

Update

Bankers Testify at the Legislature

Kristi Thornton of West Gate Bank (Omaha) and Kevin Postier of Henderson State Bank (Henderson) testified this week in front of Nebraska Legislature Committees. Thornton and NBA President and CEO Richard Baier testified before the Education Committee in support of two financial literacy bills. [LB 327](#), introduced by Senator Julie Slama, and [LB 452](#), introduced by Senator Terrell McKinney, will ensure all Nebraska students have increased access to financial literacy education.



Kristi Thornton shared her financial literacy experiences with the members of the Education Committee



Kevin Postier testifying before the Banking, Commerce and Insurance Committee

Postier shared testimony with the Banking, Insurance and Commerce Committee in support of [LB 535](#) which would require a notice of lapse and termination be made to any known assignees on life insurance policies at least 30 days before the effective date of the lapse and termination. Postier brought this issue to the attention of the NBA government relations team and LB 535 was introduced by Senator Mark Kolterman on behalf of the NBA.

Take Advantage of NBA Educational Offerings

February and March are packed with training opportunities for everyone at your bank. The NBA's educational offerings will help your employees keep abreast of industry changes and trends.

Mid-Winter IRA Essentials - Feb. 8-9
[Details and Registration](#)

Supervisor Bootcamp - Mar. 2, 4, 16, 18
[Details and Registration](#)

Mid-Winter IRA Advanced Workshop - Feb. 10-11
[Details and Registration](#)

Principles of Banking Seminar - March 9-10
[Details and Registration](#)

Health Savings Account Seminar - Feb. 12
[Details and Registration](#)

Tri-State Marketing & Human Resources Conference - Mar. 18-19
[Details and Registration](#)

Operations Conference - Feb. 24-25
[Details and Registration](#)

Paycheck Protection Program Updates

Second-Draw Loans Procedural Notice

The Small Business Administration issued a notice outlining how it will move forward with the processing of second-draw PPP loan applications for borrowers who still have an unresolved issue related to their first-draw loan.

[Read the Procedural Notice](#)

FinCEN PPP FAQs

The Financial Crimes Enforcement Network (FinCEN) updated its frequently asked questions (FAQs) on PPP. The FAQs address how lenders can meet Bank Secrecy Act requirements when issuing a PPP loan. The FAQs clarify that lenders may rely on information obtained from a borrower during a first-draw loan application for a second-draw application, provided the borrower is an existing customer.

[View the FAQs](#)

Shuttered Venue Operators Grants

The SBA released FAQs related to the Shuttered Venue Operators Grants (SVOG). The FAQs clarify that entities that received a PPP loan in 2020 are eligible for a SVOG. However, an entity that applied for a First or Second Draw PPP loan after Dec. 27, 2020, is only eligible for a SVOG if the PPP loan application is declined.

[Read the FAQs](#)

Loan Data

As of Jan. 31, \$743,971,220 in PPP loans have been approved in Nebraska in 2021. Nebraska ranks No. 15 in the number of loans approved with 21,209. In total, 891,044 loans totaling over \$72.7 billion dollars have been approved in 2021. NBA President and CEO Richard Baier recently spoke with [Bloomberg News](#) about how Nebraska banks are helping small businesses and agricultural producers access PPP loans.

[Access the Data](#)

SBA Guidance on 7(a), 504, Microloans

The SBA released several notices on various COVID-19 relief programs. An information notice provides an update on the tax treatment of payments made to borrowers to cover principal, interest and fees on certain 7(a), 504 loans and microloans under Section 112 of the CARES Act. Other procedural notices extend the use of electronic signatures for 7(a), 504 and microloan programs through April 30, and extend temporary procedures for microloan closings through April 30. Additional notices were released regarding modifications of SBA's 7(a) program, the elimination of certain 504 program fees, and a notice to lenders that SBA has informed eligible borrowers of assistance available under section 112 of the CARES Act.

[Read the Tax Treatment Notice](#)

[Read the 7\(a\) Modification Notice](#)

[Read the 7\(a\) and 504 E-signature Notice](#)

[Read the 504 Fee Notice](#)

[Read the Microloan E-signature Notice](#)

[Read the Borrower Assistance Notice](#)

[Read the Microloan Closing Notice](#)

OCC Pauses Fair Access Rule

The Office of the Comptroller of the Currency (OCC) paused the publication of the Fair Access Rule which states that banks should provide access to services, capital and credit based on their risk assessment of individual customers and not make broad-based decisions.

[Learn More](#)

CISA Reduce the Risk of Ransomware Campaign

The Cybersecurity and Infrastructure Agency announced a new campaign, Reduce the Risk of Ransomware, to encourage the implementation of best practices to mitigate the risks of ransomware. Resources are available to help organizations bolster their security posture and understand the threats from a ransomware attack. The Conference of State Bank Supervisors (CSBS) has also developed a ransomware self-assessment tool.

[Access CISA Resources](#)

[Access the CSBS Tool](#)

OCC Releases List of Areas Eligible for CRA Credit

The OCC published the 2021 list of distressed or underserved areas where banks participating in certain revitalization or stabilization activities may receive Community Reinvestment Act (CRA) credit under the June 2020 CRA rule. The OCC also published a list delineating the CRA “bank type” of each bank subject to the OCC’s new CRA rules. The OCC will consider a bank with assets of \$600 million or less to be a small bank, while banks with assets between \$600 million and \$2.5 billion are considered intermediate and banks with assets greater than \$2.5 billion are subject to the general performance standards. In addition, the OCC announced that the median hourly compensation value that will be applied to qualifying community development service activities is \$39.03. This figure will be used to quantify the value of a bank’s community development services performed from Oct. 1, 2020 through Dec. 31, 2021.

[Learn More](#)

USDA Suspends Debt Collections, Foreclosures

The U.S. Department of Agriculture (USDA) announced the temporary suspension of past-due debt collections and foreclosures for distressed borrowers under the Farm Storage Facility Loan and the Direct Farm Loan programs. USDA will temporarily suspend non-judicial foreclosures, debt offsets or wage garnishments, and referring foreclosures to the Department of Justice. USDA will also work with the U.S. Attorney’s Office to stop judicial foreclosures and evictions on accounts that were previously referred to the Department of Justice. Additionally, USDA has extended deadlines for producers to respond to loan servicing actions, including loan deferral consideration for financially distressed and delinquent borrowers. In addition, for the Guaranteed Loan program, flexibilities have been made available to lenders to assist in servicing their customers.

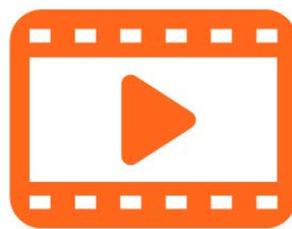
[Learn More](#)

Lights, Camera, Save

Banks can still sign up to participate in this year’s Lights, Camera, Save! Contest. The contest encourages teens to create a video on the value of sound money management. Banks across the country will be accepting entries through March 1. Registered banks will host the first round of judging and select a winner to compete on the

national level for several awards, including a grand prize of \$5,000, a \$2,000 second prize and \$1,000 third and fourth prizes. Winning entrants will go on to compete in a bracket-style tournament hosted on the American Bankers Association’s Instagram page where the public will be able to vote for their favorite video.

[Register Your Bank](#)



**LIGHTS
CAMERA
SAVE!**®

Meet the NBA Leadership Class of 2022

The NBA has launched a series of social media profiles on the NBA Leadership Class of 2022. Each week, we will be profiling a different member of the class. This week, Derrick Leyden of F&M Bank in Falls City shared his thoughts on leadership and banking.

See his profile on:

[Facebook](#)

[Twitter](#)

[Instagram](#)

[LinkedIn](#)

Compliance Alliance

Q: If the Bank is escrowing for flood insurance is there a regulatory requirement to also escrow for real estate taxes or can the bank waive it?

A: The federal regulations only require you to escrow for taxes and hazard insurance if the loan is an HPML. Escrowing for taxes and hazard insurance can also be required by internal or investor guidelines.

Reference:

Except as provided in paragraph (b)(2) of this section, a creditor may not extend a higher-priced mortgage loan secured by a first lien on a consumer's principal dwelling unless an escrow account is established before consummation for payment of property taxes and premiums for mortgage-related insurance required by the creditor, such as insurance against loss of or damage to property, or against liability arising out of the ownership or use of the property, or insurance protecting the creditor against the consumer's default or other credit loss.

12 CFR § 1026.35(b)(1): <https://www.consumerfinance.gov/rules-policy/regulations/1026/35/#b-1>

Not a member? Learn more about membership with Compliance Alliance by attending one of our live demos:

- [Live Demo on Thursday, Feb. 4, 1:00 pm CT](#)
- [Live Demo on Tuesday, Feb. 9, 10:00 am CT](#)

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 and ask for our Membership Team.

Submit Your Scenes of Nebraska

The NBA is accepting photos of Nebraska for the 2022 Scenes of Nebraska Calendar. Specifications for submissions are available at <https://www.nebankers.org/calendars.html>

The photo entry deadline is March 1.

Send your entries to nbaproducts@nebankers.org



January 29, 2021

The first 17 days of the 2021 Legislative Session have gone relatively smoothly as legislative committees began conducting public hearings during the past week. The initial bills advanced to the floor for consideration by the full legislature will not be debated until February 16. Until that time, committees will be holding “two-a-days,” with committee hearings being conducted in both the mornings and the afternoons.

HEARING ACTIVITY

The NBA presented testimony in support of each of the following bills that were heard before the *Banking, Commerce and Insurance Committee* during the past week:

LB 23 – Real Property Appraiser Act: Senator Matt Williams (Gothenburg) has introduced legislation that would make “technical corrections” to the existing Real Property Appraiser Act to remain in compliance with the Appraiser Qualification Board’s Real Property Appraiser Qualification Criteria.

LB 66 – Public Funds Deposit Security Act: Senator Williams has also introduced a bill (LB 66), on behalf of the NBA, that makes a series of “technical” amendments to the Public Funds Deposit Security Act in recognition of the differences between the “dedicated” method and the “single bank pooled collateral” method of pledging for public funds by changing references from “custodial official” to “governmental unit,” where applicable. In addition, the bill provides for the manner in which a valid and perfected security interest is to be established in securities pledged for public funds under the “single bank pooled collateral” method of pledging for public funds. Finally, the bill clarifies that a bank, capital stock financial institution or qualifying mutual financial institution which is chartered by a foreign state agency as defined in *Neb.Rev.Stat.* Section 8-101.03(13) may serve as a qualified trustee under the “dedicated” and the “single bank pooled collateral” method of pledging for public funds.

LB 363 – Omnibus Department of Banking Bill: Senator Williams introduced LB 363 which 1) contains the annual state-chartered bank and savings and loan “wild card” provisions; 2) would replace the terms “undivided profits on hand” and “net profits on hand” with “retained net income” for purposes of dividend distributions; and 3) prohibit a person appointed to fill a vacancy on a trust company board of directors’ from serving as director until approval is obtained from the Department of Banking and would require the President of a trust company to be a member of the board of directors.

Each of the bills listed above have been advanced to General File by the Banking, Commerce and Insurance Committee.

The NBA will also present testimony before the Government, Military and Veterans Affairs Committee on January 29 in support of the following measure on the NBA Affirmative Legislative Agenda:

LB 94 – Online Notary Public Act: A measure (LB 94), introduced by the Government, Military and Veterans Affairs Committee, would clarify that (1) online notarial acts performed after April 2, 2020 and

before July 1, 2020, pursuant to the Governor’s Executive Order No. 20-13; and (2) legal instruments executed during this time period involving online notarial acts shall not be invalidated.

NBA BILLS SET FOR HEARING

The following bills, on the NBA Affirmative Legislative Agenda, will be heard by the Banking, Commerce and Insurance Committee on February 2:

LB 503 – Trust Deeds/Trustee Interpleader Action: Senator Flood has also introduced LB 503 on behalf of the NBA, which would authorize a junior lienholder, in an interpleader action relating to the payment of proceeds of a trustee’s sale, to recover attorney fees from any party objecting, without a good faith reason, to the proposed distribution of funds by the trustee. If a judgment is entered in favor of the junior lienholder in an amount equal to or greater than the portion of funds paid into the court by the trustee to which the holder claims to be entitled, it is a rebuttable presumption that the objecting party did not do so in good faith.

LB 535 – Notice of Lapse or Termination of Life Insurance Policy: LB 535, introduced by Senator Mark Kolterman (Seward), on behalf of the NBA, would prohibit a policy of life insurance subject to an assignment to be terminated or lapsed by reason of default in payment of any premium unless a notice of pending lapse and termination of the policy has been provided by the insurer to any known assignee at least 30 days prior to the effective date of the lapse and termination. The bill would allow the notice of lapse and termination to be provided electronically by the insurer to any assignee who has requested notice.

UPCOMING HEARINGS

The NBA will appear before multiple committees next week to present testimony on the following bills of interest to the banking industry:

Banking, Commerce and Insurance Committee:

LB 234 – Corporate Reports and Occupation Taxes: Senator Mike Flood (Norfolk) has introduced LB 234 which would change corporate reports and occupation taxes from every two years to every five years, commencing on March 1, 2025. **(NBA Position – Support)**

LB 509 – State Treasurer Duties: Senator Brett Lindstrom (Omaha) has introduced LB 509 which would include among the duties of the State Treasurer to promote financial literacy. **(NBA Position – Support)**

Education Committee

LB 327 – Financial Literacy: Senator Julie Slama (Peru) has introduced legislation that would require, commencing in school year 2022-23, for at least one-half credit hour of the minimum credit hours required for graduation to be a personal finance or financial literacy course. **(NBA Position – Support)**

LB 452 – Financial Literacy Act: LB 452, introduced by Senator Terrell McKinney (Omaha), is a measure that would, beginning with school year 2022-23, require each school district, in consultation with the state Department of Education, to develop for incorporation into all phases of the curriculum of grades K-12, a financial literacy program (knowledge and skills regarding budgeting, credit, checking and savings accounts, loans, stocks, and insurance). The bill would require each school district to present evidence annually to the state Department of Education, that financial literacy is being taught to students in accordance with the requirements of the Act. **(NBA Position – Support)**

LB 327 and LB 452 will be heard by the Education Committee on Monday, February 1. A “background paper” setting forth additional information and “talking points” accompanies this NBA

Legislative Update for your assistance in contacting members of the Education Committee to encourage support for these measures.

Revenue Committee

LB 422 – Sales Tax on Services: Senator Tom Briese (Albion) has introduced a measure (LB 442), which would, commencing October 1, 2022, reduce the state sales tax rate from 5.5 percent to 5 percent with adjustments in each of the next four calendar quarters to provide approximately the same amount of sales and use tax revenue for the state as would have been generated without the expansion of sales tax on services provided under the bill. The measure would apply the state sales tax to all services (all activities engaged in for other persons for a consideration and that involve predominantly the performance of a service as distinguished from selling or leasing tangible personal property, excluding services rendered by an employee to his or her employer) which shall be presumed taxable unless a specific sales tax exemption applies. **(NBA Position – Oppose)**

LB 133 – The Nebraska Consumption Tax Act: Senator Steve Erdman (Bayard) is the sponsor of LB 133, which would eliminate all property, income and corporate taxes and replace it with a tax on the use or consumption in the state of Nebraska of taxable property or services (excludes intangible property and services, including financial intermediation services) at a rate of 10.64 percent. The legislation would impose the consumption tax on financial intermediation services, including explicitly and implicitly charged fees for financial intermediation services to be collected with the same frequency that statements are rendered by the financial institution, but not less frequently than quarterly. The principal and interest component of financing leases would also be subject to the consumption tax. **(NBA Position – Oppose)**

LB 194 -Nebraska Job Creation and Main Street Revitalization Act: LB 194, introduced by Senator Tony Vargas (Omaha) would expand the eligibility for applications to Nebraska’s Historic Building Tax Credit Program and increase the tax credit for historically significant real property located in a county that includes a city of the metropolitan class or a city of the primary class from 20 percent to 25 percent and for historically significant real property located in any other county increases the credit from 20 percent to 30 percent, with the maximum credit allocated to any one project in the amount of \$2 million. **(NBA Position – Support)**

LB 682 – New Markets Job Growth Investment Act: Introduced by Senator Lou Ann Linehan (Omaha), LB 682 would provide additional utilization of federal dollars being appropriated to the United States Treasury Federal Program; provide additional transparency and extend the “sunset” date on new applications from December 31, 2022 to December 31, 2029. **(NBA Position – Support)**

LB 346 – Fueling Station Tax Credit Act: Introduced by Senator Anna Wishart (Lincoln), LB 346 would establish a tax credit against the income tax and the bank franchise tax for any taxpayer placing a qualified alternative-fuel fueling station in service during calendar year 2021 or 2022. The bill would authorize a credit equal to 75 percent of the cost of the qualified alternative-fuel fueling station and authorize total credits under the Act in the amount of \$25 million. **(NBA Position – Support)**

Judiciary Committee

LB 403 – Medicaid Estate Recovery: Senator Slama has also introduced a measure that would establish a five-year statute of limitations for recovery of Medicaid benefits by the Department of Health and Human Services with respect to a retained life estate by the recipient of medical assistance. **(NBA Position – Support)**

LB 394 – Eviction/Foreclosure Moratorium: Senator Adam Morfeld (Lincoln), has introduced a measure that would authorize municipalities to impose moratoriums on evictions and mortgage foreclosures during “public health emergencies.” **(NBA Position – Oppose)**

BACKGROUND PAPER ON LB 327 AND LB 452

ISSUE: LB 327 AND LB 452 – FINANCIAL LITERACY

NBA POSITION: SUPPORT

BACKGROUND:

Senator Julie Slama (Peru) has introduced LB 327 to require a personal finance or financial literacy course for each high school student commencing in the 2022-2023 school year. The course must be at least one-half credit hour and would be required for graduation.

Also, LB 452, introduced by Senator Terrell McKinney (Omaha), would, beginning with school year 2022-23, require each school district, in consultation with the state Department of Education, to develop into all phases of the curriculum of grades K-12, a financial literacy program (knowledge and skills regarding budgeting, credit, checking and savings accounts, loans, stocks, and insurance). The bill would require each school district to present evidence annually to the state Department of Education, that financial literacy is being taught to students in accordance with the requirements of the Act.

ARGUMENTS IN SUPPORT OF LB 327 and 452:

1. Personal finance is a life skill. Students need to know how money works and how it works for them;
2. Financial literacy skills are critical for success in career and life. Nebraska’s schools should increase the emphasis on instruction in economics and personal finance for high school students;
3. Individuals with appropriate financial literacy training make better financial decisions and manage money better than those without such training;
4. Students need a strong foundation in economics and personal finance to function effectively as consumers, workers, savers, investors, entrepreneurs and active citizens;
5. A 2018 National Endowment for Financial Education Study shows the financial education in states with state-mandated personal finance graduation requirements causes students to make better decisions about how to pay for college; and
6. In 2017, Nebraska was given a “C” grade from the national report card on financial literacy in high schools. We can and must do better.

Please contact the members of the Education Committee set forth below to encourage them to support LB 327 and LB 452.

EDUCATION COMMITTEE

Meets Mondays and Tuesdays

Lynne Walz (District 15), Chairperson, lwalz@leg.ne.gov	(402) 471-2625
Jen Day (District 49) jday@leg.ne.gov	(402) 471-2725
Terrell McKinney (District 11) tmckinney@leg.ne.gov	(402) 471-2612
Lou Ann Linehan (District 39) llinehan@leg.ne.gov	(402) 471-2885
Adam Morfeld (District 46) amorfeld@leg.ne.gov	(402) 471-2720
Dave Murman (District 38) dmurman@leg.ne.gov	(402) 471-2732
Patty Pansing Brooks (District 28) ppansingbrooks@leg.ne.gov	(402) 471-2633
Rita Sanders (District 45) rsanders@leg.ne.gov	(402) 471-2615

January 29, 2021

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HMDA – 2020 FILING PERIOD OPEN

The Consumer Financial Protection Bureau (CFPB) has announced that the filing period for HMDA data collected in 2020 opened on January 1, 2021. Submissions will be considered timely if received on or before Monday, March 1, 2021. Financial institutions can access the HMDA Platform to begin the filing process for data collected in 2020 at <https://ffiec.cfpb.gov/filing/2020/>.

Users will receive a confirmation email upon submission of their HMDA data. The confirmation email will be sent to the email account of the user that has submitted the data.

The Beta Testing Platform, found at <https://ffiec.beta.cfpb.gov/filing/2020/>, would remain available on an ongoing basis for filers wishing to test their submissions. Please note that the Beta Testing Platform is for testing purposes only. No data entered on the Beta Testing Platform will be considered a HMDA submission for compliance with HMDA data reporting requirements.

All user accounts created during the 2020 beta testing period and during the filing period for data collected in 2019 will be maintained for the 2020 filing period, and users can login to the 2020 HMDA Platform using their existing credentials. Financial institutions are encouraged to continue providing feedback on their experience using the HMDA platform and to direct any questions regarding the HMDA platform to hmdahelp@cfpb.gov.

HMDA filers are reminded that only insured depository institutions and insured credit unions are eligible for partial exemptions under 12 CFR 1003.3 (d)(2) or (3) to Regulation C's data collection, recording, and reporting requirements.

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January 29, 2021

Vol. XXXVIII, No. 7

BANK SECRECY ACT - DUE DILIGENCE REQUIREMENTS FOR CHARITIES AND NON-PROFIT ORGANIZATIONS

I. INTRODUCTION

The federal banking agencies have issued a joint fact sheet to provide clarity to banks on how to apply a risk-based approach to charities and other non-profit organizations (NPOs), consistent with the customer due diligence (CDD) requirements contained in FinCEN's 2016 CDD Final Rule.

The Agencies remind banks that the U.S. government does not view the charitable sector as a whole as presenting a uniform or unacceptably high risk of being used or exploited for money laundering, terrorist financing (ML/TF), or sanctions violations. The Agencies remind banks that charities vary in their risk profiles and should be treated according to such profiles. Banks should apply the risk-based approach and evaluate charities according to their particular characteristics to determine whether they can effectively mitigate the potential risk some charities may pose. The joint fact sheet does not alter existing Bank Secrecy Act/Anti-Money Laundering (BSA/AML) legal or regulatory requirements, nor does it establish new supervisory expectations.

II. CDD REQUIREMENTS

Like all bank accounts, those held by charity and NPO customers are subject to BSA/AML regulatory requirements. These include requirements related to suspicious activity reporting, customer identification, CDD, and beneficial ownership, as applicable.

Banks must apply a risk-based approach to CDD in developing the risk profiles of their customers, including charities and NPOs, and are required to establish and maintain written procedures reasonably designed to identify and verify beneficial owners of legal entity customers, as applicable. More specifically, banks must adopt appropriate risk-based procedures for conducting CDD that, among other things, enable banks to: (i) understand the nature and purpose of customer relationships for the purpose of developing a customer risk profile, and (ii) conduct ongoing monitoring to identify and report suspicious transactions and, on a risk basis, to maintain and update customer information. Consistent with a risk-based approach, the level and type of CDD should be appropriate for the risks presented by each customer.

III. CONSIDERATIONS FOR A RISK-BASED APPROACH

As previously stated, charities and other NPOs do not present a uniform or unacceptably high ML/TF risk; rather, the risk to banks depends on facts and circumstances specific to the customer relationship. The ML/TF risk for charitable organizations can vary dramatically depending on the operations, activities, leadership, and affiliations of the organization. U.S. charities that operate and

provide funds solely to domestic recipients generally present low TF risk. However, U.S. charities that operate abroad, provide funding to, or have affiliated organizations in conflict regions, can present potentially higher TF risks.

Charities and other NPOs are subject to federal and state reporting requirements and regulatory oversight. For example, charities report specific information annually on IRS Form 990 regarding their stated mission, programs, finances (including non-cash contributions), donors, activities, and funds sent and used abroad. Many NPOs also adhere to voluntary self-regulatory standards and controls to improve individual governance, management, and operational practice, in addition to internal controls required by donors and others. Although the CDD rule does not require the collection of this specific information, the following customer information may be useful for banks in determining the ML/TF risk profile of charities and other NPO customers:

- Purpose and nature of the NPO, including mission(s), stated objectives, programs, activities, and services.
- Geographic locations served, including headquarters and operational areas, particularly in higher-risk areas where terrorist groups are most active.
- Organizational structure, including key principals, management, and internal controls of the NPO.
- State incorporation, registration, and tax-exempt status by the IRS and required reports with regulatory authorities.
- Voluntary participation in self-regulatory programs to enhance governance, management, and operational practice.
- Financial statements, audits, and any self-assessment evaluations.
- General information about the donor base, funding sources, and fundraising methods, and for public charities, level of support from the general public.
- General information about beneficiaries and criteria for disbursement of funds, including guidelines/standards for qualifying beneficiaries and any intermediaries that may be involved.
- Affiliation with other NPOs, governments, or groups.

III. CONCLUSION

Banks that operate in compliance with applicable laws, properly manage customer relationships, and effectively mitigate risks by implementing controls commensurate with those risks are neither prohibited nor discouraged from providing banking services to charities and other NPOs. The Agencies are issuing this joint fact sheet to reaffirm that the level of ML/TF risk associated with charities and other NPOs varies; these bank customers do not present a uniform or unacceptably high ML/TF risk. The application of a risk-based approach for charities and other NPOs is consistent with existing CDD and other BSA/AML requirements.

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January 29, 2021

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**FDIC AMENDS BRANCH APPLICATION REQUIREMENTS
REGARDING HISTORIC PRESERVATION AND
ENVIRONMENTAL POLICY**

The Federal Deposit Insurance Corporation (FDIC) has adopted a final rule to amend its application requirements for the establishment and relocation of branches and offices so that such applications no longer require statements regarding the compliance of such proposals with the National Historic Preservation Act of 1966 (NHPA) and the National Environmental Policy Act of 1969 (NEPA). The final rule amends the FDIC's regulations to remove NHPA and NEPA requirements embedded in its branch application procedures and rescinds FDIC statements of policy regarding the NHPA and the NEPA, consistent with branch application procedures for national banks and insured state member banks supervised by the Office of the Comptroller of the Currency (OCC) and the Board of Governors of the Federal Reserve System. The final rule became effective on December 14, 2020.

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2021 OPERATIONS VIRTUAL CONFERENCE

Day 1:
TECHNOLOGY
with Virtual Trade Show
Wednesday, February 24

Day 2:
**MARKETING &
RETAIL BANKING**
Thursday, February 25

WEDNESDAY, FEBRUARY 24, 2021 - Technology

9:00 a.m. **Welcome & Opening Remarks**

9:05 a.m. **Security Considerations During A Pandemic**

Mike Burke, Shazam

The COVID-19 pandemic created the perfect storm for fraudsters and criminal activity affecting financial institutions. This presentation deals with a host of issues surrounding the unique circumstances so many institutions find themselves in. We'll outline basic lobby security where masks are being regularly worn, enhanced security procedure to keep staff safe, current robbery trends and how ATM skimming activity is evolving during the COVID-19 pandemic.

9:50 a.m. **Break**

9:50 a.m. **The Weaponization of Technology: Why Your Payments Program is at Risk**

Patrick Dix, Shazam

Payments technology is evolving quickly, but who is controlling the latest changes to the way you pay, and how is that changing the competitive landscape of payments in the United States? Proprietary technology is eroding the highly competitive marketplace and discouraging new and innovative solutions. What needs to change to ensure competition and innovation flourish as technology evolves?

10:40 a.m. **Break**

10:45 a.m. **Changing Culture for Digital Transformation**

Joe Sullivan, MarketInsights

This is a new year, vaccine trials and distribution look promising and there is reason for some long overdue optimism. However, COVID-19 has permanently altered consumer behaviors, changed how customers interact with their bank and accelerated the digital transformation of the industry. These new dynamics will remain in place regardless of the speed of recovery of the public health and economic crisis - and bankers must be ready. This demands new skills and employee engagement with technology; essentially calling on everyone to them to "lean in" to this exciting new role they play in helping customers, and the bank, make the transition. Is your bank, and are you, ready?

11:15 a.m. **Emerging Techs 2021: What, Whether & When They Matter**

Lee Wetherington, Director of Strategic Insight for ProfitStars

Amazon financial services? Apple Pay Cash? Voice banking? Chatbots? Machine learning? Artificial intelligence (AI)? Should you replace your staff with chatbots or showcase your staff within digital channels? Is there a demand for voice banking, and how will you differentiate your offering? And should you care about AI at this point? Join Lee Wetherington for a bottom-line review of what is new and what matters and when for community financial institutions.

12:00 p.m. **Day 1 Closing Comments**



THURSDAY, FEBRUARY 25, 2021 - Marketing & Retail Banking

9:00 a.m. **Social Media: Paid, Owned, Earned**

Patrick Dix, Shazam

Social media is increasingly being used for developing connections and advocacy efforts. Utilizing a mix of owned, earned and paid social media increases engagement, raises awareness of your brand, and ultimately improves your bottom line. It is a balance of what you are saying, what others are saying about you, and what paid messages are purchased. This session will provide insights for establishing a social media plan incorporating owned, earned, and paid media.



9:45 a.m. Break

9:50 a.m. **The Impact of COVID-19 to Your Team and What You Can Do About It**

Chris Scaffidi, *The Pacific Institute*

In the coming weeks and months, your employees will emerge from a lockdown they have never experienced before. As a leader, you can help them reengage with the day-to-day activities of life and work after COVID-19. You need to examine the effects of this sweeping social disruption and your colleagues' current mindsets to determine how to enable your team to regain its full potential. You can influence each person in surprising ways.

10:35 a.m. Break

10:40 a.m. **This Isn't Normal. Leading the Change at our Banks**

Ben Pankonin, *Social Assurance*

2020 brought banking the unprecedented gift of change that shifted delivery, altered our workforce, and altered the way we communicate. But with this change, it brought an ever-increasing need for community focused financial brands who are nimble and adapt as quickly as their customers. In this session we will tackle how to affect change at the C-suite, ignite your community for growth, and empower marketing for growth.

Sponsored by:



11:10 a.m. Break

11:15 a.m. **How Marketing Can Drive Innovation in 8.5 Steps**

Chris Nichols, *Chief Strategy Officer, CenterState Bank Correspondent Division*

Marketing is a critical driver of product innovation and development. This eight-and-a-half step framework will show you how to successfully introduce a new product or service. Leave the session with a practical roadmap for every step—from gathering data to pricing—as well as data and information that will save you time and set you up to lead.

12:00 p.m. Conference Adjournment

Registration and Pricing Information MEMBER FEE: NON-MEMBER FEE:

BANK ALL-ACCESS PASS:	Full Conference, unlimited number of attendees (both days)	\$600.00	Not available.
Day 1 Only:	Technology, per person.....	\$225.00 \$189.00	\$567.00
Day 2 Only:	Marketing/Retail, per person.....	\$225.00 \$189.00	\$567.00
Full Conference:	Both days, per person	\$425.00 \$349.00	Day price only.

Approximately 2 days prior to the conference, you will receive a link to the online presentation.

Notice is required for cancellation **by February 17**. Notice is required for all cancellations. If the request is received by the NBA Education Center by February 17, 2021, the full fee will be refunded.

1-12/18/2020



OPERATIONS

Virtual Conference

February 24 – Technology

February 25 – Marketing/Retail Banking

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

Check here for the BANK ALL-ACCESS PASS: \$600 (Need a main contact/registrant)

Please register the following individual(s):		EMAIL ADDRESS	Day 1-Technology \$189	Day 2-Marketing \$189	Check (✓) here for DISCOUNT for attending both days!
FIRST NAME	LAST NAME		Non-Member Fee: \$567 per person	Non-Member Fee: \$567 per person	

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

TOTAL DUE \$ _____

Four Ways to Register:

- FAX: (402) 474-2148
- MAIL: NBA Education Center,
PO Box 80008, Lincoln, NE 68501
- PHONE: (402) 474-1555

- WEBSITE: www.nebankers.org
- Education →
- Event Calendar

Payment Choice (check one):

- MasterCard
- VISA
- Discover
- American Exp.

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____

Principles of Banking

**VIRTUAL
Offering**



Centered on career-pathing, this interactive workshop introduces participants to each functional area of community banking, with informative exchanges with other attendees and the instructor’s actual work experience. Participants will also learn about economic influences, the importance of community banks to the economy, key bank performance measurements, as well as how each department contributes. Informative charts and data tables in the provided ABA Textbook are updated to reflect current information.

March 9 & 10, 2021

8:30 a.m. – 12:30 p.m., both days

Topics To Be Covered

DAY ONE

- ✓ Context, Structure and Operations of Banks
- ✓ The Evolution of Banking, Bank Laws & Regulations
- ✓ Deposit Relationships, Products & Services
- ✓ Checks & Electronic Funds Transfers

DAY TWO

- ✓ Lending
- ✓ Specialized Products & Services
- ✓ Managing & Reporting Investments & Performance
- ✓ Sales & Customer Service
- ✓ Safeguarding Customers, Bank Assets & the Nation

Who Should Attend

All personnel new to banking, at any level.

About the Instructor



Mike Wear is owner of 39 Acres Corporation, specializing in banker training and bank consulting services in credit risk underwriting and loan portfolio risk management. Less lecture—real business cases—more hands-on practice and more fun! Over his 41-year banking career, he previously served in commercial lending and senior credit management positions with Omaha-area community banks. Wear retired as a Senior Analyst in the Credit Risk Administration department of First National Bank of Omaha, specializing in underwriting larger (\$10-100M) commercial real estate loans throughout the country. In addition, he developed curriculum and conducted multi-tier training programs in credit analytics on an enterprise-wide basis.

Registration and Pricing Information

Enrollment includes all instruction and the textbook, *Principles of Banking* 12th edition

Member..... \$235.00 per person
The fee includes presentation slides only.

Member Bank All-Access Pass,
unlimited number of attendees \$500.00
The fee includes recording and presentation slides.

Non-Member Fee..... \$705.00 per person

Approximately 2 days prior to the Workshop, you will receive a link to the online presentation.

Once registered, notice is required for cancellation **by March 2**. Notice is required for all cancellations. If the request is received by the NBA Education Center by March 2, 2021, the full fee will be refunded.

(Please register online or use the form on the reverse)

233 South 13th Street, Suite 700
 Lincoln, Nebraska 68508
 Phone: (402) 474-1555
 Education Center Fax: (402) 474-2148
www.nebankers.org



01/12/2021



Principles of Banking
VIRTUAL Offering

March 9 & 10, 2021
 8:30 a.m. – 12:30 p.m., both days

Financial Institution: _____
 Bank / Branch Address: _____
 City/Town: _____ Zip: _____
 Phone# (_____) _____

Check here for the MEMBER BANK ALL-ACCESS PASS: \$500 (Need a main contact/registrant)

Member: \$235 (per person)

Non-Member: \$705 (per person)

Please register the following individual:			Email Address	Member: \$235 Non-Member: \$705
FIRST NAME	MI	LAST NAME		

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

TOTAL DUE \$ _____

Payment Choice (check one):

- MasterCard VISA Discover American Exp.

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____

Four Ways to Register:

FAX: (402) 474-2148

MAIL: NBA Education Center,
 PO Box 80008, Lincoln, NE 68501

PHONE: (402) 474-1555

WEBSITE:

www.nebankers.org

→Education→

Event Calendar

2021

**Tri-State
Marketing &
Human Resources
Virtual Conference**

March 18-19, 2021



8:00 a.m. Zoom waiting room opens

8:15 a.m. Welcome and Introduction

8:20 – 9:20 a.m. **Getting in the Game: Aligning Marketing and Execution**



Sean Payant, *Chief Consulting Officer, Haberfeld*

As an industry, we spend vast amounts of money, not to mention time and internal resources, to promote our institutions—to get people to choose us. We brand, and we market. The role of the marketing professional is to get consumers—the team captains—to pick our financial institution first. For this to be most effective, however, there must be alignment between marketing and execution. Building true alignment between marketing and execution depends on four factors: product knowledge, customer service, accountability, and incentives. Join us as we figure out how to keep your financial institution from being left on the sideline.

Key points to be covered:

- Overview of key industry trends
- Best practices for building true alignment between marketing and execution
- Proven strategies for expanding your customer-base

9:20 – 9:25 a.m. Break

9:25 – 10:25 a.m. **Using Your Bank's Brand To Retain and Recruit Employees**



Rachel Harden, *Public Relations Specialist, Bajillion Agency*

Find out why marketing to current and future team members is just as important as marketing to new customers. Retain and recruit employees by maximizing your bank's brand. Find out how to show the meaningfulness of working for your company and the ways people make an impact in their job. Learn how key messages, logo, values, visuals, and more are brand tools that help your employees feel connected and invested in their work. Discover how to maximize position descriptions and live out your core values.

10:25 – 10:30 a.m. Break

10:30 – 11:30 a.m. **Bananas, Baking Soda and Banking Marketing**



Neal Reynolds, *Bankmarketingcenter.com*

What do bananas and baking soda have to do with bank marketing?

I'm glad you asked. The days of growing your bank and your business by growing your number of branches is long past. These days, which started even before the pandemic by the way, customers are putting banks in a challenging position; on one hand, they want relationships that they can trust and on the other, they want all of their banking services in the palm of their hand. Join us in exploring some of the ways that you can build relationships and grow your brand through positioning and messaging. And we'll do it by taking a trip through your local grocery store!

11:30 – 11:35 a.m. Break

11:35 a.m. –
12:35 p.m.



Engaging Your Clients During Difficult Times

Joe Micallef, *Sales Strategist & Coach, Grow UP Sales*

Besides checking in on their clients, many bankers are struggling to find ways to engage their clients and proactively assist them with their financial challenges. Now is not the time to sell to clients, but you can certainly SAVE them from their financial anxieties. During this presentation I provide marketing and sales teams advice on how to engage your clients today more confidently and offer tremendous value.

12:35 p.m.

Day 1 Closing Remarks

8:00 a.m. Zoom waiting room opens

8:15 a.m. Welcome and Introduction

8:20 – 9:20 a.m. **Communicate More Effectively with Your Boss, Staff and Your Customers**



Terri Thomas, Executive Vice President – Legal Department Director, Kansas Bankers Association

Today’s financial institutions understand that to compete, they must build and maintain successful team cultures. Unfortunately, pitfalls, if not understood and properly managed, cannot only hinder a financial institution from meeting its goals but can create a negative and even hostile, environment for management, employees, and customers alike. Learn how perception influences our day-to-day interactions with others, as well as how to identify and work with various social styles to establish successful relationships with your coworkers and customers.

9:20 – 9:25 a.m. Break

9:25 – 10:25 a.m. **HR Hot Topics: 2020**



Bobby Young, Vice President-Staff Attorney, Kansas Bankers Association

2020, what a wild and wacky ride! Last year brought interesting changes to human resource management and employment law. This presentation will explore the new and trending HR and employment topics for 2021 as well as explore some lingering concerns from 2020.

10:25 – 10:30 a.m. Break

10:30 – 11:30 a.m. **DE&I Landscape for Community Banks**



Naomi Mercer, SVP, Diversity, Equity, & Inclusion, American Bankers Association

As a result of the COVID-19 pandemic and social change movements, a deliberate, effective approach to diversity, equity and inclusion is more of a business imperative for banks than ever and an important reflection of community commitment. Naomi discusses the role DE&I issues have played in the crises and how banks can refocus on DEI moving forward. Bankers will develop a deeper understanding of DE&I, how to get started or move forward with initiatives in your bank and how to help build a more inclusive future for banking.

11:30 – 11:35 a.m. Break

11:35 a.m.–
12:35 p.m.

Write Yourself a Note



Holly Hoffman, CBS Survivor Contestant

At the end of the day, unless we make a conscious effort to bring ourselves back to center and refocus, we begin to lose ourselves. However, it is never too late to find your purpose. Holly Hoffman offers encouragement, optimism and a roadmap for self-discovery that inspires you to work toward a successful, fulfilling life for yourself. Discover a simple tool to refocus and reprioritize you. As you “write yourself a note,” you will begin to discover if you are where you want to be. You will encourage yourself to find purpose. No matter what stage of life you are in, we all need purpose. Define your fine. Be confident. Be great. Be you.

12:35 p.m. Closing Remarks & Adjourn



CONTINUING EDUCATION



This program is valid for 8.5 PDCs for the SHRM-CPSM or SHRM-SCPSM. For more information about certification or recertification, please visit www.shrmcertification.org.

GENERAL INFORMATION

Conference Registration Fee _____

Full Conference (both days-same person).. \$425.00 per person
Day One Only (Marketing) \$225.00 per person
Day Two Only (Human Resources) \$225.00 per person
The fee includes presentation slides only.

Member Bank All-Access Pass \$1,200.00
The fee includes recording and presentation slides.

Non-Member Fee \$795.00 per person

Cancellations/Refunds _____

Full refunds will be granted for cancellations received by KBA, MBA, or NBA, at least five days before the conference date. After that date, an administrative fee of \$10 per canceled registration will be retained. Cancellations will not be accepted two days before the program. *Substitutions are always permitted.*

Virtual Instructions _____

This virtual offering will be presented through the Zoom platform. We recommend that you join us via computer - PC, Mac, iPad, or Android device. You will receive a confirmation email two days before the conference with login information.

Association Contact Information _____

Kansas Bankers Association (785) 232-3444
Missouri Bankers Association (573) 636-8151
Nebraska Bankers Association (402) 474-1555

SPECIAL REBATE OFFER:

Tri-State Conference participants who attend the 2021 Human Resource Management School, sponsored by the Graduate School of Banking at the University of Wisconsin-Madison will receive a tuition rebate of \$225 to showcase the relationship between GSB and their sponsoring states.

Tri-State Marketing & Human Resources Virtual Conference



**MARCH 18 – 19
VIA ZOOM**

Please TYPE or PRINT appropriate section(s) below. You may use a photocopy of this form for additional registrants.

Organization Information

Bank/Firm: _____	
Bank/Branch Address: _____	
City/State/Zip: _____	
Phone: _____	Fax: _____

Name of Attendees

Name: _____	Title: _____
Email Address: _____	
Name: _____	Title: _____
Email Address: _____	
Name: _____	Title: _____
Email Address: _____	
Name: _____	Title: _____
Email Address: _____	

Method of Payment

(Check all that apply)

_____ Full Conference (both days) \$425.00 per person
 _____ Day One Only (Marketing)..... \$225.00 per person
 _____ Day Two Only (Human Resources) \$225.00 per person

_____ **Member Bank All-Access Pass \$1,200.00**

_____ Non-Member Fee \$795.00 per person

\$ _____ Total Amount Due.

Payment Choice (check one):

Check enclosed, payable to Nebraska Bankers Association
 Master Card VISA Discover

Card Holder Name: _____
 Card Number: _____ Exp. Date: _____
 Signature: _____ CVV: _____

3 Ways to Register

	By Phone – You can register by calling the NBA Education Center at (402) 474-1555.
	By FAX – Complete and fax this Registration Form to (402) 474-2148.
	By Mail – Complete and mail this Registration form to: Nebraska Bankers Association P.O. Box 80008 Lincoln, NE 68501-0008

1-01/13/2021



NEBRASKA BANKERS ASSOCIATION

Education Center - Virtual Offering



Supervisor

BOOT CAMP

March 2, 4, 16, 18, 2021 • 1:00-3:00 p.m. each day

Supervisor Boot Camp

An intense focus on succeeding at managing others!

You don't master the art of supervision through luck; you master it with training, experience, self-learning, and applying best practices. As a supervisor, you must have the attitude, aptitude, skill-set, confidence, persistence, and commitment to excel in this multi-tasking, challenging role. This four-session supervisor training will help take your expertise to a new level as you learn how to collaborate and coach your employees to excel on the job.

Explore the coaching and leadership skills that lay out your plan for success as a highly effective supervisor in this results-oriented workshop!

Whether you're a new or seasoned supervisor, attendees find this experiential supervisor training invigorating, motivating and applicable to managing and supervising others. You will learn how to manage crucial conversations and challenging situations. You will practice a coaching approach that encourages your staff to be engaged and accountable.

Program Highlights

Understanding yourself and others

- Understand your role in role modeling, culture-building, and team support
- Assessing your supervisor effectiveness
- Utilizing individual strengths on your team

Excelling at Leading, Supervising & Coaching

- Understanding yourself and others
- Your role as a supervisor
- Self-evaluation tools for you and your team
- On-purpose coaching
- Managing professional maturity

Handling Confident and Courageous Conversations

- Handling those difficult conversations with employees
- Address difficult or uninspired team members

- Ask the right questions using the WDEP system
- Skills in giving and receiving feedback
- Benefits of a behavior change plan

Building an Effective Team

- Learn how to develop and utilize teamwork in the workplace
- Vulnerability & Trust
- Ideas to empower and motivate within the workplace
- The Ideal Team Player – by Patrick Lencioni

Best Practices Related To:

- Hiring
- Training & On-boarding
- Performance Reviews

Other topics suggested by participants will also be covered throughout the program.

About the Sergeants

Vicki Kraai is Owner/Founder of VK Solutions, a consulting company. Vicki's 25+ years of Community Bank experience started at the family bank in rural Nebraska, serving as a bank teller and eventually becoming CEO. Vicki's many years of banking include credit card lending experience where she was a member of the management team that launched the Cabela's credit card program. She has a passion for developing people for success in the financial services industry. Banker's value Vicki's highly engaging "been there, done that" approach to all facets of her training and speaking engagements. Vicki shares her expertise and experience as a faculty member for State Bank Association Schools and the Graduate School of Banking in Madison, WI. Vicki was recently named the new CEO of InterAction Training.



Karen Butcher is a former teacher, Mary Kay Sales Director, and trainer whose career journey led her to leave the corporate world to train and coach women and men who want to elevate their leadership skills, lead productive teams, and achieve their goals. Karen is a Certified Bank Training Professional who earned her credential in 2016. She is a Senior Trainer with InterAction Training and travels the country facilitating bank supervisor training. Karen also works with Leadership Kentucky as the program coordinator for BRIGHT Kentucky, a new program for young professionals in the 54 counties of the Appalachian Regional Commission. Karen's passion for people is evident and she knows what is required to become a leader who people want to follow. She believes it's time for a new leadership philosophy where leaders hold themselves and their teams accountable and let go of outdated practices.



Registration and Pricing Information

Member: ~~\$399~~ \$359 for the first registrant and \$299 for each Add'l from the same bank. Non-Member: \$1,177 (per person)

Approximately 2 days prior to the first session, you will receive a link to the online presentation.

Notice is required for cancellation **by February 23**. Notice is required for all cancellations. If the request is received by the NBA Education Center by February 23, 2021, the full fee will be refunded.

1-12/16/2020



Supervisor Boot Camp Virtual Offering

March 2, 4, 16, 18, 2021

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

Member: ~~\$399~~ \$359 for the first registrant and \$299 for each Add'l from the same bank. Non-Member: \$1,177 (per person)

Please register the following individual:			Email Address	Member: \$359/\$299 Non-Member: \$1,177
FIRST NAME	MI	LAST NAME		

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

TOTAL DUE \$ _____

Four Ways to Register:

- FAX: (402) 474-2148
- MAIL: NBA Education Center,
PO Box 80008, Lincoln, NE 68501
- PHONE: (402) 474-1555

- WEBSITE: www.nebankers.org
→Education→
Event Calendar

Payment Choice (check one):

- MasterCard VISA Discover American Exp.

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____