

## FUNDS AVAILABILITY POLICY DISCLOSURE



This disclosure describes your ability to withdraw funds at Native American Bank, NA. It applies to the availability of funds in all of your accounts except for funds deposited to certificate of deposit (CD) accounts. We reserve the right to delay the availability of funds deposited to these accounts for periods longer than those outlined in this disclosure. Please ask us if you have a question about which accounts are affected by our availability policy.

For purposes of this disclosure, the terms "you" or "your" mean customer and the terms "our," "we," or "us" mean Native American Bank, NA.

**YOUR ABILITY TO WITHDRAW FUNDS.** Our policy is to delay the availability of funds from your cash and check deposits. During the delay, you may not withdraw the funds in cash, and we will not use the funds to pay checks that you have written. If you make a deposit before the close of business on a business day that we are open, we will consider that day to be the day of your deposit. However, if you make a deposit after the close of business or on a day that we are not open, we will consider the deposit made on the next business day we are open.

**DEPOSITS AT OTHER LOCATIONS.** This availability policy only applies to funds deposited at Native American Bank, NA. Please inquire for information about the availability of funds deposited at other locations.

**DETERMINING THE AVAILABILITY OF YOUR DEPOSIT.** The length of the delay is counted in business days from the day of your deposit. Every day is a business day except Saturdays, Sundays, and federal holidays.

The length of the delay varies depending on the type of deposit and is explained below.

**SAME-DAY AVAILABILITY.** Funds from electronic direct deposits to your account will be available on the same business day that we receive the deposit. Funds from the following deposits will also be available on the same business day that we receive the deposit:

- Cash
- Wire transfers
- "On Us" checks

**NEXT-DAY AVAILABILITY.** Funds from the following deposits are available on the first business day after the day of your deposit:

- U.S. Treasury checks
- U.S. Postal Service money orders
- Federal Reserve Bank or Federal Home Loan Bank checks
- State or Local Government checks
- Cashier's, Certified, or Teller's checks

**NEXT-DAY AVAILABILITY FOR CERTAIN DEPOSITS MADE IN PERSON.** If you make the deposit in person to one of our employees, funds from the following check deposits are available on the first business day after the day we receive your deposit:

- State and local government checks that are payable to you
- Cashier's, certified, and teller's checks that are payable to you
- Federal Reserve Bank checks, Federal Home Loan Bank checks, and postal money orders, if these items are payable to you

If you do not make your deposit in person to one of our employees (for example, if you mail the deposit), funds from these deposits are available on the second business day after the day we receive your deposit. Regardless of if you make the deposit in person to one of our employees, funds from cash deposits are available on the first business day after the day we receive your deposit.

**AVAILABILITY OF OTHER CHECK DEPOSITS.** The first \$275.00 from a deposit of other checks will be available on the first business day after the day of your deposit. The remaining funds will be available on the second business day after the day of your deposit. For example, if you deposit a check of \$700.00 on a Monday, \$225.00 of the deposit will be available on Tuesday. The remaining \$475.00 will be available on Wednesday.

**LONGER DELAYS MAY APPLY.** Funds you deposit by check may be delayed for a longer period under the following circumstances:

- (a) if we believe a check you deposit will not be paid;
- (b) if you deposit checks totaling more than \$6,725 on any one day;
- (c) if you redeposit a check that has been returned unpaid;
- (d) if you have overdrawn your account repeatedly in the last six months; or
- (e) if an emergency condition arises that would not enable us to make the funds available to you, such as the failure of computer or communications equipment.

We will notify you if we delay your ability to withdraw funds for any of these reasons, and we will tell you when the funds will be available. They will generally be available no later than the 7th business day after the day of your deposit.

**HOLDS ON OTHER FUNDS FOR CHECK CASHING.** If we cash a check for you that is drawn on another financial institution, we may withhold the availability of a corresponding amount of funds that are already in your account. Those funds will be available at the time funds from the check we cashed would have been available if you had deposited it.

**SPECIAL RULES FOR NEW ACCOUNTS.** If you are a new customer, the following special rules may apply during the first 30 days your account is open.

**Same-Day Availability.** Funds from electronic direct deposits to your account and checks drawn on Native American Bank, NA will be available on the day we receive the deposit. Funds from the following deposits will also be available on the same business day that we receive the deposit if the deposit meets certain conditions:

- Cash
- Wire transfers

**Next-Day Availability.** Funds from the following deposits are available on the first business day after the day of your deposit if the deposit meets certain conditions:

- U.S. Treasury checks
- U.S. Postal Service money orders
- Federal Reserve Bank or Federal Home Loan Bank checks
- State or Local Government checks
- Cashier's, Certified, or Teller's checks
- Traveler's checks

For example, the checks must be payable to you. The excess over \$6,725.00 of a day's total check deposits will be available on the 9th business day after the day of your deposit. If your deposit of these checks (other than a U.S. Treasury check) is not made in person to one of our employees, the first \$6,725.00 will not be available until the first business day after the day of deposit. The first \$275.00 from all other check deposits will be available on the next business day after the day of deposit if the checks are payable to you. The excess over \$275.00 will be available on the 9th business day after the day of deposit.

**FOREIGN CHECKS.** Checks drawn on financial institutions outside of the U.S. (foreign checks) cannot be processed the same as checks drawn on U.S. financial institutions. Foreign checks are exempt from the policies outlined in this disclosure. Generally, the availability of funds from deposits of foreign checks will be delayed for the time it takes us to collect the funds from the financial institutions upon which they are drawn.

Native American Bank only accepts foreign checks drawn on Canadian financial institutions and are subject to a US to Canadian currency exchange rate.

**DEPOSITS AT PROPRIETARY AUTOMATED TELLER MACHINES (ATMs).** Funds from deposits (cash or checks) made at an ATM that we own or operate will be available on the first business day after the date of your deposit. If you make a deposit at an ATM that is owned and operated by us before 1:00 p.m. Mountain Time on a business day that we are open, we will consider the deposit made that day. However, if you make a deposit at an ATM that is owned and operated by us after 1:00 p.m. Mountain Time or on a day that we are not open, we will consider the deposit made on the next business day we are open.