

## CHICAGO EQUITY FUND

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October 31, 2003

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Ms. Jennifer J. Johnson  
Secretary

Board of Governors of the Federal Reserve System  
Twentieth Street and Constitution Avenue, NW  
Washington, DC 20551  
**Attention: Docket No. R-1154**

Office of the Comptroller of the Currency  
250 E Street, SW  
Public Information Room  
Mail Stop 1-5  
Washington D.C. 20219  
**Attention: Docket No. 03-14**

Regulations Comments  
Chief Counsel's Office  
Office of Thrift Supervision  
1700 G Street, NW  
Washington, DC 20552  
**Attention: No. 2003-27**

Robert E. Feldman  
Executive Secretary  
Federal Deposit Insurance Corporation  
550 17th Street, NW  
Washington, DC 20429  
**Attention: Comments**

Dear Sirs:

The Chicago Equity Fund is a tax credit syndication firm. We appreciate the opportunity to comment on the proposed Risk-Based Capital Rules.

Chicago Equity Fund strongly supports the provision of the proposed special rule for "Legislated Program Equity Exposures". This special rule preserves the current capital charge on most equity investments made under legislated programs that involve government oversight, including public welfare investments made by banks in compliance with Community Reinvestment Act (CRA) regulations. These programs provide a vital source of private sector financing for affordable housing and community development for low- and moderate-income communities, particularly in our area of the country.

However, we are troubled by another proposed rule change. The proposed "materiality" test would affect banks that have, on average, more than 10% of

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(Tier 1 plus Tier 2) capital in ALL equity investments. Our concern is that the proposed rule change could unintentionally discourage banks with substantial CRA investments from maintaining the same level of CRA investments, so as not to trigger higher capital charges on non-CRA investments. Please consider excluding CRA-related investments from the materiality test calculation. This will help ensure the continued availability of private equity capital for meeting the affordable housing needs of our nation's poorest families and for building sustainable communities.

Sincerely,

A handwritten signature in black ink, appearing to read "W. W. Higginson", with a long horizontal flourish extending to the right.

William W. Higginson  
President & CEO