

Bank of America

Privacy Policy Notice for California Insurance Consumers 2006

Our Privacy Commitment to you

To learn more about how Bank of America handles Customer Data and what actions you can take, please continue reading. **We have made a few changes to our policy that provide you with more options about managing customer data.**

This policy includes information about:

1. Making the security of data a priority
2. Collecting data
3. Managing data
4. Making sure data is correct
5. Honoring your preferences
6. Actions you can take
7. Guarding your own data
8. Bank of America companies

This policy covers Customer Data, which means data about a consumer that identifies that person. This includes a consumer's current or former relationship with Bank of America. This policy applies to all Bank of America companies. We are providing you with this policy as required by the Federal Financial Privacy Law and the California Insurance Privacy Law.*

*15 U.S.C. 6801-6810 and Ca. Ins. Code 791-791.27

1. MAKING THE SECURITY OF DATA A PRIORITY

One of our key duties is to keep financial data secure. We use multiple safeguards to protect Customer Data. Employees may access Customer Data for business reasons only. Our employees must follow a code of ethics that requires private treatment of Customer Data. They are subject to discipline if they fail to follow this code.

2. COLLECTING DATA

We collect and use various types of data to service your accounts, better respond to your needs, and to manage our business and risks.

Customer Data is defined in the following six ways:

- A. Identification Data – data that identifies you. Examples include:
 - name
 - address
 - telephone number
 - Social Security number
- B. **Application Data** —data that you give to us on applications and through other means. Examples include your:
 - assets
 - income
 - debt
- C. **Transaction and Experience Data** —data about your transactions and account experience, and our contacts with you. Examples include your:
 - account balances
 - payment history
 - account usage

- inquiries and our responses
- D. **Consumer Report Data** —data from a credit report. Examples include your creditworthiness and credit history.
- E. **Data from Outside Sources** —data from outside sources about your employment, credit and other relationships. Examples include your:
 - employment history
 - loan balances
 - property insurance coverage
- F. **Other General Data** —data from outside sources that is not collected or used to determine if you are eligible for a product or service. Public records are examples.

As required by the USA PATRIOT Act, we also collect data and take actions necessary to verify your identification.

3. MANAGING DATA

We manage how and when data is shared:

- within Bank of America
- with companies that work for us
- with third parties
- in other situations

Managing data within Bank of America

Bank of America is made up of a number of companies. These include:

- financial service companies such as our brokerage company and credit card company
- companies that are not financial, such as our operations and servicing companies

Bank of America may share any of the types of Customer Data among our companies. For example, sharing this data could save you time opening your new account because you might not need to give us the same data twice. Sharing data also helps us to protect your accounts against unauthorized use. It also helps us investigate any fraud on an account. For example, we may use data about your ATM, credit card and check card charges to identify unusual activity. We might then contact you to find out if your card has been lost or stolen.

We may receive medical or health data from a customer. This could happen if a customer applies for insurance from us. We also may obtain data from insurance support groups not connected with us. These groups may prepare and provide reports to others as well as to us. We do not share medical or health data among our companies except, to the extent permitted by law, to:

- maintain accounts
- process transactions
- service customer requests
- perform insurance functions

Managing data with companies that work for us

We may share any of the types of Customer Data with companies that work for us, including firms located outside the United States. In our contracts we require all companies that work for us, to keep the data we provide to them private. We also limit their use of the Customer Data to provide the services we ask them to perform for you and us. These companies may include:

- financial service companies such as payment processing companies
- companies that are not financial such as check printing companies

For example, these companies might assist us in:

- processing your transactions
- mailing account statements
- filling your service requests

We may share any of the types of Customer Data with companies that work for us to provide us with marketing support and other services. Please note that some of our own companies may provide any of these services for us as well.

Sharing data with third parties for customers with credit cards and Sponsored Accounts only

We may share Identification Data, Transaction and Experience Data, as well as Other General Data we collect about:

- (1) Bank of America or MBNA credit card account(s); and
- (2) Sponsored Accounts at Bank of America, with selected third parties.

1. Credit card account data, whether co-branded or not, may be shared with third parties.
2. Sponsored Account data may be shared with third parties. Sponsored Accounts are non-credit card accounts or services provided by Bank of America or MBNA. They are also endorsed, co-branded or sponsored by other groups. Examples of these groups include colleges, sporting teams, retailers and other affinity groups, such as charities. Sponsored Accounts may include deposit accounts or other banking services provided by Bank of America. An example of a Sponsored Account would be a savings account co-branded with an automobile club. You will know whether an account is a Sponsored Account by the name or logo of the sponsoring group on account materials. These materials may include statements, applications and online forms.

We may share data about credit cards and Sponsored Accounts with selected third parties. These may include:

- Financial services companies, such as;
 - insurance agencies or companies and mortgage brokers
 - organizations with whom we have agreements to jointly market financial products
- Nonfinancial companies, such as;
 - retailers
 - travel companies
 - membership companies
- Other companies, such as nonprofit groups

Data shared, as described in this section, is limited to credit cards and Sponsored Accounts only.

You may elect to opt out of this sharing. Please see Section 5, *Honoring Your Preferences*.

Disclosing data in other situations

We may also give any of the types of Customer Data to credit bureaus and similar companies, and when required or allowed by law. For example, we may disclose Customer Data in connection with:

- a subpoena or similar legal process
- a fraud inquiry
- recording of deeds of trust and mortgages in public records
- processing your requests for products or services
- the sale of your account to another financial company

We also may share any of the types of Customer Data outside Bank of America companies with your consent. An example would be when you request a specific insurance rate quote from a third-party insurer.

4. MAKING SURE DATA IS CORRECT

Keeping your account data correct and up to date is very important. You can get your account data in a number of ways. These include account statements, telephone banking, Online banking and specific requests. If your account data is incomplete, incorrect or not current, please call or write to us. The telephone number or address is listed on your account statement, bank records or other account papers. We will promptly update or correct any wrong data.

5. HONORING YOUR PREFERENCES

You have choices when it comes to how Bank of America shares and uses data.

Sharing among Bank of America companies

You may ask us not to share Application Data, Consumer Report Data and Data from Outside Sources among Bank of America companies. We will continue to share Identification, Transaction and Experience Data as well as Other General Data among our companies to service your accounts, better meet your financial needs and manage our business and risk.

For sharing among Bank of America companies, each customer may tell us their choices individually, or you may tell us the choices for any other customers who are joint account owners with you.

Options for sharing with third parties for customers with credit cards and Sponsored Accounts only*

If you have a Bank of America or MBNA credit card or Sponsored Account, you may ask that we not share data about these accounts with third parties. If you are unsure whether any of your accounts are Sponsored Accounts, please contact 1.888.341.5000. If you ask that we not share data with third parties, we may still share data:

- where allowed or required by law as discussed in Section 3 under *Disclosing data in other situations*
- with our service providers as discussed in Section 3 under *Managing data with companies that work for us*
- with other financial companies with whom we have joint marketing agreements

If you have more than one credit card or Sponsored Account, you will need to tell us your choices for each account separately. When any customer on a joint account asks that we not share with third parties, we apply that choice to the entire account.

***If you do not have a credit card or Sponsored Account, this section does not apply to you.**

Direct marketing

You may ask us not to make marketing offers to you by direct mail, telephone and/or e-mail. This choice applies to offers about our products and services, and about other products that we think may be of interest to you. We want to reduce the amount of telemarketing our customers receive. Bank of America does not offer nonfinancial products and services through telephone solicitations.

If you ask us not to send product information by direct mail, telephone or e-mail, we will continue to:

- Contact you as necessary to service your account
- Have your relationship manager or assigned account representative contact you, if applicable
- Provide marketing information with your regular account mailings and statements
- Provide marketing information when you visit us online or at an ATM

Each customer may opt out of each direct marketing option individually. To help you understand how we record your choices, you should know that:

- Since some marketing programs may already be in progress, it may take up to 12 weeks for your choices to be fully effective

6. ACTIONS YOU CAN TAKE

You can tell us your choices by:

- Notifying us at www.bankofamerica.com/privacy through Contact Us and entering your data on a secure Web site

- Calling us toll-free at 1.888.341.5000
- Talking to a customer representative at a banking center, or to your client relationship manager

When you contact us, please be prepared to provide the following data for each person:

- First name, middle initial and last name
- Address, city, state and ZIP code
- Account or reference number for third party sharing opt-outs
- Telephone number (if applicable)
- E-mail address (if applicable)

If any of these pieces of data changes, other than account number, please contact us so we can make sure your choices are always honored. Once you have told us your choices, we will continue to honor them. You do not need to take any further action.

7. Guarding your own data

Bank of America recommends that you take the following actions to guard against unauthorized use of your account and personal data:

- Review your monthly account statements thoroughly and report any suspicious activity to us.
- Report lost or stolen checks and credit and debit cards immediately.
- Never provide personal data (including Social Security numbers or account and credit card data) over the phone unless you made the call and know with whom you are speaking.
- Do not preprint your driver's license or Social Security number on checks.
- Safeguard ATM, credit and debit cards.
- Store checks and account statements in a safe place.
- Memorize PINs (personal identification numbers). Don't write PINs, Social Security numbers or credit card numbers where they can easily be found.
- Tear up or shred pre-approved credit offers.
- Review your credit report at least once every year. Make sure all data is up to date and correct. Have any data relating to fraudulent transactions deleted. For a free copy of your credit bureau report, contact annualcreditreport.com or call 1.877.322.8228.
- If you think you have been a victim of identity theft or fraud, contact one of the three major credit bureaus to place a fraud alert on your account.

Reducing direct marketing from other companies

If you would like to cut the amount of advertising you receive from groups outside Bank of America, you can contact the following:

- **Credit Reporting Industry.** If you would like to have your name taken off all pre-approved credit offers (not just Bank of America offers), you can call the credit reporting industry Pre-screening Opt-Out number at 1.888.5OPTOUT (1.888.567.8688).
- **National Do Not Call Registry.** Bank of America supports the National Do Not Call Registry. To have your phone number added to the National Do Not Call Registry, you may call 1.888.382.1222 or register at www.fcc.gov/cgb/donotcall. While this will stop most calls, you may still receive offers from companies where you are a customer.

Keeping up-to-date with our Privacy Policy

As required by law, Bank of America will provide notice of our Privacy Policy each year, as long as you have a current relationship with us. To receive the most up-to-date Privacy Policy, you can visit our Web site at www.bankofamerica.com/privacy or call us at 1.888.341.5000. We may make changes to this policy at any time and will inform you of changes, as required by law.

8. BANK OF AMERICA COMPANIES

This Privacy Policy applies to the following companies that have consumer customer relationships with Bank of America:

Banks and Trust Companies

Bank of America, N.A.

Bank of America Trust Company of Delaware, N.A.

Credit Card

Banc of America Consumer Card Services, LLC.

Bank of America

Bank of America, N.A. (USA)

Fleet Credit Card Services, L.P.

MBNA America (Delaware), N.A

MBNA America Bank, N.A.

Brokerage and Investments

BACAP Advisory Partners, LLC

BACAP Alternative Advisors, Inc.

BACAP Distributors, LLC

Banc of America Capital Management, LLC

Banc of America Futures, Inc.

Banc of America Investment Services, Inc.

Banc of America Securities LLC

Bank of America Capital Advisors LLC

Columbia Management Advisors, Inc.

Columbia Wanger Asset Management, L.P.

Marsico Capital Management, LLC

White Ridge Investment Advisors LLC

Insurance and Annuities

BA Agency, Inc.

BA Insurance Services, Inc.

Banc of America Agency, LLC

Banc of America Agency of Nevada, Inc.

Banc of America Agency of Texas, Inc.

Banc of America Insurance Services, Inc.

Bank of America Reinsurance Corporation

Fleet Insurance Services, LLC

General Fidelity Insurance Company

General Fidelity Life Insurance Company

MBNA Insurance Agency, Inc.

NationsBanc Insurance Company, Inc.

Real Estate

HomeFocus Services, LLC

NationsCredit Financial Services Corporation

Automobile Financing

Banc of America Auto Finance Corp.

For a current list of Bank of America companies that have consumer customer relationships, please visit our Web site at www.bankofamerica.com/privacy. This policy applies to consumer customer relationships established in the United States and is effective July 1, 2006. This notice constitutes the Bank of America Do Not Call Policy under the Telephone Consumer Protection Act for all consumers and is pursuant to state law.

This policy applies and will be distributed to California Insurance consumer customer relationships set up in the United States.

This version of the Privacy Policy Notice for California Insurance Consumers is effective July 1, 2006.

This notice is the Bank of America Do Not Call Policy under the Telephone Consumer Protection Act for all consumers and is pursuant to state law.

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