natural disasters, fires, power outages, acts of malice, and technical or infrastructure disruptions. SBDs can range in level from building-specific events (such as an isolated technology problem) all the way up to regional issues (a hurricane, for example).

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## Disclosure of Business Continuity Plan

### *Alternative Business Locations*

Our businesses, which occupy numerous office locations throughout the country, provide a variety of services to our clients. In the event of any SBD, specific GM business units have plans that address associate relocation to, and establishing business recovery operations in, temporary alternative work sites. These sites are strategically located throughout the country and are equipped for operation around-the-clock to immediately handle any foreseeable SBD.

### *Access to Funds and Securities*

The critical systems that operate payment disbursements are supported for contingency processing in our recovery plans. Processes – both automated and manual – are in place to meet clients' needs.

### *Data Backup and Recovery*

**Hard Copy Backup:** Each business unit is responsible for its off-site storage of physical documents. Documents are picked up daily, weekly or monthly, and are carefully inventoried so as to be readily available when required during required retention periods.

**Electronic Backup:** Bank of America has technology procedures in place to backup critical data from infrastructure and application servers to meet recovery and compliance requirements.

Procedures for hard and electronic backup recovery exist at contingency work sites to support operations during SBDs.

### *Assessments*

**Operational Risk:** Our BCPs address GM's ability to maintain communications with clients and to retrieve key activity records through its mission critical systems.

**Financial and Credit Risk:** Our BCPs address the firm's ability to fund operations and maintain adequate financing and sufficient capital.

In the event of an SBD, specific business resumption plans include alternative means of accessing key activity reporting, as well as specific actions to be taken concerning liquidity.

### *Mission Critical Systems*

As part of our plans, GM has identified the applications that are critical to each of our businesses. Alternative methods are in place to handle these critical functions and services for our clients around-the-clock:

- Order Taking, Entry and Execution
- Clearing, Settlement, Comparison, Delivery of Funds
- Maintenance of Client Accounts
- Access to Customer Accounts

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### *Alternate Communications*

GM will establish and maintain communications through the most reliable and appropriate methods reasonably available given the level of the SBD. This will include regular, on-going, communications utilizing telephones, mail, email, video conferencing, and facsimile with:

- Clients
- Associates
- Regulators
- Critical Business Constituents
- Banks
- Other counter-parties

For more detailed information about our business continuity planning, please talk to your relationship manager.

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### Updates and Annual Review

Rule: NASD Rule 3510(b); FINRA 4370.

The review process of the BCP plans produced for the NASD and NYSE (FINRA) will include updates required when significant business changes have occurred.

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