

## **Appendix A: The Survey of Credit Card Issuer Practices: Purpose, Focus and Contact Information for the Survey**

### *Purpose of the Survey*

Section 505 of the Credit Card Accountability Responsibility and Disclosure Act of 2009 directs the Federal Reserve Board to conduct a study of the extent to which issuers of open-end credit cards to consumers reduce credit lines or raise interest rates based on certain information, such as the type or location of the merchant the consumer transacts with, or the type or price of items purchased using their cards. The study calls for a review of practices that may have been in place over the past 3 years.

Part of the study will be based on the responses to the attached survey, which is being distributed to the largest 25 credit card issuers and a nationally representative sample of an additional 150 issuers. **Completion of the survey is mandatory.** A copy of the Section 505 requirements is part of the survey documents. We ask that you review the attached Section 505 language prior to completing the survey to help gain a better understanding of the specific practices that are the focus of the study.

### *Focus of the Survey*

The survey seeks information on certain specific practices that issuers of open-end credit card plans *may* consider when deciding to (1) raise interest rates, (2) reduce credit limits or (3) close credit card accounts. The survey asks specifically whether an issuer has used each specific practice at any time in the past three years and for those that respond in the affirmative whether the issuer has used the specific practice in the month before the survey. For those that respond in the affirmative, follow-up questions ask about (1) the number of cardholders with *active* accounts that were *potentially* affected by the practices and (2) the number of cardholders with *active* accounts that *actually* experienced an increase in their interest rate, a reduction in their credit line or the closure of an account due to each of the specific practices. In each instance, calculations should be based on the number of cardholders with active accounts and not dollars owed on those accounts.

Information about cardholders *potentially* affected should be based on a review of consumers with active credit card accounts that were subject to either an automated or judgmental review that included the practices identified in the survey. Information about cardholders actually *affected* should be based on a review of the reasons provided to cardholders who received an adverse action notice both for those receiving adverse action notices in the previous month and separately for those receiving adverse action notices during the 25-month period preceding receipt of the survey. The 25-month period corresponds to the time adverse action notices must be retained under the provisions of the Equal Credit Opportunity Act. Detailed instructions including definitions of terms appear below.

#### *Coverage*

The survey asks only about **open-end credit cards issued to consumers**. The survey does not include lines of credit. It also does not include credit cards issued to businesses or professionals. Consumer credit card accounts include: “general purpose” cards (such as MasterCard, Visa, Discover, or AMEX), “private label” cards and “co-branded” cards.

#### *Definition of Active Accounts*

*Active* accounts are those that the consumer used to make purchases or take cash advances at any time during the twelve months preceding the receipt of the survey. If the only activity over the 12-month period was for a cash advance arising from a draw on the credit card line to cover an overdraft on a linked checking account, treat that account as inactive.

#### *Time Frame for Responses*

The Congress has established a short time frame for the study. The report to the Congress is due May 22, 2010. As a result, we must receive your response to the survey by February 1, 2010.

For your convenience, we have enclosed a self-addressed envelope you may use to mail in your responses.

### *Contact Person at the Federal Reserve Board for Help*

Your participation in the survey is greatly valued. If you have any questions about this survey, please contact: Glenn Canner at the Federal Reserve Board by calling (202) 452-2910.

## **The Survey of Credit Card Issuer Practices: Survey Layout and Detailed Instructions**

This survey is divided into 5 sections. All respondents need to complete sections 1, 2, 3 and 4. Section 1 collects contact information and a few general statistics about your institution's consumer credit card business. Section 2 asks about certain specific practices that may have led to reductions in credit limits on accounts. Section 3 asks about specific practices that may have resulted in the closure of an account. Section 4 asks about certain specific practices that may have led to increases in interest rates on accounts. Section 5 collects some additional broad statistics **only** for institutions that respond in the affirmative to at least one of the questions posed in sections 2, 3 or 4 of the survey.

A copy of the Section 505 statutory language is included at the end of the survey. Please review the Section 505 language to help ensure that your responses to the survey cover all the relevant practices that your institution may use when deciding whether to reduce the credit limit or raise the interest rate on an account or to close the account. **Please keep in mind that the survey is focused only on transaction-related practices or those that involve the identity of the mortgage lender.** The detailed instructions that follow provide definitions and guidance to help you complete the survey.

If you are unsure whether the practices asked about in the survey include those that your institution has used please contact:

Glenn Canner at the Federal Reserve Board by calling (202) 452-2910.

## **Detailed Instructions for Completing the Survey**

This section provides instructions and definitions to help complete the survey.

**Instructions:** The survey focuses on practices regarding reductions in credit lines, account closures and increases in interest rates on *active* open-end credit card accounts. The survey asks for the number of cardholders **potentially** affected and **actually** affected by a given practice. Cardholders potentially affected were those who **might have had** the credit line reduced, account closed or the interest rate increased on their credit card due to a given practice. For example, if your institution uses an automated system to

determine credit line changes for some cardholders and the given practice was an element of the automated system, then all cardholders subject to that automated system could potentially have been affected. If your institution uses a judgmental system for other customers and the practice was a factor considered for only half of the customers subject to the judgmental system then only half of the cardholders subject to the judgmental reviews could potentially have been affected.

In answering questions about cardholders **actually** affected, consider only the subset of cardholders who were potentially affected who actually experienced a reduction in their credit limit, account closure or an increase in their interest rate due to each of the specific practices identified in the survey. To determine who among the account holders potentially affected were actually affected, consider only those customers who received an *adverse action notice* as required by the Equal Credit Opportunity Act (ECOA) and one of the (up to as many as) four reasons sighted in the adverse action notice related to the *specific* practice as the reason for the creditor's action.

If your institution sent cardholders a general notice informing them of a line reduction, account closure or interest rate increase and the notice indicated they should contact the issuer for the specific reasons, these notices and the reasons that would have been given to the cardholder if they had contacted your institution should be considered in determining whether a cardholder was affected by each of the specific practices asked about in the survey. Once again, the only reasons that need to be considered are those that relate to the specific practices asked about in the survey questions.

**Note:** Only cardholders that were entitled to receive an adverse action notice under the ECOA should be considered in determining whether a cardholder was actually affected by the practice.

**Note:** Section 505 asks about the use of each of the specific practices during the past 3 years. In answering the "yes or no" questions with regard to whether your institution used the practice, consider the 3-year period prior to the receipt of the survey. This time frame covers the period November 30, 2006, to November 30, 2009. If you respond affirmatively regarding the 3 year period than a follow-up question asks about the use of the practice in the current month which for this survey is defined as November 2009.

**Note:** If you respond affirmatively to a question about the 3-year period, follow-up questions ask about cardholders potentially and actually affected over the 25-month period October 31, 2007, to November 30, 2009. The shorter 25-month period is used instead of the full 3 years because under the provisions of the ECOA adverse action notices are required to be retained only for 25 months.

## **Definitions**

To ensure institutions respond in a consistent manner the following definitions are provided.

1. For questions 1 and 13: the *Geographic Location* refers to the location of the store or merchant where a transaction took place. Location includes any of the following: 1. specific street address, 2. zip code, 3. census tract, 4. county, 5. state, or 6. any grouping of smaller geographies, such as census tracts grouped by income or racial or ethnic composition.
2. For questions 3 and 13: *Type of Credit Transaction* refers to the broad categories card issuers sometimes use when grouping a customer's charges, sometimes on an end-of-year statement or posted to a web site. For example, charges made to buy gas or automobile parts or repairs might be grouped under the broad category "Oil and Gas" and purchases at restaurants and movie theaters might be grouped as "Entertainment."

Note: *Type of Credit Transaction* **does not** correspond to whether a customer took a cash advance versus making a purchase with his or her card.

3. For questions 4 and 15: *Type of Items Purchased* refers to the different types of items a cardholder might have purchased, such as engine oil versus automobile tires at a auto supply store, or at a restaurant, beverages versus food, or at retailer shoes versus clothing. The type of items purchased also includes distinctions within a category such as generic automobile oil product versus a name brand automobile oil.
4. For question 10 and 20: *Any Other Data Pertaining to the Use of Credit Card* corresponds only to transaction-specific information that a card issuer might consider that is not covered in the prior questions. For example, consideration of the day of the week of a purchase or the number of purchases over the month would meet this definition.

## Section 1: General Institution Information and Section 505 Statutory Language

**Instructions:** Please provide the following general contact and other information about your institution. Please type or print clearly.

Institution Name:

### Contact Information

Name of person responsible for the survey:

Telephone Number:

Fax Number:

E-mail address:

Type of institution: (check one)

Commercial bank

Savings institution (savings bank or savings and loan association)

Credit Union

Credit Card Data (exclude business and professional credit cards):

Number of credit card accounts issued to consumers as of November 30, 2009:

Number of *active* credit card accounts issued to consumers as of November 30, 2009 (active accounts are those used by the consumer in the previous 12 months to make purchases or take cash advances):


## Section 2: Questions about Reductions in Credit Limits

Did your company consider the following information when reducing a consumer's credit limit on an *active* credit card account:

**1) Did you consider the geographic location where a credit transaction took place (see Definitions Section)?**

**a) At any time in the last 3 years?**    € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**    € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**2) Did you consider the identity (name) of the merchant involved in a credit transaction?**

**a) At any time in the last 3 years?**    € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**    € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**3) Did you consider the type of credit transaction (see Definitions Section)?**

**a) At any time in the last 3 years?**    € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**    € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**4) Did you consider the type of items purchased in a credit transaction?**

**a) At any time in the last 3 years?**    € No    Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last 25 months
- ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last month
- ii. Number of cardholders actually affected in the last month

**5) Did you consider the price of items purchased in a credit transaction?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last 25 months
- ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last month
- ii. Number of cardholders actually affected in the last month

**6) Did you consider any change in the type of items purchased in the consumer's credit transaction history?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last 25 months
- ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last month
- ii. Number of cardholders actually affected in the last month

**7) Did you consider any change in the price of items purchased in the consumer's credit transaction history?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last 25 months
- ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

- i. Number of cardholders potentially affected in the last month
- ii. Number of cardholders actually affected in the last month



**8) Did you consider the identity of a mortgage creditor that extended a mortgage loan secured by the primary residence of the consumer?**

**a) At any time in the last 3 years?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months


ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month


ii. Number of cardholders actually affected in the last month

**9) Did you consider the identity of a mortgage creditor that holds a mortgage loan secured by the primary residence of the consumer?**

**a) At any time in the last 3 years?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months


ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month


ii. Number of cardholders actually affected in the last month

**10) Did you consider any other data pertaining to the use of such credit card account (see Definitions Section)?**

**a) At any time in the last 3 years?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months


ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month


ii. Number of cardholders actually affected in the last month





**18) Did you consider the identity of a mortgage creditor which extended a mortgage loan secured by the primary residence of the consumer?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**19) Did you consider the identity of a mortgage creditor which holds a mortgage loan secured by the primary residence of the consumer?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**20) Did you consider any other data pertaining to the use of such credit card account (see Definitions Section)?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

## Section 4: Questions about Increases in Interest Rates

Did your company consider the following information when increasing a consumer's interest rate on a credit card account:

**21) Did you consider the geographic location where a credit transaction took place (see Definitions Section)?**

**a) At any time in the last 3 years?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**22) Did you consider the identity (name) of the merchant involved in a credit transaction?**

**a) At any time in the last 3 years?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**23) Did you consider the type of credit transaction (see Definitions Section)?**

**a) At any time in the last 3 years?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**24) Did you consider the type of items purchased in a credit transaction?**

**a) At any time in the last 3 years?**      € No    Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months



**28) Did you consider the identity of a mortgage creditor which extended a mortgage loan secured by the primary residence of the consumer?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**29) Did you consider the identity of a mortgage creditor which holds a mortgage loan secured by the primary residence of the consumer?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

**30) Did you consider any other data pertaining to the use of such credit card account (see Definitions Section)?**

**a) At any time in the last 3 years?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last 25 months

ii. Number of cardholders actually affected in the last 25 months

**b) At any time in the last month?** € No Move to the next question.

€ Yes

i. Number of cardholders potentially affected in the last month

ii. Number of cardholders actually affected in the last month

## Section 5: Follow-up Questions

Note: ONLY ANSWER questions in this section if you responded affirmatively to any of the questions in Sections 2, 3 or 4 of this survey regarding specific practices considered in deciding whether to reduce credit limits, close an account or increase interest rates on active credit card accounts.

Note: In Sections 2, 3 and 4 of this survey questions were asked about the number of individuals affected by each specific practice. Since a single cardholder might have had their credit line reduced, their account closed or their interest rate increased as the result of more than one of these practices the first three questions in this section ask about the number of **different** cardholders that were affected by the application of these practices. As before, for these calculations exclude inactive accounts.

1. Number of **different** cardholders that experienced a reduction in their credit line because of **any of the practices** identified in Section 2 of this questionnaire:
  - a. During the 25-month period October 31, 2007, through November 30, 2009
  - b. During the month of November 2009
  
2. Number of **different** cardholders that experienced an account closure because of **any of the practices** identified in Section 3 of this questionnaire:
  - a. During the 25-month period October 31, 2007, through November 30, 2009
  - b. During the month of November 2009
  
3. Number of **different** cardholders that experienced an increase in the interest rate on their account because of **any of the practices** identified in Section 3 of this questionnaire:
  - a. During the 25-month period October 31, 2007, through November 30, 2009
  - b. During the month of November 2009
  
4. Number of credit card accounts issued to consumers that experienced a reduction in their credit limit for **any** reason:
  - a. During the 25-month period October 31, 2007, through November 30, 2009 (if an account received multiple reductions during the period count it only once)
  - b. During the month of November 2009
  
5. Number of credit card accounts issued to consumers that experienced an account closure for **any** reason:
  - a. During the 25-month period October 31, 2007, through November 30, 2009



b. During the month of November 2009

6. Number of credit cards issued to consumers that experienced an increase in their interest rate for **any** reason **except**: 1. changes in interest rates due to a change in an index for variable-rate accounts, 2. due to a switch of consumers from a variable-rate plan to a fixed-rate plan or from a fixed-rate plan to a variable-rate plan or 3. the end of a promotional rate period:

a. During the 25-month period October 31, 2007, through November 30, 2009 (if an account received multiple reductions during the period count it only once)

b. During the month of November 2009

7. Number of credit card accounts for which an adverse action notice was provided for any reason regarding a reduction in the credit limit on an account:

a. During the 25-month period October 31, 2007, through November 30, 2009? (if an account received multiple reductions during the period count it only once)

b. During the month of November 2009

8. Number of credit card accounts for which an adverse action notice was provided for any reason regarding the closure of an account:

a. During the 25-month period October 31, 2007, through November 30, 2009? (if an account received multiple reductions during the period count it only once)

b. During the month of November 2009

9. Number of credit card accounts for which an adverse action notice was provided for any reason regarding an increase in the interest rate on an account:

a. During the 25-month period October 31, 2007, through November 30, 2009 (if an account received multiple reductions during the period count it only once)

b. During the month of November 2009

## Section 505

Please review the Section 505 language below to help ensure that your responses to the survey have covered all the relevant practices that your institution may have used when deciding whether to reduce the credit limit or increase the interest rate on a credit card account. **Please keep in mind that the survey is focused only on transaction-related practices or those that involve the identity of the mortgage lender.**

Section 505 Language:

SEC. 505 - Report to Congress on Reductions of Consumer Credit Card Limits Based on Certain Information as to Experience or Transactions of the Consumer:

- (a) REPORT ON CREDITOR PRACTICES REQUIRED—Before the end of the 1-year period beginning on the date of enactment of this Act, the (Federal Reserve) Board, in consultation with the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, and the Federal Trade Commission, shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the extent to which, during the 3-year period ending on such date of enactment, creditors have reduced credit limits or raised interest rates applicable to credit card accounts under open end consumer credit plans based on—
1. The geographic location where a credit transaction with the consumer took place, or the identity of the merchant involved in the transaction;
  2. the credit transactions of the consumer, including the type of credit transaction, the type of items purchased in such transaction, the price of items purchased in such transaction, any change in the type or price of items purchased in such transactions, and other data pertaining to the use of such credit card account by the consumer; and
  3. the identity of the mortgage creditor which extended or holds the mortgage loan secured by the primary residence of the consumer.
- (b) OTHER INFORMATION—The report required under subsection (a) shall also include—
1. the number of creditors that have engaged in the practices described in subsection (a);
  2. the extent to which the practices described in subsection (a) have an adverse impact on minority or low-income consumers;
  3. any other relevant information regarding such practices; and
  4. recommendations to the Congress on any regulatory or statutory changes that may be needed to restrict or prevent such practice