

Update

Three Steps to Support NBA BankPAC

The NBA's BankPAC has had extraordinary success in helping to shape the face of our industry. The strength of BankPAC has helped to both protect the banking industry and enhance the industry's political efficacy through the election of pro-banking, pro-business candidates to political office. Through relationships with policymakers, we can provide input into the making of laws and regulations that govern the banking industry and affect customers, shareholders, and employees.

The financial support from thousands of Nebraska bankers drives the success of BankPAC. Candidates understand the depth of that support because it comes from bankers who live and work across Nebraska. You can make a direct impact on the NBA's political efforts by running an internal BankPAC campaign at your institution. Here's how:



1. Designate an employee to be your BankPAC captain. The captain should contact Jennifer Heaton at 402-474-1555 or jennifer.heaton@nebankers.org to receive NBA BankPAC resource materials.
2. Discuss the importance of NBA BankPAC at upcoming meetings with your employees, directors, and shareholders. Encourage them to make individual BankPAC contributions. The NBA offers a cool video to help you explain NBA BankPAC. View it on the [NBA YouTube Channel](#).
3. Celebrate your bank's success! Here are a few ideas:
 - **JEANS DAY:** Hold a dress-down day at your bank to promote BankPAC participation. Use this promotion to allow employees to wear jeans or their favorite logo wear.
 - **PERSONAL DAYS:** Give a free personal day or half-day to employees who contribute more than a certain dollar amount to NBA BankPAC.
 - **MONETARY DRAWINGS:** Hold cash-prize drawings for employees who contribute to BankPAC. Draw for \$25, \$50, \$75, and \$100 in cash during your next staff meeting.

Be creative in your support of BankPAC – and send your ideas and photos to the NBA so we can highlight your bank's success in Update!

Husker Football Schedule Cards

Ready for some normalcy after COVID-19? Excited to watch the Huskers return to the field? The NBA is now accepting **pre-orders** for the 2021 Husker Football Schedule Cards. Pre-orders will be processed and sent to member banks as soon as supplies arrive.

[Order Online](#)



Deposit Insurance Assessments Hold Steady

The Federal Deposit Insurance Corporation (FDIC) board voted against raising deposit insurance assessments on banks to recapitalize the insurance fund. A pandemic-related increase in deposits caused the Deposit Insurance Fund (DIF) reserve ratio to fall below the statutory minimum of 1.35%. As of June 30, 2020, the reserve ratio reached 1.3%. The FDIC is required to implement a plan to recapitalize the DIF within eight years if it falls below the minimum. Typically, the recapitalization plan required raising the assessment schedules. An FDIC staff memo stated, “The growth in insured deposits associated with the pandemic may recede as depositor behavior returns to normal and individuals and businesses redirect deposits toward consumption and higher-yielding investments.”

[Learn More](#)

Proposal to Align Real Estate Lending Standards with CBLR

The FDIC released a proposed rule to update its guidelines for real estate lending policies. The changes would align the policies with the community bank leverage ratio (CBLR). According to the FDIC, the proposed rule would allow “a consistent approach for calculating the ratio of loans in excess of the supervisory loan-to-value limits at all FDIC-supervised institutions, using a methodology that approximates the historical methodology the FDIC has followed for calculating this measurement without requiring institutions to calculate tier 2 capital.”

[Read the Proposed Rule](#)

Federal Agencies Announce Regulatory Agendas

The Federal Reserve (Fed) included Community Reinvestment Act modernization on its list of long-term actions.

The Fed and the Financial Crimes Enforcement Network (FinCEN) indicated a final rule in September that would apply information collection requirements to domestic and cross-border transactions involving cryptocurrencies. FinCEN also anticipates issuing a final rule in November to impose Bank Secrecy Act recordkeeping and identity verification requirements to transactions involving convertible virtual currency or digital assets with legal tender status.

The Consumer Financial Protection Bureau has prioritized issuing a final rule which would amend mortgage servicing early intervention and loss mitigation-related provisions in Regulation X. Also planned is a proposed rule to implement Section 1071 of the Dodd-Frank Act regarding small business lending collection.

In addition, the Department of Housing and Urban Development (HUD) will propose to reinstate the 2013 discriminatory effects rule. A nationwide preliminary injunction was issued in October by a federal district judge which delayed the effective date of HUD’s disparate impact rule and stopped HUD from implementing or enforcing the rule.

[Review the Agendas](#)

OSHA Updates COVID-19 Workplace Guidance

The Occupational Safety and Health Administration (OSHA) announced updated guidance on COVID-19 mitigation and prevention in the workplace. “Most employers no longer need to take steps to protect their fully vaccinated workers who are not otherwise at-risk from COVID-19 exposure,” the guidance stated. However, OSHA suggests that those who are unvaccinated wear face coverings.

[Read the Guidance](#)

Apply for Bank & Banker Milestone Awards

Each year at the NBA Annual Convention, the Association recognizes men and women who have served the banking industry for 50 years and banks celebrating 25, 50, 100, 125, or 150 years of providing financial services.

We invite you to submit the names of banks and bankers who are eligible for these awards by Friday, August 13. Download the 2021 Milestone Awards Application form at <http://bit.ly/2021Milestone>. If you previously submitted a form and want to confirm that we've received it, please email Ron Arrigo at the NBA at ron.arrigo@nebankers.org. This year's NBA Convention "Lite" will be held October 6-7, 2021 at the Cornhusker Marriott, Lincoln.

NBA Government Relations Committee Members Gathered in Hastings, Education Committees Met Virtually

The 24 bankers serving on the NBA Government Relations Committee met in Hastings to review formal NBA regulatory policy and will make recommendations to the NBA Board of Directors regarding 2022 legislative issues. The Committee will forward the legislative recommendations to the NBA Board of Directors for final approval. The recommendations will include technical amendments to LB 649 (Digital Asset Bank Legislation from 2021), Nebraska Investment Officer Investment Policy, Credit Union Acquisition of Banks, State ECORA Act, Cancellation of Bank Capital Stock, Regulatory Compliance Safe Harbor, Foreclosure Actions and LIBOR Contract Transition. Committee members also reviewed 2021 Legislative Resolutions pertinent to the banking industry and discussed the proposed purchase of Premier Bank by Greenstate Credit Union. NBA BankPAC Committee Chairman George Howard reviewed current PAC receipts and encouraged members to become active in the political process by hosting potential 2022 state legislative candidates to learn more about their campaign platforms.

Bankers serving on the NBA's Education Committees met virtually last week. Approximately 50 bankers serving on the NBA's three Education Committees met to develop upcoming educational programs in the areas of lending, management, and operations.



The NBA Government Relations Committee met on June 9 in Hastings. After more than a year of virtual meetings, we're looking forward to opportunities for in-person interaction.

Order 2022 Scenes of Nebraska Calendars

Be sure to place your order for the 2022 Scenes of Nebraska calendars by **August 1**. Orders placed before July 1 will receive the special pricing of 99 cents per calendar.

[Place Your Order](#)

Training and Networking Opportunities

Mark your calendar and join the NBA and fellow bankers for one of the many upcoming in-person events.

- **August 5-6** - Young Bankers of Nebraska (YBON) Annual Conference, Omaha
- **August 17-18** - Real Estate Lending Compliance Conference, Lincoln
- **August 24** - Opening New Accounts in Nebraska Workshop, Kearney
- **August 25** - Opening New Accounts in Nebraska Workshop, Lincoln
- **September 2-3** - Fall Agri-business Conference, Lincoln

To register and see the complete event schedule, visit the [NBA Event Calendar](#).

Review Alliance

Did you know it's important that the bank's fee schedule verbiage matches what is listed on account statements?

- Ex. If your fee schedule states 'Overdraft Funds Paid Charge' the statement should reflect the same verbiage.
- This can help prevent any unwanted UDAAP concerns.

Review Alliance is an independent group of compliance specialists offering banks deep-dive audits of their existing transactions, recommendations about program enhancements or guidance on future safety and soundness. In 2020, the NBA added Virtual Compliance Officer (VCO) to its compliance offerings. VCO is a new shared service model using bank-dedicated compliance officers perfect for monitoring and guiding your bank remotely. To learn how to put them to work for your bank, contact Jennifer Heaton at the NBA at 402-474-1555 or jennifer.heaton@nebankers.org.

Compliance Alliance

Q: (CAN-SPAM): When sending unsolicited emails to non-customers, for purposes of CAN-SPAM Act, can the "from" line contain a loan officers name, instead of the entity sending the email; or must the "from" line disclose both the sender individually and the organization?

A: The FTC guidance addressing CAN-SPAM Act requires that the "From" portion of an email should be accurate and identify the person(s) or business(es) who initiated the message. It does not specifically require that the bank's name be in the from line if the person who initiated the message, in this case, the loan officer, is clearly identified. However, it would be a good practice and you are certainly not prohibited from including the bank's name in the from line.

Reference: "Don't use false or misleading header information. Your "From," "To," "Reply-To," and routing information - including the originating domain name and email address - must be accurate and identify the person or business who initiated the message." <https://www.ftc.gov/tips-advice/business-center/guidance/can-spam-act-compliance-guide-business>

[Live Demo on Tuesday, June 22, 10:00 a.m. CT](#)

[Live Demo on Thursday, June 24, 1:00 p.m. 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.