

## **E. SLAVERY ERA DISCLOSURE**

### **a. Slavery Era Disclosure and Financial Reparations:**

Per Bill 030022, passed by City Council on April 3, 2003, and signed by the Mayor on April 24, 2003:

*“Each depository shall also certify compliance with Section 17-104 of the Philadelphia Code and provide the City with a long-term strategic plan to address disparities in its lending and investment activities by January 1 of each year. 17-104 are the prerequisites to the Execution and Validity of City Contracts for Slavery Era Business/Corporate Insurance Disclosure and Financial Reparations. If it has disclosed, pursuant to this subsection, slavery policies it, or its predecessor, has sold or profits from slavery it, or its predecessor, has received, provide the City with a statement of financial reparations.*

*The reparations statement shall include a description of any new financial products or programs developed by the depository to address racial disparity in its lending and investment activities.”*

The disclosure required is an affidavit of a search of all records of the company or any predecessor company regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era. The names of any slaves or slaveholders described in those records must be disclosed in the affidavit, (including reference information that may be accessible on an internet accessible World Wide Web home page of the Institution).

- i. Attach the financial institution’s research of Slavery Era Disclosure. Label this Appendix III.**
- ii. Attach the financial institution’s affidavit of Slavery Era Disclosure issued to the City of Philadelphia Procurement Department in accordance with Philadelphia City Code Chapter 17-104. Label this Appendix IV.**

**Template:**

**<https://www.phila.gov/media/20221013145219/City-of-Philadelphia-Slavery-Disclosure-Affidavit.pdf>**

## **CERTIFICATION REGARDING SLAVERY ERA BUSINESS**

U.S. Bank National Association was formed from the following major banks:

1. Star Bank, National Association (Cincinnati, Ohio) changed its name to Firststar Bank, National Association (Cincinnati, Ohio) effective February 1999;
2. Mercantile Bank National Association (St. Louis, Missouri) merged into Firststar Bank, National Association (Cincinnati, Ohio) effective April 2000;
3. United States National Bank of Oregon (Portland, Oregon) merged with First Bank, National Association under the title U.S. Bank National Association effective August 1997;
4. U.S. Bank National Association merged into Firststar Bank, National Association, and the succeeding bank, changed its name to U.S. Bank National Association effective August 2001.

These banks were acquired through mergers and acquisitions of numerous smaller banks. There are five hundred and forty-two U.S. Bank National Association predecessors. Thirty-three predecessors were founded before the abolition of slavery in December 1865. Thirteen of the pre-1866 predecessors were established in southern slave-holding states and territories, including Kansas, Kentucky, Missouri and Tennessee.

In 2005, the bank conducted a review of historical records held in various external repositories. As a result of that review, U.S. Bank National Association has identified external records of its predecessors which may necessitate disclosure. The conveyance records, while showing no record of direct ownership of enslaved individuals contained records of founders and/or directors of predecessor banks owning enslaved individuals, as well as a record where an enslaved individual was the collateral for a loan. Specifically, the first president of predecessor Marion National Bank of Lebanon, Kentucky (founded in 1856), Benedict Spalding, owned two enslaved individuals in 1850. In 1860 someone with a similar name "Benidict Spalding" is also listed as having owned fourteen enslaved individuals. In addition, certain members of the Marion National Bank of Lebanon's board of directors (called "commissioners") owned approximately forty-seven enslaved individuals in total (the records include abbreviated names which we conclude may be references to commissioners). The first president of predecessor First National Bank of Clarksville, Tennessee (founded in 1865), S.F. Beaumont, owned one enslaved individual in 1860. The first president of predecessor St. Louis Building and Savings Association, Missouri (founded in 1857), Marshall Brotherton, owned ten enslaved individuals in 1850 and four enslaved individuals in 1860. Merchants Bank (founded in 1857) and Bank of St. Louis (founded in 1857), both predecessors, along with a group of other St. Louis firms, issued a mortgage to Charles McLaran that was secured by his property, which included an unspecified number of enslaved individuals. However, the 1860 Federal Census Slave Schedule for St. Louis provided that Charles McLaran owned thirteen enslaved individuals.

In 2022, the bank conducted a review of U.S. Bancorp (the parent company of U.S. Bank National Association) subsidiaries and affiliates formed or acquired since 2005. Based on that internal review, none of the entities identified were formed prior to 1866.

CITY OF PHILADELPHIA – BUSINESS, CORPORATE AND SLAVERY ERA INSURANCE ORDINANCE

A Business Entity entering into a Contract with the City must complete an Affidavit disclosing any and all records of Participation or Investment in, or Profits derived from Slavery, including Slaveholder Insurance Policies, during the Slavery Era. The Business Entity must complete and submit the Affidavit and any attachments to the Procurement Department. This is required only of the Business Entity actually selected for award of a Contract. It must be done after the Contract or Contract amendment has been executed. Questions regarding the Affidavit may be directed to the Procurement Department Customer Service at [bid.info@phila.gov](mailto:bid.info@phila.gov).

City Department Awarding Agreement Various Department(s) Department Contact Person Various Contact Person(s)

AFFIDAVIT DISCLOSING SLAVERY ERA PARTICIPATION, INVESTMENTS, OR PROFITS

- I, Andrew J Heesen, am authorized to bind contractually the Business Entity identified below.
- Information about the Business Entity entering into a Contract with the City is as follows:  

<u>U.S. Bank National Association</u>	<u>651.528.5375</u>		
Business Entity Name	Phone		Fax
<u>50 South 16th Street</u>	<u>Philadelphia</u>	<u>PA</u>	<u>19102</u>
Street Address	City	State	Zip
- Has the Business Entity submitted the Slavery Affidavit previously? NO  YES Date of prior submission: 6/29/2022 If "NO," complete Section 4, 5, and 6. If "YES," list the date of prior submission and skip to Section 6 and execute the form.
- The Business Entity came into existence in \_\_\_\_\_ (year).
- The Business Entity has searched its records and those of any Predecessor Companies for information relating to Participation or Investments in, or Profits derived from Slavery or Slaveholder Insurance Policies. Based on that research, the Business Entity represents that:  
  
 \_\_\_\_\_ The Business Entity found no records that the Business Entity or any of its Predecessor Companies had any Participation or Investments in, or derived Profits from, Slavery or Slaveholder Insurance Policies during the Slavery Era.  
  
 \_\_\_\_\_ The Business Entity found records that the Business Entity or its Predecessor Companies Participated or Invested in, or derived Profits from Slavery during the Slavery Era. The nature of that Participation, Investment, or Profit is described on the attachment to this Affidavit and incorporated herein.  
  
 \_\_\_\_\_ The Business Entity found records that the Business Entity or its Predecessor Companies bought, sold, or derived Profits from Slaveholder Insurance Policies during the Slavery Era. The names of any Enslaved Persons or Slaveholders under the Policies are listed on the attachment to this Affidavit and incorporated herein.

6. I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the representations made herein are true and correct to the best of my knowledge.

Executed on 6/27/2023 at Collegeville, PA  
(Date) (City) (State)

Signature: *Andrew J Heesen* Title: Vice President/Relationship Manager

Notary: *Dorine C Goodridge*  

Commonwealth of Pennsylvania - Notary Seal Dorine C. Goodridge, Notary Public Montgomery County My commission expires October 26, 2026 Commission number 103081115 Member, Pennsylvania Association of Notaries
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**City** means the City of Philadelphia.

**Business Entity** means any individual, domestic corporation, foreign corporation, association, syndicate, joint stock company, partnership, joint venture, or unincorporated association, including any parent company, subsidiary, exclusive distributor or company affiliated therewith, engaged in a business or commercial enterprise.

**Contract** means any agreement, franchise, lease or concession including an agreement for any occasional professional or technical personal services, the performance of any work or service, the provision of any materials or supplies or rendering of any service to the City of Philadelphia or the public, which is let, awarded or entered into with or on behalf of the City of Philadelphia or any Department or Agency of the City.

**Enslaved Person** means any person who was wholly subject to the will of another and whose person and services were wholly under the control of another and who was in a state of enforced compulsory service to another during the Slavery Era.

**Investment** means to make use of an Enslaved Person for future benefits or advantages.

**Participation** means having been a Slaveholder during the Slavery Era. Predecessor Business Entity means an entity whose ownership, title and interest, including all rights, benefits, duties and liabilities were acquired in an uninterrupted chain of succession by the Business Entity.

**Profit** means any economic advantage or financial benefit derived from the use of Enslaved Persons.

**Slaveholder** means holders of Enslaved Persons, owners of business enterprises using Enslaved Persons, owners of vessels carrying Enslaved Persons or other means of transporting Enslaved Persons, merchants or financiers dealing in the purchase, sale or financing of the business of Enslaved Persons.

**Slaveholder Insurance Policies** means policies issued to or for the benefit of Slaveholders to insure them against the death of, or injury to, Enslaved Persons.

**Slavery** means the practice of owning Enslaved Persons.

**Slavery Era** means that period of time in the United States of America prior to 1865.