

記 者 発 表 文

平成 26 年 4 月 30 日

会社名	バンク・オブ・アメリカ・コーポレーション (Bank of America Corporation)
代表者名	ブライアン・T・モイニハン (Brian T. Moynihan) 最高経営責任者兼社長 (Chief Executive Officer and President)
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規制上の自己資本比率の予想値に係る調整を発表

発表済の財務諸表への影響はなし

発表済の資本活動を中断し、2014 年度資本計画を再提出予定

資本活動の修正案は、先日発表した内容を下回る見込み

(ノース・カロライナ州シャーロット、2014 年 4 月 28 日) — バンク・オブ・アメリカ(以下「当社」といいます。)は本日、開示済の自己資本の額及び自己資本比率を下方修正する旨発表しました。これは、2009 年に取得したメリルリンチ・アンド・カンパニー・インクより承継した一定のストラクチャード債務の取扱いに関連した調整の誤りによるものです。当社の過去の連結財務書類又は株主持分は、米国において一般に公正妥当と認められる会計原則(以下「GAAP」といいます。)により適切に表示されており、自己資本の額及び自己資本比率の当該下方修正の影響は受けません。

4 月 16 日に、当社は 2014 年 3 月 31 日に終了した四半期に係る暫定財務成績についてプレスリリースを発表しました。当社は、かかるリリースの内容に、2013 年度のバーゼル 1 基準の自己資本の額及び自己資本比率とともに、バーゼル 3 基準の自己資本の額及び自己資本比率の暫定予想値を含めています。かかるリリースの発表後、当社は旧メリルリンチの一定のストラクチャード債務に係る公正価値オプションの適用に関連して、自己資本の決定に誤った調整が適用されていたことを発見し、この結果、自己資本の額及び自己資本比率の値が過大であったことが判明しました。当社は、公正価値オプションに基づき会計処理されたストラクチャード債務の累積未実現の変動に係る調整は正しく行っていました。メリルリンチが発行したストラクチャード債務で、メリルリンチ取得日後に満期が到来したもの、又は当社により償還されたものに係る累積実現損失に係る調整を誤っていました。

この結果、当社は発表済の 2014 年 3 月 31 日に終了した第 1 四半期に係る自己資本比率の暫定予想値について、以下の調整を行いました。これらは、バーゼル 3 標準的アプローチに基づく移行における普通株等 Tier 1 (common equity tier 1 capital)比率の予想値の 5 ベーシス・ポイント減少した

11.8%への修正、Tier 1 資本比率の予想値の 21 ベーシス・ポイント減少した 11.9%への修正、総自己資本比率の予想値の 21 ベーシス・ポイント減少した 14.8%への修正及び Tier 1 レバレッジ比率の予想値の 12 ベーシス・ポイント減少した 7.4%への修正です。

GAAPによる開示義務はありませんが、当社は 2014 年度第 1 四半期を含む過去の期間において、バーゼル 3 の完全実施ベースによる普通株等Tier 1 (common equity tier 1 capital)比率の予想値を四半期決算発表において開示してきました。完全実施ベースで、当社は、2014 年 3 月 31 日に終了した第 1 四半期に係るバーゼル 3 標準的アプローチに基づく普通株等Tier 1 (common equity tier 1 capital)比率を発表済の予想値よりも 27 ベーシス・ポイント減少した 9.0%となると予想しており、また、バーゼル 3 先進的アプローチに基づく普通株等Tier 1 (common equity tier 1 capital)比率を発表済の予想値よりも 29 ベーシス・ポイント減少した 9.6%となると予想しています。これらの比率は、2019 年度の普通株等Tier 1 (common equity tier 1 capital)比率の最低要件である 8.5%(バッファを含みます。)の予想値を超えています。¹

2014 年 3 月 31 日に終了した四半期及び一定の過去の期間に係る修正後の自己資本の額及び自己資本比率の一覧表は、米国証券取引委員会に本日提出した様式 8-K に含まれています。

2014 年度資本計画におけるデータのテンプレート及び資本活動に係る要請の再提出

当社は、修正について連邦準備制度理事会(以下「FRB」といいます。)に速やかに通知し、修正の影響について、FRB と密接に連絡をとっています。FRB は、2014 年度の包括的な資本の分析及び見直し(以下「CCAR」といいます。)に記載されるデータのテンプレート及び資本活動に係る要請の再提出を当社に指示しました。かかる作業の一環として、当社は再提出前の作業及び資料の見直しのために第三者を雇用します。

FRB の要請により、当社は発表済の 2014 年度の資本活動を中断します。これには、40 億ドルの普通株式の買戻しに対する承認及び普通株式の四半期配当金の普通株式 1 株当たり 0.01 ドルから 0.05 ドルへの計画されていた増額が含まれます。第三者による見直しの完了及び当社取締役会による承認後、当社は 2014 年度の CCAR におけるデータのテンプレート及び資本活動に係る要請を FRB の承認を得るために速やかに提出します。当社は、修正後の CCAR に含まれる資本活動に係る要請は、発表済の 2014 年度の資本活動を下回るものと予想しています。

¹ 完全実施ベースにおける普通株等 Tier 1 (common equity tier 1 capital)比率の最低比率 8.5%(予想値)は、2.5%の資本保全バッファ、0%のカウンターシクリカルなバッファ及び 1.5%(予想値)の SIFI バッファ(金融安定理事会による 2013 年 11 月 11 日付「グローバルなシステム上重要な銀行(G-SIB)のアップデート」に基づく)を含む。

予測情報

当社及び当社の経営陣は、1995年私的証券訴訟改革法の意義の範囲内で、「予測情報」を構成する一定の記述を行うことがあります。これらの記述は、歴史的又は最新事実に厳密には関連しないという事実により特定することができます。予測情報は、「予想します」、「目的とします」、「期待します」、「希望します」、「予測します」、「意図します」、「計画します」、「目標とします」、「考えます／確信します」、「引続き～します／継続します」といった表現及びその他の同様の表現、又は未来若しくは条件を示す「予定です」、「可能性があります」、「～かもしれません」、「望めます／すると思われれます」、「～でしょう」、「し(なり)得ます／可能性が(の)あります」といった表現をしばしば使用します。予測情報は、当社の将来の業績及び収益並びにより全般的な将来の景気及び経済情勢に関する当社の現在の予測、計画又は見通し等を表すものです。これらの記述は、将来の業績又は成果を保証するものではなく、予測困難な一定のリスク、不確実性及び仮定を包含し、これらはしばしば当社の支配の及ぶ範囲を超えます。実際の結果及び成績は、これらの予測情報で表明され、また暗に示されたものと大きく異なることがあります。

いかなる予測情報にも全面的に依拠するべきではなく、様式10-Kによる当社の2013年度年次報告書の第1A項「リスク要因」に詳述された不確実性及びリスク並びにその後に米国証券取引委員会に対して提出された当社の報告書に記載された不確実性及びリスクを考慮することが望まれます。当該不確実性及びリスクには、当社の規制上の自己資本比率の調整による潜在的な悪影響(再提出されたCCARの第三者又はFRBによる見直しが完了する時期について、また、FRBによって承認される資本活動の修正(もしあれば)に関して保証がないことを含みますが、これらに限りません。)、モノライン並びに民間金融機関及びその他の投資家によりなされた表明保証に関連する買戻し請求(裁判所による不利な決定の結果を含む。))についての当社の解決能力並びに関連するサービシング、担保、不正行為、補償又はその他の請求を1社又は複数のカウンターパーティ(モノライン又は民間金融機関及びその他の投資家を含みます。)から当社が要求される可能性、交渉された和解に対し裁判所の最終的な承認が得られない可能性、BNYメロンとの和解に関する裁判所の判決が上告により全部又は一部覆る可能性、モーゲージ関連の事項に関する係属中又は将来の訴訟並びに規制上の手続(米国の司法省、各州司法長官、及び金融詐欺対策タスクフォースのRMBS作業部会のその他のメンバーにより開始された手続を含む。)の結果生じ得る請求、損害賠償及び罰金、欧州委員会が当社の競争慣行に関して行う調査に関連して是正措置を課す可能性、LIBOR、その他の参照レート及び外国為替に関する審査及び調査に関して生じ得る結果、将来的に当社の表明保証エクスポージャーに係る計上済債務及び発生が見込まれる損失の見積額を超えて表明保証に関連する損失が発生する可能性、当社がモーゲージ保険の請求を回収できない可能性、将来的に当社の訴訟費用に係る計上済債務及び発生が見込まれる損失の見積額を超えて請求、損害賠償、罰金及び制裁金が発生する可能性、米国外の法域における金融安定化及び成長率に対する不透明感、これらの法域がソブリン債の返済に困難をきたすリスクの可能性並びに金融市場、通貨及び貿易に対する関連ストレス並びにこれらのリスクに対する当社のエクスポージャー(直接的、間接的及びオペレーショナルにおけるエクスポージャーを含みます。)、FRBによる量的緩和の縮小のタイミング及びペースに関連する不確実性並びに世界の金利、為替相場及び多くの国の経済状況に及ぼす影響、保留中又は完了した抵当権実行について将来的な問い合わせ又は調査を受ける可能性、予期しない抵当権実行の遅延により債務不履行関連のサービシング費用の減少速度に影響が及ぶ可能性、規制上の資本及び流動性の要件の適用時期及びその影響の不確実性(バーゼル3を含みます。)、ドッド=フランク・ウォール街改革及び消費者保護法の当社の事業及び利益に対するマイナスの影響(追加的な規制上の解釈及び規則制定の結果の影響並びに当該影響を軽減するための当社の行為の成果を含みます。)、ボルカー・ルールの実行及び遵守により影響を受ける可能性、将来のデリバティブ規制により影響を受ける可能性、主要信用格付機関による当社の信用格付の格下げ、当社の一定の資産及び負債の公正価値の見積り、否定的広報、規制違反による制裁金及び罰金並びに司法手続によって生じ得るレピュテーションの毀損、プロジェクト・ニューBACによる費用削減及びその他の予想される便益に係る当社の完全な実現能力(現在予想されている時間枠に

従うことを含みます。)、当社の又は当社と取引関係のある第三者のオペレーション若しくはセキュリティに係るシステム若しくはインフラの故障若しくは侵害(サイバー攻撃の結果を含む。)、潜在的な高金利環境による当社の事業、財政状態及び経営成績への影響並びにその他の類似事項が含まれます。

予測情報は、作成された日付現在における状況を表すものであり、当社は、作成された日付以降の状況の影響又は発生した事象を反映させるために予測情報を更新する義務を負いません。

バンク・オブ・アメリカ・コーポレーション及び子会社
資本管理

(単位：百万ドル)

	バーゼル 3 移行期間	バーゼル 1			
	2014 年 3 月 31 日現在	2013 年 12 月 31 日現在	2013 年 9 月 30 日現在	2013 年 6 月 30 日現在	2013 年 3 月 31 日現在
リスクベースの自己資本 (1) (2) :					
普通株等 Tier 1 (Common equity tier 1 capital) (3)	\$ 150,922	n/a	n/a	n/a	n/a
普通株等 Tier 1 (Tier 1 common capital)	n/a	\$ 141,522	\$ 139,410	\$ 136,546	\$ 133,298
Tier 1 資本	152,936	157,742	155,593	153,716	155,856
総資本	190,124	196,567	194,585	193,779	198,391
リスク加重資産 (3)	1,282,117	1,297,593	1,289,501	1,288,207	1,298,234
普通株等 Tier 1 (Common equity tier 1 capital) 比率	11.8 %	n/a	n/a	n/a	n/a
普通株等 Tier 1 (Tier 1 common capital) 比率 (4)	n/a	10.9 %	10.8 %	10.6 %	10.3 %
Tier 1 資本比率	11.9	12.2	12.1	11.9	12.0
総自己資本比率	14.8	15.1	15.1	15.0	15.3
Tier 1 レバレッジ比率	7.4	7.7	7.6	7.4	7.4

(1) 規制上の自己資本比率は、FRB に様式 Y-9C を提出するまでは暫定的な数値である。

(2) 2014 年 1 月 1 日付で、普通株等 Tier 1 (common equity tier 1 capital) 及び Tier 1 資本に影響する規制上の控除及び調整に主として関連する移行規定を設けたうえで、バーゼル 3 規則が施行された。当社は、2013 年度においてはバーゼル 1 (市場リスクに関する最終規則を含む。)に基づき報告を行った。

(3) プロフォーマ・ベースでは、バーゼル 3 標準的アプローチの移行規定 (バーゼル 3 標準的移行) に基づく 2013 年度第 4 四半期の普通株等 Tier 1 (Common equity tier 1 capital) 及びリスク加重資産は、152,743 百万ドル及び 1,315,949 百万ドルである。

(4) 普通株等 Tier 1 (Tier 1 common capital) 比率は、Tier 1 資本比率から優先株式、信託優先証券、ハイブリッド証券及び少数株主持分を差引き、リスク加重資産で除した数値である。

n/a(not applicable)=該当なし。

過年度の数値の一部は、当期の表示に一致させるために組替えられている。

バンク・オブ・アメリカ・コーポレーション及び子会社

規制上の自己資本の調整 (1) (2)

(単位：百万ドル)

	2013 年 12 月 31 日現在	2013 年 9 月 30 日現在	2013 年 6 月 30 日現在	2013 年 3 月 31 日現在
規制上の自己資本—バーゼル 1 からバーゼル 3 へ (完全実施)				
バーゼル 1 Tier 1 資本	\$ 157,742	\$ 155,593	\$ 153,716	\$ 155,856
適格優先株式及び信託優先証券の控除	(16,220)	(16,183)	(17,170)	(22,558)
バーゼル 1 普通株等 Tier 1 (Tier 1 common capital)	141,522	139,410	136,546	133,298
確定給付型年金資産の控除	(829)	(935)	(787)	(776)
繰延税金資産及び基準値の控除(繰延税金資産の 一時差異、MSR 及び重要な投資)	(5,459)	(5,361)	(7,465)	(5,161)
その他の包括利益累計額に計上された AFS 債務証券 及び一定の売却可能な市場性のある持分証券 並びに従業員給付制度に係る未実現純損失	(5,664)	(3,806)	(4,557)	(373)
その他の控除(純額)	(1,624)	(1,514)	(1,568)	(1,658)
バーゼル 3 普通株等 Tier 1 (common equity tier 1 capital) (完全実施)	<u>\$ 127,946</u>	<u>\$ 127,794</u>	<u>\$ 122,169</u>	<u>\$ 125,330</u>

	2014 年 3 月 31 日現在
規制上の自己資本—バーゼル 3 の完全 実施への移行	
普通株等 Tier 1 (Common equity tier 1 capital) (移行期間)	\$ 150,922
移行期間中の Tier 1 資本 に認識された調整および控除	(11,302)
移行期間中に段階的に適用された その他の調整および控除	(9,474)
普通株等 Tier 1 (Common equity tier 1 capital) (完全実施)	<u>\$ 130,146</u>

	2014 年 3 月 31 日現在	2013 年 12 月 31 日現在	2013 年 9 月 30 日現在	2013 年 6 月 30 日現在	2013 年 3 月 31 日現在
リスク加重資産—報告ベースから バーゼル 3 へ(完全実施)					
報告ベースのリスク加重資産	\$ 1,282,117	\$ 1,297,593	\$ 1,289,501	\$ 1,288,207	\$ 1,298,234
報告ベースから完全実施までの リスク加重資産の変動	165,332	162,731			
バーゼル 3 標準的アプローチのリスク 加重資産(完全実施)	1,447,449	1,460,324			
先進的モデルでのリスク加重資産 の変動	(86,234)	(133,027)	35,476	20,841	54,094
バーゼル 3 先進的アプローチのリスク 加重資産(完全実施)	<u>\$ 1,361,215</u>	<u>\$ 1,327,297</u>	<u>\$ 1,324,977</u>	<u>\$ 1,309,048</u>	<u>\$ 1,352,328</u>

規制上の自己資本比率					
バーゼル 1 普通株等 Tier 1 (Tier 1 common)	n/a	10.9 %	10.8 %	10.6 %	10.3 %
バーゼル 3 標準的アプローチ 普通株等 Tier 1 (common equity tier 1) (移行期間)	11.8 %	n/a	n/a	n/a	n/a
バーゼル 3 標準的アプローチ 普通株等 Tier 1 (common equity tier 1) (完全実施)	9.0	8.8	n/a	n/a	n/a
バーゼル 3 先進的アプローチ 普通株等 Tier 1 (common equity tier 1) (完全実施)	9.6	9.6	9.7	9.3	9.3

- (1) 包括的リスク測定に適用される追加的な自己資本賦課の除外によりリスク加重資産が減少する可能性を除き、すべての規制モデルが承認されることを前提に、バーゼル 3 先進的アプローチに基づいている。
- (2) 2014 年 1 月 1 日付で、普通株等 Tier 1 (Common equity tier 1 capital) 及び Tier 1 資本に影響する規制上の控除及び調整に主として関連する移行規定を設けたうえで、バーゼル 3 規則が施行された。当社は、2013 年度においてはバーゼル 1 (市場リスクに関する最終規則を含みます。)に基づき報告を行った。
- n/a(not applicable)=該当なし。

過年度の数値の一部は、当期の表示に一致させるために組替えられている。

本記者発表文は、現地2014年4月28日発表のForm 8-Kの抄訳です。原文と抄訳の間に齟齬がある場合には、原文の内容が優先します。全文(原文)は、以下のとおりです。

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549**

FORM 8-K

**CURRENT REPORT
PURSUANT TO SECTION 13 OR 15(D) OF THE
SECURITIES EXCHANGE ACT OF 1934**

Date of Report (Date of earliest event reported):
April 28, 2014

BANK OF AMERICA CORPORATION

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction of
incorporation)

1-6523
(Commission File Number)

56-0906609
(I.R.S. Employer Identification No.)

**100 North Tryon Street
Charlotte, North Carolina 28255**
(Address of principal executive offices)

(704) 386-5681
(Registrant's telephone number, including area code)

Not Applicable
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

ITEM 8.01 Other Events.

(a) On April 28, 2014, Bank of America Corporation (the “Corporation”) issued a press release describing the suspension of its previously announced planned 2014 capital actions and planned re-submission of the Corporation’s 2014 Comprehensive Capital Analysis and Review (“CCAR”) to the Board of Governors of the Federal Reserve System (the “Federal Reserve”). A copy of the press release is attached to this Form 8-K as Exhibit 99(a) and is incorporated by reference into this Item 8.01(a). There can be no assurance as to the timing of completion of the third party review or the Federal Reserve’s review of the resubmitted CCAR, or as to the revised capital actions that will be approved by the Federal Reserve, if any.

(b) On April 16, 2014, the Corporation issued a press release announcing its financial results and estimated preliminary regulatory capital amounts and ratios for the quarter ended March 31, 2014. As part of such release, the Corporation included estimated preliminary Basel 3 capital amounts and ratios under the transition and the fully phased-in bases for the Standardized approach and the latter for the Advanced approaches, as well as Basel 1 capital amounts and ratios for 2013. Subsequent to the press release, the Corporation discovered an incorrect adjustment being applied in the determination of regulatory capital related to the treatment of the fair value option adjustment for structured notes assumed in the Merrill Lynch & Co, Inc. acquisition in 2009, resulting in an overstatement of regulatory capital amounts and ratios. The Corporation’s historical consolidated financial statements, including shareholders’ equity, for prior periods have been properly stated in accordance with accounting principles generally accepted in the United States of America (GAAP). The Corporation’s consolidated financial statements, including shareholders’ equity, for the three months ended March 31, 2014 remain unchanged from those announced on April 16, 2014.

With regard to the cause of the regulatory capital revision, the determination of regulatory capital requires that a bank holding company adjust GAAP capital for the unrealized cumulative change in the fair value of all financial liabilities accounted for under the fair value option that is included in retained earnings and is attributable to changes in the bank holding company’s own creditworthiness. As such, the Corporation correctly adjusted for the aforementioned cumulative unrealized change on structured notes accounted for under the fair value option, but incorrectly adjusted for cumulative realized losses on Merrill Lynch issued structured notes that had matured or were redeemed by the Corporation subsequent to the date of the Merrill Lynch acquisition.

Upon finalizing the regulatory capital amounts and ratios for the first quarter of 2014, the Corporation identified this incorrect adjustment and revised its estimate of the calculation of regulatory capital and related ratios resulting in decreases to the estimated preliminary capital amounts and ratios announced on April 16. For the first quarter of 2014, the Corporation’s Basel 3 Standardized transition common equity tier 1 capital ratio decreased 5 bps to 11.8 percent, the tier 1 capital ratio decreased 21 bps to 11.9 percent, the total capital ratio decreased 21 bps to 14.8 percent and tier 1 leverage ratio decreased 12 bps to 7.4 percent.

Although not required under GAAP, the Corporation has in prior periods, including the first quarter of 2014, disclosed estimates for its Basel 3 fully phased-in ratios in quarterly earnings releases. The Corporation also revised these estimated ratios from the estimates announced on April 16. On a fully phased-in basis, the Corporation’s estimate for the common equity tier 1 capital ratio under the Basel 3 Standardized approach decreased 27 bps to 9.0 percent and the estimate for the common equity tier 1 capital ratio under the Basel 3 Advanced approaches decreased 29 bps to 9.6 percent. These ratios exceed the Corporation’s 2019 estimated minimum common equity tier 1 ratio of 8.5 percent⁽¹⁾, including buffers. The Corporation’s estimated supplementary leverage ratio on a fully phased-in basis as of March 31, 2014 is approximately 5.0 percent, the 2018 required minimum.⁽²⁾ Regulatory capital amounts and ratios under Basel 1 for prior periods have also been revised. Set forth below are the revised capital amounts and ratios for the periods shown. A schedule of the revised regulatory capital amounts and ratios is attached in Exhibit 99(b) and incorporated by reference into this Item 8.01(b). Additional information about these regulatory amounts and ratios including revisions to prior periods will be included in the Corporation’s First Quarter 2014 Report on Form 10-Q.

⁽¹⁾ The fully phased-in 8.5 percent common equity tier 1 capital ratio minimum includes the 2.5 percent capital conservation buffer, zero percent countercyclical buffer and an estimated 1.5 percent SIFI buffer (based on the Financial Stability Board’s “Update of group of global systemically important banks (G-SIBs)” issued on November 11, 2013).

⁽²⁾ The 5.0 percent bank holding company supplementary leverage ratio minimum includes the 2.0 percent leverage buffer.

Certain of the information presented below are non-GAAP financial measures. Please see Exhibit 99(b) for a reconciliation to GAAP.

	March 31, 2014		December 31, 2013	
	Basel 3		Basel 1	
	Preliminary Estimate	Revised	As Reported ⁽¹⁾	Revised
<i>(Dollars in millions)</i>				
Basel 3 (Standardized transition)				
Common equity tier 1 capital	\$ 151,642	\$ 150,922	n/a	n/a
Tier 1 common capital	n/a	n/a	\$ 145,235	\$ 141,522
Tier 1 capital	155,674	152,936	161,456	157,742
Total capital	192,867	190,124	200,281	196,567
Common equity tier 1 capital ratio	11.8%	11.8%	n/a	n/a
Tier 1 common capital ratio	n/a	n/a	11.2%	10.9%
Tier 1 capital ratio	12.1	11.9	12.4	12.2
Total capital ratio	15.0	14.8	15.4	15.1
Tier 1 leverage ratio	7.6	7.4	7.9	7.7
Basel 3 (fully phased-in) ⁽²⁾			<i>Basel 3 Pro-forma</i>	
Common equity tier 1 capital ratio Standardized approach ⁽³⁾	9.3%	9.0%	9.1%	8.8%
Common equity tier 1 capital ratio Advanced approaches ⁽³⁾	9.9	9.6	10.0	9.6
Common equity tier 1 capital	\$ 134,161	\$ 130,146	\$ 132,315	\$ 127,946

⁽¹⁾ Amounts and ratios as reported in the Corporation's 2013 Form 10-K.

⁽²⁾ The Corporation's fully phased-in estimates are based on its current understanding of the Standardized and Advanced approaches under the Basel 3 rules, assuming all regulatory model approvals, except for the potential reduction to risk-weighted assets resulting from removal of the Comprehensive Risk Measure surcharge. These estimates will evolve over time as the Corporation's businesses change and as a result of further rulemaking or clarification by U.S. regulatory agencies.

⁽³⁾ Represents a non-GAAP financial measure. For a reconciliation to GAAP financial measures, see Exhibit 99(b): Regulatory Capital Reconciliations.

n/a = not applicable

ITEM 9.01 FINANCIAL STATEMENTS AND EXHIBITS.

(d) Exhibits.

Exhibit 99(a) is filed herewith. Exhibit 99(b) is furnished herewith.

EXHIBIT NO.	DESCRIPTION OF EXHIBIT
99(a)	The Press Release
99(b)	Schedule of the Final Regulatory Capital Amounts and Ratios

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

BANK OF AMERICA CORPORATION

By: /s/ Neil A. Cotty

Neil A. Cotty

Chief Accounting Officer

Dated: April 28, 2014

INDEX TO EXHIBITS

EXHIBIT NO.	DESCRIPTION OF EXHIBIT
99(a)	The Press Release
99(b)	Schedule of the Final Regulatory Capital Amounts and Ratios

April 28, 2014

Investors May Contact:

Lee McEntire, Bank of America, 1.980.388.6780

Jonathan Blum, Bank of America (Fixed Income), 1.212.449.3112

Reporters May Contact:

Jerry Dubrowski, Bank of America, 1.980.388.2840

jerome.f.dubrowski@bankofamerica.com

Bank of America Announces Adjustment to Estimated Regulatory Capital Ratios

No Impact to Previously Announced Financial Statements

Company Will Suspend Previously Announced Capital Actions and Resubmit 2014 Capital Plan; Proposed Revised Capital Actions Expected to be Less Than Previously Announced

CHARLOTTE - Bank of America Corporation today announced a downward revision to the company's previously disclosed regulatory capital amounts and ratios due to an incorrect adjustment related to the treatment of certain structured notes assumed in the Merrill Lynch & Co., Inc. acquisition in 2009. The reduction in the regulatory capital amounts and ratios has no impact on the company's historical consolidated financial statements or shareholders' equity, which were properly stated in accordance with accounting principles generally accepted in the United States of America (GAAP).

On April 16, the company issued a press release announcing preliminary financial results for the quarter ended March 31, 2014. As part of such release, the company included estimated preliminary Basel 3 capital amounts and ratios as well as Basel 1 capital amounts and ratios for 2013. Subsequent to the press release, the company discovered an incorrect adjustment being applied in the determination of regulatory capital related to the application of the fair value option to certain legacy Merrill Lynch structured notes resulting in an overstatement of its regulatory capital amounts and ratios. The company correctly adjusted for the cumulative unrealized change on structured notes accounted for under the fair value option, but it incorrectly adjusted for cumulative realized losses on Merrill Lynch issued structured notes that had matured or were redeemed by the company subsequent to the date of the Merrill Lynch acquisition.

As a result, the company is making the following adjustments to the previously announced estimated preliminary capital ratios for the first quarter ended March 31, 2014: the estimated Basel 3 Standardized transition common equity tier 1 capital ratio was revised to 11.8 percent, down 5 basis points; the estimated tier 1 capital ratio was revised to 11.9 percent, down 21 basis points; the estimated total capital ratio was revised to 14.8 percent, down 21 basis points; and the estimated tier 1 leverage ratio was revised to 7.4 percent, down 12 basis points.

Although not required by GAAP, the company has in prior periods, including the first quarter of 2014, disclosed estimates for its Basel 3 fully phased-in common equity tier 1 ratios in quarterly earnings releases. On a fully phased-in basis, Bank of America estimates that for the first quarter ended March 31, 2014, the common equity tier 1 capital ratio under the Basel 3 Standardized approach decreased 27 basis points to 9.0 percent from the previously reported estimated ratio, and the estimate for the common equity tier 1 capital ratio under the Basel 3 Advanced approaches decreased 29 basis points to 9.6 percent from the previously reported estimated ratio. These ratios exceed the company's estimated 2019 minimum common equity tier 1 ratio requirement, including buffers, of 8.5 percent.¹

A schedule of the revised regulatory capital amounts and ratios for the quarter ended March 31, 2014 and certain prior periods is included in a Form 8-K filed today with the Securities and Exchange Commission.

Resubmission of Data Templates and Requested Capital Actions in 2014 Capital Plan

Bank of America promptly notified the Federal Reserve Board (FRB) of the revisions and has been in close communication with the FRB regarding the effects of the revisions. The FRB has directed the company to resubmit its data templates and requested capital actions contained in the 2014 Comprehensive Capital Analysis and Review (CCAR). As part of this process, Bank of America will engage a third party to review processes and the materials prior to resubmission.

At the FRB's request, the company is suspending its previously announced 2014 capital actions, including the \$4.0 billion common stock repurchase authorization and the planned increase in the quarterly common stock dividend from \$0.01 per common share to \$0.05 per share. Subject to completion of the third-party review and approval from the Bank of America Board of Directors, the company will expeditiously resubmit its data templates and requested capital actions in the 2014 CCAR plan for FRB approval. The company expects the requested capital actions to be contained in the revised CCAR submission will be less than the company's previously announced 2014 capital actions.

¹ The estimated fully phased-in 8.5 percent common equity tier 1 capital ratio minimum includes the 2.5 percent capital conservation buffer, zero percent countercyclical buffer and an estimated 1.5 percent SIFI buffer (based on the Financial Stability Board's "Update of group of global systemically important banks (G-SIBs)" issued on November 11, 2013).

Bank of America

Bank of America is one of the world's largest financial institutions, serving individual consumers, small businesses, middle-market businesses and large corporations with a full range of banking, investing, asset management and other financial and risk management products and services. The company provides unmatched convenience in the United States, serving approximately 49 million consumer and small business relationships with approximately 5,100 retail banking offices and approximately 16,200 ATMs and award-winning online banking with 30 million active users and more than 15 million mobile users. Bank of America is among the world's leading wealth management companies and is a global leader in corporate and investment banking and trading across a broad range of asset classes, serving corporations, governments, institutions and individuals around the world. Bank of America offers industry-leading support to approximately 3 million small business owners through a suite of innovative, easy-to-use online products and services. The company serves clients through operations in more than 40 countries. Bank of America Corporation stock (NYSE: BAC) is listed on the New York Stock Exchange.

Forward-looking Statements

Bank of America and its management may make certain statements that constitute "forward-looking statements" within the meaning of the Private Securities Litigation Reform Act of 1995. These statements can be identified by the fact that they do not relate strictly to historical or current facts. Forward-looking statements often use words such as "anticipates," "targets," "expects," "hopes," "estimates," "intends," "plans," "goals," "believes," "continue" and other similar expressions or future or conditional verbs such as "will," "may," "might," "should," "would" and "could." The forward-looking statements made represent Bank of America's current expectations, plans or forecasts of its future results and revenues, and future business and economic conditions more generally, and other matters. These statements are not guarantees of future results or performance and involve certain risks, uncertainties and assumptions that are difficult to predict and are often beyond Bank of America's control. Actual outcomes and results may differ materially from those expressed in, or implied by, any of these forward-looking statements.

You should not place undue reliance on any forward-looking statement and should consider the following uncertainties and risks, as well as the risks and uncertainties more fully discussed under Item 1A. Risk Factors of Bank of America's 2013 Annual Report on Form 10-K, and in any of Bank of America's subsequent Securities and Exchange Commission filings: the potential negative impacts of the Company's adjustment to its regulatory capital ratios, including, without limitation, that there can be no assurance as to the timing of completion of the third-party review or the FRB's review of the resubmitted CCAR, or as to the revised capital actions that will be approved by the FRB, if any; the Company's ability to resolve representations and warranties repurchase claims made by monolines and private-label and other investors, including as a result of any adverse court rulings, and the chance that the Company could face related servicing, securities, fraud, indemnity or other claims from one or more counterparties, including monolines or private-label and other investors; the possibility that final court approval of negotiated settlements is not obtained; the possibility that the court decision with respect to the BNY Mellon Settlement is overturned on appeal in whole or in part; potential claims, damages, penalties and fines resulting from pending or future litigation and regulatory proceedings,

including proceedings instituted by the U.S. Department of Justice, state Attorneys General and other members of the RMBS Working Group of the Financial Fraud Enforcement Task Force concerning mortgage-related matters; the possibility that the European Commission will impose remedial measures in relation to its investigation of the Company's competitive practices; the possible outcome of LIBOR, other reference rate and foreign exchange inquiries and investigations; the possibility that future representations and warranties losses may occur in excess of the Company's recorded liability and estimated range of possible loss for its representations and warranties exposures; the possibility that the Company may not collect mortgage insurance claims; the possibility that future claims, damages, penalties and fines may occur in excess of the Company's recorded liability and estimated range of possible losses for litigation exposures; uncertainties about the financial stability and growth rates of non-U.S. jurisdictions, the risk that those jurisdictions may face difficulties servicing their sovereign debt, and related stresses on financial markets, currencies and trade, and the Company's exposures to such risks, including direct, indirect and operational; uncertainties related to the timing and pace of Federal Reserve tapering of quantitative easing, and the impact on global interest rates, currency exchange rates, and economic conditions in a number of countries; the possibility of future inquiries or investigations regarding pending or completed foreclosure activities; the possibility that unexpected foreclosure delays could impact the rate of decline of default-related servicing costs; uncertainty regarding timing and the potential impact of regulatory capital and liquidity requirements (including Basel 3); the negative impact of the Dodd-Frank Wall Street Reform and Consumer Protection Act on the Company's businesses and earnings, including as a result of additional regulatory interpretation and rulemaking and the success of the Company's actions to mitigate such impacts; the potential impact of implementing and conforming to the Volcker Rule; the potential impact of future derivative regulations; adverse changes to the Company's credit ratings from the major credit rating agencies; estimates of the fair value of certain of the Company's assets and liabilities; reputational damage that may result from negative publicity, fines and penalties from regulatory violations and judicial proceedings; the Company's ability to fully realize the cost savings and other anticipated benefits from Project New BAC, including in accordance with currently anticipated timeframes; a failure in or breach of the Company's operational or security systems or infrastructure, or those of third parties with which we do business, including as a result of cyber attacks; the impact on the Company's business, financial condition and results of operations of a potential higher interest rate environment; and other similar matters.

Forward-looking statements speak only as of the date they are made, and Bank of America undertakes no obligation to update any forward-looking statement to reflect the impact of circumstances or events that arise after the date the forward-looking statement was made.

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Bank of America Corporation and Subsidiaries

Capital Management

(Dollars in millions)

	Basel 3 Transition	Basel 1			
	March 31 2014	December 31 2013	September 30 2013	June 30 2013	March 31 2013
Risk-based capital metrics ^(1, 2):					
Common equity tier 1 capital ⁽³⁾	\$ 150,922	n/a	n/a	n/a	n/a
Tier 1 common capital	n/a	\$ 141,522	\$ 139,410	\$ 136,546	\$ 133,298
Tier 1 capital	152,936	157,742	155,593	153,716	155,856
Total capital	190,124	196,567	194,585	193,779	198,391
Risk-weighted assets ⁽³⁾	1,282,117	1,297,593	1,289,501	1,288,207	1,298,234
Common equity tier 1 capital ratio	11.8%	n/a	n/a	n/a	n/a
Tier 1 common capital ratio ⁽⁴⁾	n/a	10.9%	10.8%	10.6%	10.3%
Tier 1 capital ratio	11.9	12.2	12.1	11.9	12.0
Total capital ratio	14.8	15.1	15.1	15.0	15.3
Tier 1 leverage ratio	7.4	7.7	7.6	7.4	7.4

⁽¹⁾ Regulatory capital ratios are preliminary until filed with the Federal Reserve on Form Y-9C.

⁽²⁾ On January 1, 2014, the Basel 3 rules became effective, subject to transition provisions primarily related to regulatory deductions and adjustments impacting common equity tier 1 capital and Tier 1 capital. The Corporation reported under Basel 1 (which included the Market Risk Final Rules) for 2013.

⁽³⁾ On a pro-forma basis, under the transition provisions for the Basel 3 Standardized approach (Basel 3 Standardized transition), fourth quarter 2013 common equity tier 1 capital and risk-weighted assets would have been \$152,743 million and \$1,315,949 million.

⁽⁴⁾ Tier 1 common capital ratio equals Tier 1 capital excluding preferred stock, trust preferred securities, hybrid securities and minority interest divided by risk-weighted assets.

n/a = not applicable

Certain prior period amounts have been reclassified to conform to current period presentation.

Bank of America Corporation and Subsidiaries

Regulatory Capital Reconciliations ^(1, 2)

(Dollars in millions)

	December 31 2013	September 30 2013	June 30 2013	March 31 2013
Regulatory capital – Basel 1 to Basel 3 (fully phased-in)				
Basel 1 Tier 1 capital	\$ 157,742	\$ 155,593	\$ 153,716	\$ 155,856
Deduction of qualifying preferred stock and trust preferred securities	(16,220)	(16,183)	(17,170)	(22,558)
Basel 1 Tier 1 common capital	141,522	139,410	136,546	133,298
Deduction of defined benefit pension assets	(829)	(935)	(787)	(776)
Deferred tax assets and threshold deductions (deferred tax asset temporary differences, MSRs and significant investments)	(5,459)	(5,361)	(7,465)	(5,161)
Net unrealized losses in accumulated OCI on AFS debt and certain marketable equity securities, and employee benefit plans	(5,664)	(3,806)	(4,557)	(373)
Other deductions, net	(1,624)	(1,514)	(1,568)	(1,658)
Basel 3 common equity tier 1 capital (fully phased-in)	<u>\$ 127,946</u>	<u>\$ 127,794</u>	<u>\$ 122,169</u>	<u>\$ 125,330</u>

	March 31 2014
Regulatory capital – Basel 3 transition to fully phased-in	
Common equity tier 1 capital (transition)	\$ 150,922
Adjustments and deductions recognized in Tier 1 capital during transition	(11,302)
Other adjustments and deductions phased in during transition	(9,474)
Common equity tier 1 capital (fully phased-in)	<u>\$ 130,146</u>

	March 31 2014	December 31 2013	September 30 2013	June 30 2013	March 31 2013
Risk-weighted assets – As reported to Basel 3 (fully phased-in)					
As reported risk weighted assets	\$ 1,282,117	\$ 1,297,593	\$ 1,289,501	\$ 1,288,207	\$ 1,298,234
Change in risk-weighted assets from reported to fully phased-in	165,332	162,731			
Basel 3 Standardized approach risk-weighted assets (fully phased-in)	1,447,449	1,460,324			
Change in risk-weighted assets for advanced models	(86,234)	(133,027)	35,476	20,841	54,094
Basel 3 Advanced approaches risk-weighted assets (fully phased-in)	<u>\$ 1,361,215</u>	<u>\$ 1,327,297</u>	<u>\$ 1,324,977</u>	<u>\$ 1,309,048</u>	<u>\$ 1,352,328</u>

Regulatory capital ratios

Basel 1 Tier 1 common	n/a	10.9%	10.8%	10.6%	10.3%
Basel 3 Standardized approach common equity tier 1 (transition)	11.8%	n/a	n/a	n/a	n/a
Basel 3 Standardized approach common equity tier 1 (fully phased-in)	9.0	8.8	n/a	n/a	n/a
Basel 3 Advanced approaches common equity tier 1 (fully phased-in)	9.6	9.6	9.7	9.3	9.3

⁽¹⁾ Based on the Basel 3 Advanced approaches, assuming all regulatory model approvals, except for the potential reduction to risk-weighted assets resulting from the removal of the Comprehensive Risk Measure surcharge.

⁽²⁾ On January 1, 2014, the Basel 3 rules became effective, subject to transition provisions primarily related to regulatory deductions and adjustments impacting common equity tier 1 capital and Tier 1 capital. The Corporation reported under Basel 1 (which included the Market Risk Final Rules) for 2013.

n/a = not applicable

Certain prior period amounts have been reclassified to conform to current period presentation.