**NBA Annual Convention Cancellation**
Notice is hereby given that the Annual Meeting and Convention of the Nebraska Bankers Association Inc. scheduled for May 6-8, 2020, has been canceled. Staff is reviewing alternatives to comply with Annual Meeting requirements within the articles and bylaws of the association.

Please feel free to contact the NBA office at 402-474-1555 with questions.

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**NBA Education and Events Calendar Updates**
The COVID-19 situation is the topic of conversation everywhere we turn with developments changing by the hour, and sometimes minute. Following the recent Presidential news conference and Centers for Disease Control and Prevention guidance, the NBA had fielded a large number of calls from NBA event registrants with scheduling questions and concerns. Due to the recommended event protocol the following programs have been postponed or canceled.

- **Bank Executives & Directors Conference** POSTPONED – TBD
- **Principles of Banking** RESCHEDULED – July 14-15
- **Tri-State Leadership & HR Conference** CANCELED
- **Preparing for Your Next IT Exam** RESCHEDULED – July 23
- **Spring Agri-business Conference** CANCELED
- **Annual Convention** CANCELED

The NBA will provide full refunds of program registration fees, however, registrants are responsible for canceling hotel and related travel reservations. Visit nebankers.org/education.html for the most up-to-date listing of NBA events. Please contact the NBA Education Center at nbaeducation@nebankers.org or call 402-474-1555.

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**NBA COVID-19 (Coronavirus) Resource Webpage**
The NBA has established a COVID-19 webpage nebankers.org/covid-19-coronavirus which includes several resources, NBA event updates, and bank specific operation updates to assist member banks working through Pandemic Preparedness Planning and implementation. Additional resources will be added to the webpage as they become available.

We also request that you and your team kindly forward any other documents or resources that may be helpful to others as well as changes to your bank operations so we may add them to the respective lists. The webpage will also include any cancellations or updates to NBA related events.

Please feel free to call the NBA office at 402-474-1555 with any questions or concerns.
**Agencies: Banks Can Use Capital, Liquidity Buffers to Meet Coronavirus Challenges**

The Federal Reserve, Federal Deposit Insurance Corporation and Office of the Comptroller of the Currency Tuesday issued a statement calling on banks to use their capital and liquidity buffers to help meet the needs of households and businesses as the coronavirus pandemic continues. The agencies noted that banks have “built up substantial levels of capital and liquidity in excess of regulatory buffers and minimums” in the years since the financial crisis.

“The agencies support banking organizations that choose to use their capital and liquidity buffers to lend and undertake other supportive actions in a safe and sound manner,” the statement said. “The agencies expect banking organizations to continue to manage their capital actions and liquidity risk prudently.”

The agencies also issued an interim final rule to facilitate the use of capital buffers to bolster lending. The rule, which takes effect upon publication in the Federal Register, revises the definition of eligible retained income for all depository institutions, bank holding companies and savings and loan holding companies subject to the agencies’ capital rule. The revised definition of eligible retained income will make any automatic limitations on capital distributions that could apply under the agencies’ capital rules more gradual. Read the statement. Read the interim final rule.

**Fed Unveils New Commercial Paper, Primary Dealer Credit Facilities**

To help ensure the continued flow of credit to households and businesses and support smooth market functioning, the Federal Reserve (Fed) Tuesday announced that it will establish new facilities for commercial paper funding and primary dealer credit using its authority under Section 13(3) of the Dodd-Frank Act.

The Fed's commercial paper funding facility (CPFF) will provide a liquidity backstop to U.S. issuers of commercial paper—which finances a range of economic activity, including the operational needs of companies—by allowing the Fed to purchase unsecured and asset-backed commercial paper directly from eligible companies. The U.S. Treasury will provide $10 billion of credit protection to the Fed in connection with the CPFF from the Treasury’s Exchange Stabilization Fund.

The Fed also announced a new primary dealer credit facility (PDCF), which starting on March 20 will offer overnight and term funding with maturities up to 90 days. The PDCF will be available for at least six months and may be extended. Collateral for credit extended through the PDCF may include a broad range of investment-grade debt securities and equity securities. Read more about the CPFF. Read more about the PDCF.

**Agencies Issue Pandemic Planning Guidance for Banks**

The Federal Financial Institutions Examination Council late Friday issued guidance for banks on business continuity planning in the face of a pandemic. The agencies noted that plans should provide for a preventative program, a documented strategy scaled to the stages of a pandemic outbreak and a comprehensive framework to ensure the continuance of critical operation, a testing program and an oversight plan. Read Interagency Statement on Pandemic Planning.

**CISA Recommendations for Enhancing Enterprise VPN Security**

As more employees begin teleworking in response to COVID-19, the Cyber and Infrastructure Security Agency last week released recommendations to assist organizations in strengthening their cybersecurity posture. The alert provides technical details and cybersecurity considerations regarding telework, along with recommended mitigations and additional resources from the National Institute of Standards and Technology, the National Security Agency and more. See the alert.

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**News Source: American Bankers Association**
FHFA Suspends Foreclosures and Evictions for Enterprise-Backed Mortgages

To help borrowers who are at risk of losing their home, the Federal Housing Finance Agency (FHFA) Wednesday, directed Fannie Mae and Freddie Mac (the Enterprises) to suspend foreclosures and evictions for at least 60 days due to the COVID-19 national emergency. The foreclosure and eviction suspension applies to homeowners with an Enterprise-backed single-family mortgage.

Earlier this month, FHFA announced that the Enterprises would provide payment forbearance to borrowers impacted by COVID-19. Forbearance allows for a mortgage payment to be suspended for up to 12 months due to hardship caused by COVID-19.

“This foreclosure and eviction suspension allows homeowners with an Enterprise-backed mortgage to stay in their homes during this national emergency,” said Director Mark Calabria. “As a reminder, borrowers affected by the coronavirus who are having difficulty paying their mortgage should reach out to their mortgage servicers as soon as possible. The Enterprises are working with mortgage servicers to ensure that borrowers facing hardship because of the coronavirus can get assistance.”

FHFA will continue to monitor the coronavirus situation and update policies as needed.

Also on Wednesday, President Trump directed the Department of Housing and Urban Development (HUD) to suspend evictions and foreclosures through April as Americans grapple with the fallout of COVID-19.

NDBF Statement on Financial Institutions Working with Customers Affected by COVID-19 and Regulatory Assistance

The Nebraska Department of Banking and Finance (NDBF) recognizes the potential for COVID-19 to adversely affect the customers and operations of financial institutions. The Mission of the NDBF is to protect and maintain the public confidence in the Financial Institutions of Nebraska. NDBF is committed to maintaining all critical functions to fulfill its supervisory mandate. NDBF encourages financial institutions to take steps to meet the financial services needs of affected customers and communities. NDBF is considering the following regulatory assistance effective and continuing until the state of emergency has been lifted. View full institution update. NDBF COVID-19 Consumer and Industry Guidance webpage.

District Court Ruling Received on MOCU Appeal

The District Court of Lancaster County has dismissed the appeal filed by the NBA and the Nebraska Independent Community Bankers (NICB). The appeal sought to challenge Nebraska Department of Banking and Finance (NDBF) Director, Mark Quandahl’s, ruling authorizing MembersOwn Credit Union (MOCU) to partially expand its field of membership.

MOCU’s application sought authority to expand its field of membership into 11 additional counties in southeast Nebraska. Of the 11 counties, Director Quandahl approved expansion into the counties of Seward, Saline, Jefferson, Saunders, Cass, Otoe, Johnson and Pawnee. The Director denied expansion into the three counties of Butler, Nemaha and Richardson.

The District Court dismissed the appeal on procedural grounds. The NBA and NICB argued to the District Court that the Department’s Order on May 3 was not a final Order and, was in fact, a conditional Order, which required MOCU to act before the appeal could be taken. Without addressing this factor, the appeal was dismissed.

In the next several days, your NBA team, in collaboration with the NBA executive committee, will discuss the Court’s decision and consider available options.
SBA Updates State Criteria for Requesting Disaster Assistance Loans for Small Businesses Impacted by Coronavirus (COVID-19)

As part of the Trump Administration’s aggressive efforts to combat the COVID-19 outbreak and minimize economic disruption to the nation’s 30 million small businesses, U.S. Small Business Administration (SBA) Administrator Jovita Carranza issued revised criteria for states or territories seeking an economic injury declaration related to COVID-19.

The relaxed criteria will have two immediate impacts:

- **Faster, Easier Qualification Process for States Seeking SBA Disaster Assistance.** Under the revised criteria, states or territories are only required to certify that at least five small businesses within the state/territory have suffered substantial economic injury, regardless of where those businesses are located.

- **Expanded, Statewide Access to SBA Disaster Assistance Loans for Small Businesses.** Under the revised criteria, disaster assistance loans will be available statewide following an economic injury declaration. This will apply to current and future disaster assistance declarations related to COVID-19.

For additional information, visit the SBA disaster assistance website at [sba.gov/Disaster](http://sba.gov/Disaster). Read [press release](http://pressrelease).

Compliance Alliance Q&A

Q: What type of concerns should the bank consider if we decided to host a podcast with one of our mortgage loan originators and one of his friends who is a Realtor? Currently, the plan is for the podcast to discuss the housing market, conduct interviews, and talk about what our city has to offer.

A: The main concern here would be a potential Real Estate Settlement Procedures Act Section 8 violation, which in general prohibits referral relationships between the bank and settlement service providers.

"(b) No referral fees. No person shall give and no person shall accept any fee, kickback or other thing of value pursuant to any agreement or understanding, oral or otherwise, that business incident to or part of a settlement service involving a federally related mortgage loan shall be referred to any person. Any referral of a settlement service is not a compensable service, except as set forth in § 1024.14(g)(1). A company may not pay any other company or the employees of any other company for the referral of settlement service business."


The bank should also follow its social media policy as I assume the bank will be sharing the podcast online. We also recommend including a disclaimer that the views expressed do not represent those of the bank.

Additionally, depending on the topics discussed, the bank may need to include certain disclosures. For example, if the podcast includes any home loan advertising, it must also include the "Equal Housing Lender" disclosure: [https://www.fdic.gov/regulations/laws/rules/2000-6000.html](https://www.fdic.gov/regulations/laws/rules/2000-6000.html).

Finally, we suggest reviewing our Advertising and Marketing Review Checklists for further guidance on the requirements: [https://compliancealliance.com/find-a-tool/tool/advertising-and-marketing-review-checklists](https://compliancealliance.com/find-a-tool/tool/advertising-and-marketing-review-checklists).

Not a Compliance Alliance Member?

Learn more about membership with Compliance Alliance by attending one of our live demos:

- **Tuesday, March 24 @ 10 a.m. CST**
- **Thursday, March 26 @ 1 p.m. CST**

**Compliance Alliance** offers a comprehensive suite of compliance management solutions. To learn how to put them to work for your bank, call (888) 353-3933 or email [info@compliancealliance.com](mailto:info@compliancealliance.com).

Extraordinary Service for Extraordinary Members
Bankers in the News

Alice Dittman, Cornhusker Bank (Lincoln) Chairman Emeritus, and NBA past president will be inducted to the Commercial Real Estate (CRE) Hall of Fame during the 2020 CRE Summit. Dittman has been an integral part of the state’s banking heritage, including being the first woman bank president in Lincoln or Omaha and the first woman president of the Nebraska Bankers Association.

Laura Troshynski, First National Bank of Omaha (North Platte) has been elected to the Humanities Nebraska Foundation Board of Directors.

Banks in the News

Flatwater Bank (Gothenburg) is hosting seminars about fraud, March 18-19, specifically about “what scammers don’t want you to know.” The bank’s goal is to educate the public about the scams and how to avoid them.

Great Western Bank (Grand Island) presented Crossroads Mission with a check for $10,000 on March 10. The contribution will go toward building an emergency shelter for homeless men with an expansion that will serve as its traditional housing. (pictured right)

Platte Valley Bank (Bridgeport) recently donated $700 to the Bridgeport Ministerial Association Food Pantry to assist those in need. Over the past two years bank employees have paid one to two dollars to wear jeans on Fridays to raise money for community betterment.

Two Rivers Bank (Arlington) has been a huge supporter in partnership with the Arlington Future Business Leaders of America to create an In-School Bank. Now in its fourth year, students in kindergarten through sixth grade have saved more than $21,000.
Promotions & Appointments

HASTINGS: Beth Coil, branch president, Heartland Bank.

NORTH PLATTE: Jennifer Schurr, vice president, loan services manager, NebraskaLand National Bank.

OMAHA: Aaron C. Gilson, vice president, business development officer & treasury management consultant, First Westroads Bank.

PIERCE: Sue Bachman, senior vice president, human resources, Midwest Bank.

PIERCE: Bill Brookhouser, senior vice president, lead credit analyst, Midwest Bank.

PIERCE: Kathy Warneke, vice president, Midwest Bank.

PIERCE: Deb Zautke, vice president, Midwest Bank.

PILGER: Peg S. Brabec, vice president, Midwest Bank.
Share your news with the Nebraska Bankers Association!

Whenever your financial institution has a newsworthy event, we want to hear from you! Email your news, press releases, newspaper clippings and/or photos to be published in an upcoming Banks & Bankers and/or featured on social media.

Email: news@nebankers.org / Facebook: @NebraskaBankersAssociation / Twitter: @nebankers