

Update

Cyber Liability Insurance Update

Please see below for market trends and important logistics for your bank's upcoming renewal.

Market conditions have changed drastically in 2021 and will continue into 2022:

- Financial Institution (FI) Bond carriers are removing cyber extortion or E-commerce coverage from the FI Bond.
- Bolt-on cyber coverage to property and casualty insurance is no longer sufficient. Stand-alone, broad form cyber liability coverage policies are quickly becoming the standard.
- Look at dependent business interruption coverage and make sure your third-party vendors have sufficient cyber liability limits.

What you can do now to prepare for your upcoming renewal:

- Make sure you have implemented or will start implementing multi-factor authentication (MFA). This is the number one item cyber liability carriers are looking at for access to coverage. If you do not have MFA, it is unlikely coverage will be extended.
- Schedule regular, at least semi-annual, employee training regarding phishing.
- Develop strong backup procedures, including segregation, encryption and MFA protection and testing.
- Have written and enforced procedures for critical security patches – less than two weeks.

For a comprehensive review of your bank's insurance coverage, contact Mitch Florea at NBISCO at 402-904-7014 (direct) or mitch.florea@nebankers.org.

Place Your Bids in the NBA State BankPAC Auction

Bidding for the NBA State BankPAC auction is now open - the bidding window closes Oct. 7 at 6:00 p.m. CST! To bid, create an account at nba.cbo.io and click "Register Now." Funds raised will be used to support pro-banking and pro-business candidates for Nebraska legislative and constitutional offices.



Show tickets, products for the home, golf packages and Husker tickets are just a few of the many items available on the auction.

Don't Miss Your Opportunity to Host an Intern

On Oct. 21, the NBA will meet with 12 ag interns enrolled in the ag banking and finance program at the University of Nebraska-Lincoln to discuss summer internship placements. Make sure your bank is on the list for the students to consider by completing this [form](#).

If your bank has other internship opportunities, please also complete the form. The NBA receives numerous internship inquiries each year from interested students. For more information, contact Kara Heideman at the NBA at kara.heideman@nebankers.org or 402-474-1555.

IRS Tax Reporting Proposal

The \$3.5 trillion budget reconciliation bill still pending in Congress and the banking industry continues to aggressively oppose the inclusion of IRS reporting requirements. Banks and their customers can help keep the provision out of the bill by contacting Congress. The NBA has a co-branded website with a simple form for bankers to contact their lawmakers, and the American Bankers Association (ABA) has created sample language for customer communications.

[Contact your Lawmakers](#)

[Customer Resources](#)

Postal Service Launches Financial Services Pilot Program

The U.S. Postal Service (USPS) last month launched a pilot program in four U.S. cities offering expanded financial services at certain post office locations in: Washington D.C.; Baltimore, Maryland; Falls Church, Virginia; and the Bronx, New York. Consumers may now access check-cashing services at these locations, and USPS is considering piloting additional offerings such as bill paying services, ATM access, expanded money order capabilities and expanded wire transfer capabilities, according to reports.

Offering postal banking services on a larger scale would require congressional authorization. However, the pilot program marks a concerning first step toward enabling USPS to enter the banking business.

Fed Seeks Comments on New Messaging Standard for Fedwire

The Federal Reserve (Fed) is seeking public feedback on its adoption of the International Organization for Standardization's (ISO) 20022 message format for its Fedwire Funds Service, which will replace its current proprietary format. The Fed is seeking public comment about a revised plan to implement the new message format on a single day rather than in three separate phases, as originally proposed.

[Learn More](#)

ABA Urges FDIC to Modify Proposed Deposit Insurance Rules for Trust, Mortgage Servicing Accounts

The ABA and two other banking trade groups urged the FDIC to address concerns about proposed changes to regulations regarding deposit insurance rules for revocable trusts, irrevocable trusts and mortgage servicing accounts.

[Read the Letter](#)

The End of LIBOR

During a speech at the Structured Finance Association Conference, Federal Reserve Vice Chairman for Supervision Randal Quarles said lenders need to "pick up the pace" to be ready for the end of LIBOR. One-week and two-month U.S. dollar Libor tenors will end as of Dec. 30, 2021, and the remaining tenors will cease publication after June 30, 2023.

[Read the Speech](#)

Education and Events Calendar

- **Oct. 27-28** – Women in Banking Conference
- **Oct. 29** – Regulatory Issues Virtual Summit
- **Nov. 1** – Security Management Virtual Workshop (1 of 2)

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

Higher Loan Limit for USDA Guaranteed Loans

The U.S. Department of Agriculture (USDA) announced a higher loan limit is available for borrowers seeking a guaranteed farm loan starting Oct. 1, 2021, from \$1.776 million to \$1.825 million.

[Learn More](#)

Preferred Vendor: BankMarketingCenter.com

Ready to start next year early? We are.

You don't need to wait for next year's budget to start growing your assets with [BankMarketingCenter.com](#). Sign up for a January 1 start date and get the remainder of 2021 for free!



An efficient alternative to costly third-party marketing resources, such as advertising agencies and design firms, BankMarketingCenter.com provides your bank with unlimited access to several thousand professionally designed, customizable marketing materials, as well as millions of Getty images and videos. This is all on an affordable, monthly subscription basis. And NBA members get a 20% discount!

Get complete control of the marketing production process for your bank – all for a fraction of your current marketing costs. Learn more about BankMarketingCenter.com by [scheduling a tour](#) today.

Review Alliance

Did you know that former President Trump signed into law the Further Appropriations Act of 2020 on December 20, 2019? The SECURE Act was incorporated into this legislation. Numerous IRA law changes went into effect, in general, starting in tax year 2020.

- Former President Trump signed the Coronavirus Aid, Relief and Economic Security Act (CARES Act) on March 27, 2020. It sets forth additional law changes regarding required minimum distributions and certain disaster distributions.
- RMD's were waived for 2020 by the CARES Act.
- The IRS proposed in November 2019 the new RMD life expectancy tables were to be used for 2021 RMD calculations. In November 2020 the IRS announced a delay in the use of these new tables until 2022.
- The existing RMD life expectancy tables are to be used for the 2021 RMD calculations.

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. Must the bank follow the E-Sign Act requirements if providing a notice of nonpayment to a customer electronically?

A. The commentary to § 229.33(h), clarifies that a notice can be provided by email or fax. However, only Regulation CC, Subpart B, requires conforming with the E-Sign Act requirements for any disclosures or notices provided to consumers (not commercial customers) in accordance with Subpart B. The notice of nonpayment under § 229.33(h), is set forth under Subpart C, which does not address electronic consent. However, in light of the Subpart B requirements and a general best practice, conforming with E-Sign requirements will protect the bank by creating a presumption that notice was provided. Therefore, we advise meeting E-Sign requirements for any Regulation CC notice or disclosures, to consumer and non-consumer customers.

This paragraph requires a depository bank to notify its customer of nonpayment upon receipt of a returned check or notice of nonpayment. Notice also must be given if a depository bank receives a notice of recovery under §229.35(b). A bank that chooses to provide the notice required by §229.33(h) in writing may send the notice by email or facsimile if the bank sends the notice to the email address or facsimile number specified by the customer for that purpose. The notice to the customer required under this paragraph also may satisfy the notice requirement of §229.13(g) if the depository bank invokes the reasonable-cause exception of §229.13(e) due to the receipt of a notice of nonpayment, provided the notice meets all the requirements of §229.13(g).

[Commentary to § 229.33\(h\)](#)

For a customer who is a consumer, a depository bank satisfies the written-notice requirement by sending an electronic notice in compliance with the requirements of the Electronic Signatures in Global and National Commerce Act (12 U.S.C. 7001 et seq.), which include obtaining the consumer's affirmative consent to such means of notice. [Commentary to § 229.15\(a\)](#)

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.

October 1, 2021

SPECIAL SESSION ADJOURNS SINE DIE

The Legislature adjourned the Redistricting Special Session *sine die* late Thursday morning, having completed the realignment of new congressional, legislative, and other political district boundaries.

Under the new congressional plan, all of Douglas County remained in the Second District, along with western Sarpy County. A portion of rural Saunders County was moved from the First District to the Second District, currently represented by Congressman Don Bacon. La Vista and the bulk of Papillion were moved out of the Second District and into the First District, represented by Congressman Jeff Fortenberry.

The legislative redistricting plan moved District 36, represented by Senator Matt Williams (Gothenburg), from central Nebraska to western Sarpy County. In addition to redrawing congressional and legislative maps, the legislature also adopted new boundaries for Public Service Commission districts, Supreme Court districts, State Board of Education districts and Board of Regents districts.

October 1, 2021

Vol. XXXVIII, No. 28

SAFER FEDERAL WORKFORCE TASK FORCE – COVID-19 GUIDANCE (FEDERAL CONTRACTORS AND SUBCONTRACTORS)

I. INTRODUCTION

The Safer Federal Workforce Task Force (Task Force) has issued “Guidance” regarding the mandating of vaccines, among other requirements, for certain federal contractors and subcontractors. The Guidance follows the issuance of Executive Order 14042 (See, NBA Compliance Update, Vol. XXXVIII, No. 27). The Executive Order for federal contractors applies to contracts or solicitations issued on or after October 15, 2021, and any extensions or renewals of existing contracts, or exercises of options on existing contracts, that occur on or after October 15, 2021. Under the Executive Order, President Biden directed executive departments and agencies to ensure that covered contracts and contract-like instruments include a new clause in their contracts after October 15, 2021. The required clause imposes the requirements set forth in the Task Force Guidance on federal contractors and subcontractors.

NOTE: While it appears that the Executive Order and Guidance will not be applicable to or enforced against the vast majority of banks, the provisions of the Task Force Guidance are described below for banks which may be covered.

II. WORKPLACE SAFETY PROTOCOLS

Federal contractors and subcontractors with a covered contract will be required to conform to the following workplace safety protocols:

1. COVID–19 vaccination of covered contractor employees, except in limited circumstances where an employee is legally entitled to an accommodation;
2. Compliance by individuals, including covered contractor employees and visitors, with the Guidance related to masking and physical distancing while in covered contractor workplaces; and
3. Designation by covered contractors of a person or persons to coordinate COVID–19 workplace safety efforts at covered contractor workplaces.

III. MANDATORY VACCINATION REQUIREMENT

Covered contractors must ensure that all covered contractor employees are fully vaccinated for COVID-19, unless the employee is legally entitled to an accommodation, such as on the basis of a disability or sincerely held religious belief, practice, or observance. Covered contractor employees must be fully vaccinated no later than December 8, 2021. After that date, all covered contractor employees must be fully vaccinated by the first day of the period of performance on a newly awarded covered contract, and by the first day of the period of performance on an exercised option or extended or renewed contract when the clause has been incorporated into the covered contract.

For purposes of the Guidance, a “covered contractor employee,” is defined as a full-time or part-time employee working “on or in connection with a covered contract” or working “at a covered contractor workplace.” A “covered contractor workplace” is a location controlled by a covered contractor at which any employee of a covered contractor working on or in connection with a covered contract is likely to be present during the period of performance for a covered contract. A covered contractor workplace does not include a covered contractor’s employee’s residence.

IV. PROOF OF VACCINATION

A covered contractor must review its covered employees’ documentation to prove vaccination status. The contractor may accept one of the following documents to prove the covered contractor employee’s vaccination status:

- a copy of the record of immunization from a healthcare provider or pharmacy;
- a copy of the COVID-19 Vaccination Record Card (CDC Form MLS – 319813_r,) published on September 3, 2020;
- a copy of medical records documenting the vaccination;
- a copy of immunization records from a public health or State immunization information system; or
- a copy of any other official documentation verifying vaccination with information on the vaccine name, date(s) of administration, and the name of healthcare professional or clinic site administering vaccine.

Covered contractors may allow covered contractor employees to show or provide to their employer a digital copy of such records, including, for example, a digital photograph, scanned image, or PDF of such a record.

V. WORKPLACE SAFETY PROTOCOLS

The Task Force Guidance also imposes requirements related to masking and physical distancing while in covered contractor workplaces. Covered contractors must ensure that all individuals, including covered contractor employees and visitors, comply with published CDC Guidance for masking and physical distancing at a covered contractor workplace (subject to exceptions for medical or religious accommodations).

A. Masking/Physical Distancing Requirements

In areas of high or substantial community transmission, fully vaccinated individuals must wear a mask in indoor settings, with limited exceptions. In areas of low or moderate community transmission, fully vaccinated individuals do not need to wear a mask. Fully vaccinated individuals do not need to physically distance regardless of the level of transmission in the area.

Individuals who are not fully vaccinated must wear a mask indoors and in certain outdoor settings regardless of the level of community transmission in the area. To the extent practicable, individuals who are not fully vaccinated should maintain a distance of at least 6 feet from others at all times, including in offices, conference rooms, and all other communal and workspaces.

Covered contractors may provide for exceptions to mask wearing and/or physical distancing requirements consistent with CDC guidelines, for example, when an individual is alone in an office with floor to ceiling walls and a closed door, or for a limited time when eating or drinking and maintaining appropriate distancing. Covered contractors may also provide exceptions for covered contractor employees engaging in activities in which a mask may get wet; high intensity activities where covered contractor employees are unable to wear a mask because of difficulty breathing; or activities for which wearing a mask would create a risk to workplace health, safety, or job duty as determined by a workplace risk assessment. Any such exceptions must be approved in writing by a duly authorized representative of the covered contractor to ensure compliance with the Guidance at covered contractor workplaces.

Covered contractors must require individuals in covered contractor workplaces who are required to wear a mask to:

- Wear appropriate masks consistently and correctly (over mouth and nose);
- Wear appropriate masks in any common areas or shared workspaces (including open floor plan office space, cubicle embankments, and conference rooms); and
- For individuals who are not fully vaccinated, wear a mask in crowded outdoor settings or during outdoor activities that involve sustained close contact with other people who are not fully vaccinated, consistent with CDC Guidance.

B. Community Transmission Data – Weekly Monitoring

Covered contractors must check the [CDC COVID-19 Data Tracker County View](https://covid.cdc.gov/covid-data-tracker/#county-view) website (<https://covid.cdc.gov/covid-data-tracker/#county-view>) for community transmission information in all areas where they have a covered contractor workplace at least weekly to determine proper workplace safety protocols. When the level of community transmission in the area of a covered contractor workplace increases from low or moderate to substantial or high, contractors and subcontractors should put in place more protective workplace safety protocols consistent with published guidelines. However, when the level of community transmission in the area of the covered contractor

workplace is reduced from high or substantial to moderate or low, the level of community transmission must remain at that lower level for at least two consecutive weeks before the covered contractor utilizes those protocols recommended for areas of moderate or low community transmission.

C. Designation of Responsibility

Covered contractors must designate a person or persons to coordinate implementation of and compliance with the Guidance and the workplace safety protocols set forth above. The designated person or persons may be the same individual(s) responsible for implementing any additional COVID–19 workplace safety protocols required by local, State or Federal law, and their responsibilities to coordinate COVID–19 workplace safety protocols may comprise some or all of their regular duties.

The designated individual (or individuals) must ensure that information on required COVID–19 workplace safety protocols is provided to covered contractor employees and all other individuals likely to be present at covered contractor workplaces, including by communicating the required workplace safety protocols and related policies by email, websites, memoranda, flyers, or other means and posting signage at covered contractor workplaces that sets forth the requirements and workplace safety protocols in the Guidance in a readily understandable manner. This includes communicating the COVID–19 workplace safety protocols and requirements related to masking and physical distancing to visitors and all other individuals present at covered contractor workplaces. The designated individual (or individuals) must also ensure that covered contractor employees comply with the requirements in this Guidance related to the showing or provisions of proper vaccination documentation.

The Task Force has issued the Frequently Asked Questions attached hereto.

The foregoing Compliance Update is for informational purposes only and does not constitute legal advice. As a reminder, the NBA general counsel is the attorney for the Nebraska Bankers Association, not its member banks. The general counsel is available to assist members with finding resources to help answer their questions. However, for specific legal advice about specific situations, members must consult and retain their own attorney.

Frequently Asked Questions

Vaccination and Safety Protocols

Q1: How do covered contractors determine vaccination status of visitors to covered contractor workplaces?

A: Covered contractors should post signage at entrances to covered contractor workplaces providing information on safety protocols for fully vaccinated and not fully vaccinated individuals, including the protocols defined in the masking and physical distancing section above, and instruct individuals to follow the appropriate workplace safety protocols while at the covered contractor workplace. Covered contractors may take other reasonable steps, such as by communicating workplace safety protocols to visitors prior to their arrival at a covered contractor workplace or requiring all visitors to follow masking and physical distancing protocols for not fully vaccinated individuals.

Q2: Do covered contractors need to provide onsite vaccinations to their employees?

A: Covered contractors should ensure their employees are aware of [convenient opportunities to be vaccinated](#). Although covered contractors may choose to provide vaccinations at their facilities or workplaces, given the widespread availability of vaccinations, covered contractors are not required to do so.

Q3: What should a contractor employee do if a covered contractor employee has lost or does not have a copy of required vaccination documentation?

A: If covered contractor employees need new vaccination cards or copies of other documentation proof of vaccination, they should contact the vaccination provider site where they received their vaccine. Their provider should be able to provide them with new cards or documentation with up-to-date information about the vaccinations they have received. If the location where the covered contractor employees received their COVID-19 vaccine is no longer operating, the covered contractor employees should contact their State or local health department's [immunization information system \(IIS\)](#) for assistance. Covered contractor employees should [contact their State or local health department](#) if they have additional questions about vaccination cards or vaccination records.

An attestation of vaccination by the covered contractor employee is not an acceptable substitute for documentation of proof of vaccination.

Q4: Who is responsible for determining if a covered contractor employee must be provided an accommodation because of a disability or because of a sincerely held religious belief, practice, or observance?

A: A covered contractor may be required to provide an accommodation to contractor employees who communicate to the covered contractor that they are not vaccinated for COVID-19, or that they cannot wear a mask, because of a disability (which would include medical conditions) or because of a sincerely held religious belief, practice, or observance. A covered contractor should review and consider what, if any, accommodation it must offer. The contractor is responsible for considering, and dispositioning, such requests for accommodations regardless of the covered contractor employee's place of performance. If the agency that is the party to the covered contract is a "joint employer" for purposes of compliance with the Rehabilitation Act and Title VII of the Civil Rights Act, both the agency and the covered contractor should review and consider what, if any, accommodation they must offer.

Q5: Are covered contractor employees who have a prior COVID-19 infection required to be vaccinated?

A: Yes, covered contractor employees who have had a prior COVID-19 infection are required to be vaccinated. More information from CDC can be found [here](#).

Q6: Can a covered contractor accept a recent antibody test from a covered contractor employee to prove vaccination status?

A: No. A covered contractor cannot accept a recent antibody test from a covered contractor employee to prove vaccination status.

Workplaces

Q7: Does this Guidance apply to outdoor contractor or subcontractor workplace locations?

A: Yes, this Guidance applies to contractor or subcontractor workplace locations that are outdoors.

Q8: If a covered contractor employee is likely to be present during the period of performance for a covered contract on only one floor or a separate area of a building, site, or facility controlled by a covered contractor, do other areas of the building, site, or facility controlled by a covered contractor constitute a covered contractor workplace?

A: Yes, unless a covered contractor can affirmatively determine that none of its employees on another floor or in separate areas of the building will come into contact with a covered contractor employee during the period of performance of a covered contract. This would include affirmatively determining that there will be no interactions between covered contractor employees and non-covered contractor employees in those locations during the period of performance on a covered contract, including interactions through use of common areas such as lobbies, security clearance areas, elevators, stairwells, meeting rooms, kitchens, dining areas, and parking garages.

Q9: If a covered contractor employee performs their duties in or at only one building, site, or facility on a campus controlled by a covered contractor with multiple buildings, sites, or facilities, are the other buildings, sites, or facility controlled by a covered contractor considered a covered contractor workplace?

A: Yes, unless a covered contractor can affirmatively determine that none of its employees in or at one building, site, or facility will come into contact with a covered contractor employee during the period of performance of a covered contract. This would include affirmatively determining that there will be no interactions between covered contractor employees and non-covered contractor employees in those locations during the period of performance on a covered contract, including interactions through use of common areas such as lobbies, security clearance areas, elevators, stairwells, meeting rooms, kitchens, dining areas, and parking garages.

Q10: Are the workplace safety protocols enumerated above the same irrespective of whether the work is performed at a covered contractor workplace or at a Federal workplace?

A: Yes. The Guidance applies to all covered contractor employees and to all contractor or subcontractor workplace locations. While at a Federal workplace, covered contractor employees must also comply with any additional agency workplace safety requirements for that workplace. Because covered contractor employees working on a covered contract need to be fully vaccinated after December 8, 2021, covered contractor employees who work only at a Federal workplace need to be fully vaccinated by that date as well, unless legally entitled to an accommodation.

Q11: How does this Guidance apply to covered contractor employees who are authorized under the covered contract to perform work remotely from their residence?

A: An individual working on a covered contract from their residence is a covered contractor employee, and must comply with the vaccination requirement for covered contractor employees, even if the employee never works at either a covered contractor workplace or Federal workplace during the performance of the contract. A covered contractor employee's residence is not a covered contractor workplace, so while in the residence the individual need not comply with requirements for covered contractor workplaces, including those related to masking and physical distancing, even while working on a covered contract.

Scope and Applicability

Q12: By when must the requirements of the order be reflected in contracts?

A: Section 6 of the order lays out a phase-in of the requirements for covered contracts as follows:

- *Contracts awarded prior to October 15 where performance is ongoing* – the requirements must be incorporated at the point at which an option is exercised or an extension is made.
- *New contracts* – the requirements must be incorporated into contracts awarded on or after November 14. Between October 15 and November 14, agencies must include the clause in the solicitation and are encouraged to include the clause in contracts awarded during this time period but are not required to do so unless the solicitation for such contract was issued on or after October 15.

Q13: Must the order’s requirements be flowed down to all lower-tier subcontractors and, if so, who is responsible for flowing the clause down?

A: Yes. The requirements in the order apply to subcontractors at all tiers, except for subcontracts solely for the provision of products. The prime contractor must flow the clause down to first-tier subcontractors; higher-tier subcontractors must flow the clause down to the next lower-tier subcontractor, to the point at which subcontract requirements are solely for the provision of products.

Q14: Does the Guidance apply to small businesses?

A: Yes, the requirement to comply with this Guidance applies equally to covered contractors regardless of whether they are a small business. This broad application of COVID-19 guidance will more effectively decrease the spread of COVID-19, which, in turn, will decrease worker absence, reduce labor costs, and improve the efficiency of contractors and subcontractors at workplaces where they are performing work for the Federal Government.

Q15: What steps are being taken to promote consistent application of the order’s requirements across agencies?

A: The FAR Council will conduct a rulemaking to amend the FAR to include a clause that requires covered contractors performing under FAR-based contracts to comply with this Guidance for contractor and subcontractor workplace locations. Prior to rulemaking, by October 8, 2021, the FAR Council will develop a clause and recommend that agencies exercise their authority to deviate from the FAR using the procedures set forth in subpart 1.4. Agencies responsible for contracts and contract-like instruments that are not subject to the FAR, such as concession contracts, will be responsible for developing appropriate guidance by October 8, 2021 to incorporate requirements into their covered instruments entered into on or after October 15, 2021.

Q16: If the Safer Federal Workforce Task Force updates this Guidance to add new requirements, do those requirements apply to existing contracts?

A: Yes. Covered contractors are required to, for the duration of the contract, comply with all Task Force Guidance for contractor or subcontractor workplace locations, including any new

Guidance where the OMB Director approves the Guidance and determines that adherence to the Guidance will promote economy and efficiency in Federal contracting. The Task Force and OMB plan to ensure any workplace safety protocols reflect what is necessary to decrease the spread of COVID-19.

Q17: What constitutes work performed “in connection with” a covered contract?

A: Employees who perform duties necessary to the performance of the covered contract, but who are not directly engaged in performing the specific work called for by the covered contract, such as human resources, billing, and legal review, perform work in connection with a Federal Government contract.

Q18: Do the workplace safety protocols in the Guidance apply to covered contractor employees who perform work outside the United States?

A: No. The workplace safety protocols in the Guidance do not apply to covered contractor employees who only perform work outside the United States or its outlying areas, as those terms are defined in section 2.101 of the FAR.

Compliance

Q19: Does this clause apply in States or localities that seek to prohibit compliance with any of the workplace safety protocols set forth in this Guidance?

A: Yes. These requirements are promulgated pursuant to Federal law and supersede any contrary State or local law or ordinance. Additionally, nothing in this Guidance shall excuse noncompliance with any applicable State law or municipal ordinance establishing more protective workplace safety protocols than those established under this Guidance.

Q20: Can a covered contractor comply with workplace safety requirements from the Occupational Safety and Health Administration, including pursuant to any current or forthcoming Emergency Temporary Standard related to COVID-19, instead of the requirements of this Guidance?

A: No. Covered contractors must comply with the requirements set forth in this Guidance regardless of whether they are subject to other workplace safety standards.

Q21: What is the prime contractor’s responsibility for verifying that subcontractors are adhering to the mandate?

A: The prime contractor is responsible for ensuring that the required clause is incorporated into its first-tier subcontracts in accordance with the implementation schedule set forth in section 6 of the order. When the clause is incorporated into a subcontract, a subcontractor is required to

comply with this Guidance and the workplace safety protocols detailed herein. Additionally, first-tier subcontractors are expected to flow the clause down to their lower-tier subcontractors in similar fashion so that accountability for compliance is fully established throughout the Federal contract supply chain for covered subcontractor employees and workplaces at all tiers through application of the clause.

2021

***Women in Banking
Conference***



Register Today!

October 27 – 28, 2021

Embassy Suites Omaha | La Vista

Join your peers at NBA's seventh annual **Women in Banking Conference** and learn skills to improve your effectiveness inside and outside of the bank. Women in all areas of the bank will benefit; from supervisors to bank presidents, to lenders and customer service personnel.

Wednesday, October 27, 2021

8:30 a.m. Registration / Refreshments

9:00 a.m. Welcome and Opening Remarks

9:15 a.m. **FINES DOUBLE IN ROAD CONSTRUCTION**

Deadra Stanton, Creative Communications

Before we can grow professionally, we need to keep focused on our life journey. When we are traveling so fast and so furious, we sometimes limit our ability to navigate our path.

After this presentation the participant should have strategies to help maintain their focus and make sure they stay open to new ideas, a revitalized sense of self, and making the trip is enjoyable.



10:30 a.m. Break

10:45 a.m. **WHAT BANKS SHOULD KNOW ABOUT MITIGATING A CRISIS IN TODAY'S "CANCEL CULTURE" ENVIRONMENT**

Mary York, Founder & CEO, York Public Relations

Cancel culture. It seems we can barely make it a week without hearing of someone or some organization being "canceled." This concept was largely born out of the #MeToo movement to "cancel" celebrities for problematic actions. As examples, very public individuals like Bill Cosby, Harvey Weinstein and R. Kelly were all "canceled" by the public before their trials. But at its core, this concept is nothing new. It may have become more politicized in recent years and certainly more visible with platforms like Twitter and Facebook, but "cancel culture" has simply become a new buzzword for boycotting a group because of differing views – and banks are no exception. This session will discuss the most dangerous crises that customers would 'cancel' their bank over, and best practices for navigating a crisis.

12:00 p.m. Luncheon

1:00 p.m. **GUIDING TODAY'S WOMEN BANKERS: THE ROLE OF WOMEN BANKERS AS MENTORS**

Sherene McHenry, Ph.D., CSP, The People IQ Expert

Did you know that women head less than 1% of today's Fortune 1000 companies? Do you look around you and wonder about the values, skills, and future of today's new bankers? This session will explore the value of women in guiding tomorrow's bankers and provide practical tips for maximizing mentoring relationships.



2:00 p.m. Break

2:15 p.m. **HUMAN TRAFFICKING-THE FINANCIAL INDUSTRY'S ROLE IN ENDING MODERN SLAVERY**

Terri Luttrell, Compliance & Engagement Director, Abrigo

Human trafficking is one of the fastest growing criminal activities in the world, exploiting an estimated 45 million victims a year and generating approximately \$150 billion in profits. The good news is that with education, knowledge of red flags and victim indicators, and by building strong relationships with law enforcement, the financial industry can help disrupt this form of modern slavery.

3:15 p.m. Break

3:30 p.m. **FEARLESS**

Kat Perkins, "The Voice" Contestant

Kat competed on season six on NBC's The Voice and finished as a Top Four finalist. As part of her Fearless 2.0 Campaign, Kat will share an inspiring message about finding your passion, assuming leadership, developing and maintaining a positive attitude, working towards your dreams and becoming FEARLESS. As a nationally recognized speaker and entertainer, humanitarian and founder of her own non-profit, Kat will leave you with a renewed sense of confidence and a full heart.

4:30 p.m. **READY, SET, ACTION! A time for networking, sharing refreshments, and a movie!**

Join us immediately following Kat's session, at *Alamo Drafthouse* for a private screening of the newly released, comedy, "**TOGETHER**," starring James McAvoy and Sharon Horgan. Academy Award nominee Stephen Daldry shares the story of a family, like so many, who found a way to survive in 2020 – together. This hilarious and heartbreaking story intimately shows two partners forced to re-evaluate themselves and their relationship through the reality of lockdown.



Adjourn – Dinner on Your Own!

Thursday, October 28, 2021

8:00 a.m.	Refreshments
8:30 a.m.	TRY, TRY AGAIN <i>Laurie Stewart, President & CEO, Sound Financial Bancorp</i> Stewart will share her journey as an accidental banker in this thoughtful session that describes how to achieve your goals, one try at a time. You will hear about her career to the C-Suite as well as learn some tools that may guide your journey. Come laugh with her and take away some practical ideas.
9:30 a.m.	Break
9:45 a.m.	EXECUTIVE PANEL DISCUSSION Female leaders have many of the same qualities as their male colleagues, especially an ability to set high goals and inspire others to fulfill them. But women are different in some ways that make them valuable additions to decision making teams. Join us to learn from our panel of bankers from varying communities and bank sizes, who will share their story of leadership from a woman’s perspective. Our Panel includes: <i>Laurie Stewart, President & CEO, Sound Financial Bancorp (moderator)</i> <i>Natalie Bartholomew, The Girl Banker, Chief Impact Officer, Citizens Bank of Edmond</i> <i>Leslie Andersen, President & CEO, i3 Bank</i> <i>Kathryn Barker, Senior Vice President, Core Bank</i>
10:45 a.m.	Break
11:00 a.m.	OWN IT: BEING A WOMAN IN BANKING <i>Natalie Bartholomew, The Girl Banker, Chief Impact Officer, Citizens Bank of Edmond</i> Own It: Being A Woman in Banking presents immediate take-aways for session goers including information on mentorship, building your own personal brand, the importance of advocating for women in your organization, and much more.
12:00 p.m.	Adjournment

Registration Information

Member Fee:

First Person - \$299 *

Each Add'l - \$285 *

Non-Member Fee:

\$897 per person*

**If received by October 20, 2021*

This fee includes all conference materials, refreshments, luncheon, and Wednesday evening event. The deadline for registrations and refunds for cancelled registrations is **October 20, 2021**. Any registrations received after that date will be an additional \$25 per person and subject to space availability.

Location Information

Reservations can be made by calling the hotel directly by October 5. Please mention that you’re with the NBA room block. The NBA rate is \$139 plus taxes.

Embassy Suites Omaha | La Vista
12520 Westport Pky, La Vista / (402) 331-7400

*Please feel free to dress casually.
To ensure your comfort, please bring a light jacket or sweater to the program.*

Notice: If you have a disability that may affect your participation in this event, please forward a statement regarding any special needs to the Nebraska Bankers Association. We will contact you to discuss accommodations.

REGISTRATION FORM ON BACK COVER!

CONFERENCE SPONSORS



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1-09/07/21



2021 Women in Banking Conference

Embassy Suites Omaha | La Vista
 October 27 – 28, 2021

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

Please register the following individual(s): NAME <i>(as you wish it to appear on the badge)</i>	Email Address	Member Fee: First person - \$299 Each Add'l - \$285 Non-Member Fee: \$897 per person	(✓) CHECK HERE TO CONFIRM YOUR PARTICIPATION IN THE WEDNESDAY EVENING EVENT AT ALAMO DRAFTHOUSE

Registrations received after October 20 will be an additional \$25 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

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Event Calendar

Payment Choice (check one):

MasterCard VISA Discover American Exp.

Cardholder Name: _____

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Exp. Date: _____ Signature: _____

2021 Regulatory Issues Virtual Summit

NBA Nebraska Bankers Association



**VIRTUAL
Offering**

The **2021 Regulatory Issues Summit** will look a little different, but you will still have an opportunity to have a dialogue with banking industry regulators. Hear from representatives from the FDIC, OCC, Federal Reserve, CFPB, and the Nebraska Department of Banking & Finance. We are sure this will be an outstanding virtual event and one you won't want to miss.

Friday, October 29, 2021

Share a Dialogue with the Regulators

9:00 a.m. "Keeping Pace with the Demands of Regulatory Oversight"

*James C. Ballentine, Executive Vice President of (Invited)
Congressional Relations and Political Affairs
American Bankers Association, Washington, DC*



9:15 a.m. "Regulatory Panel Discussion", Moderated by James C. Ballentine

- *James LaPierre, Regional Director
Federal Deposit Insurance Corp., Kansas City, MO*
- *Tara L. Humston, Senior Vice President, Supervision and Risk Management Division
Federal Reserve Bank of Kansas City, Kansas City, MO*
- *Karen Boehler, Deputy Comptroller – Western District
Office of the Comptroller of the Currency, Denver, CO*
- *Kelly Lammers, Director
Nebraska Department of Banking and Finance, Lincoln, NE*
- *Laura Fiene, Regional Director (Invited)
Consumer Financial Protection Bureau, San Francisco, CA*

NEBRASKA
DEPARTMENT OF BANKING
AND FINANCE



11:15 a.m. "Up Close & Personal with the Regulators"

We will utilize Zoom rooms to provide an opportunity for you to ask questions and hear what those charged with overseeing your institution have on their agenda for the next year. Regulators will have a chance to hear directly from you regarding your concerns, problems, and recommendations.

12:15 p.m. Adjournment

Registration and Pricing Information

Member: \$45 (per organization/unlimited attendees)
(regular pricing – \$45 per person)

Non-Member: \$135 (per organization/unlimited attendees)

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

Once registered, notice is required for cancellation **by October 22**. Notice is required for all cancellations. If the request is received by the NBA Education Center by October 22, 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



1-09/16/2021



**2021 Regulatory Issues
Virtual Summit**

October 29, 2021

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

Member: \$45 (per organization/unlimited attendees)

Non-Member: \$135 (per organization/unlimited attendees)

Please register the following individual:			Email Address
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: _____

Demystifying Cryptocurrency

NBA Nebraska Bankers Association

*November 3, 2021
Cornhusker Marriott Hotel
Lincoln*



With the passage of the Nebraska Financial Innovation Act, financial institutions can operate digital asset depository businesses. What is a digital asset and what does it mean to operate a digital asset depository business? Join the **Nebraska Bankers Association** and **FS Vector**, a leading fintech consulting firm, to hear from industry leaders about working in the digital asset industry.

Program Outline

- 8:30 a.m. Registration/Refreshments
- 9:00 a.m. Introductions and Agenda Overview
Richard Baier, President & CEO, Nebraska Bankers Association
- 9:10 a.m. **BLOCKCHAIN AND DISTRIBUTED LEDGER TECHNOLOGY**
Blockchain, often used interchangeably with distributed ledger technology (DLT), is the backbone of the digital asset and cryptocurrency industry. This technology powers the ecosystem, but how does it actually work? Join us as we discuss how a blockchain functions and why DLT has the potential to revolutionize the digital world.
- 9:45 a.m. **DIGITAL ASSETS 101: ORIGIN, TYPES, PURCHASING, TRADING, SECURITY**
There are thousands of digital assets in existence, so how can we prepare ourselves to make the leap into the digital asset space? During this session we will explore the origin of digital assets, discuss different digital asset use cases, and dive into what it means to operate a digital asset business.
- 10:30 a.m. Break
- 10:45 a.m. **UPDATE ON THE NEBRASKA FINANCIAL INNOVATION ACT**
Kelly Lammers, Director, Nebraska Department of Banking & Finance
- 11:00 a.m. **BITCOIN AND ETHEREUM 101**
Bitcoin and ether, with a combined market capitalization over \$1.2 trillion, are the most well-known cryptocurrencies. While they may look similar at first glance, they couldn't be more different! Join us as we compare these cryptocurrencies, their underlying technologies, and how they contribute to the broader digital asset industry.
- 11:45 a.m. **NEBRASKA BUSINESSES & DIGITAL ASSETS PANEL DISCUSSION**
Richard Baier, President & CEO, Nebraska Bankers Association (Moderator)
- 12:15 p.m. **BREAK FOR LUNCH WITH GUEST SPEAKER**

1:30 p.m. **CUSTODY OF CRYPTO ASSETS: SOLUTIONS**

With the passage of the Nebraska Financial Innovation Act, financial institutions can operate digital asset depository businesses, but what does digital asset custodianship actually look like? We will use this time to discuss the importance of digital asset custodianship and the challenges digital asset custodians, and their partners may face. We will also provide an overview of the Federal regulatory landscape impacting digital assets and offer some considerations for banks looking to provide digital asset custodianship.

2:30 p.m. **END OF DAY / RECAP AND QUESTIONS**

Who Should Attend

This comprehensive program on cryptocurrency and digital assets is intended for bankers, business leaders, entrepreneurs, manufacturers, ag producers, and anyone in Nebraska and across the country who are interested in learning more about both cryptocurrencies and digital assets.

Registration and Pricing Information

Member/Non-Member: \$149 (per person)*

**If received by October 27, 2021*

Advance registration for this program includes all materials, refreshments, and luncheon. The deadline for registrations and refunds for cancelled registrations is **October 27, 2021**. Any registrations received after that date will be an additional \$25 per person and subject to space availability.

(Please register online or use the form below)

Nebraska Bankers Association

233 South 13th Street, Suite 700 | Lincoln, NE 68508

Phone: (402) 474-1555 | Education Center Fax: (402) 474-2148

1-09/15/21



Demystifying Cryptocurrency Workshop

**Cornhusker Marriott Hotel, Lincoln
November 3, 2021**

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

Please register the following individual(s): NAME	Email Address	Member/ Non-Member Fee: \$149 per person

Registrations received after October 27 will be an additional \$25 per person.

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
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Event Calendar

Payment Choice (check one):

- MasterCard VISA Discover American Exp.

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____

TOTAL DUE \$ _____

Security Management 2021: Everything Has Changed



The Rechel Group has been studying the impact of the events over the last year (an evolution that began much earlier) and has developed an innovative new seminar to assist bankers in navigating through the rapids of the changing world of bank security.

Almost every bank today has developed its physical and financial crime prevention strategies with traditional law enforcement principles underlying many of your policies. Considering the macro changes taking place today, the strategies must be revisited, restructured, and re-energized to respond to the rapidly changing reality of doing business in the future.

November 1 & 8, 2021

1:00 – 4:00 p.m. (CT) Both Days

Topics To Be Covered

Implementation in today's world requires fresh ideas, which will be presented in this two-part virtual workshop.

NOVEMBER 1:

Physical Security Restructured: “Deter, Detect, Delay and Respond”

The components can stay, but the execution and emphasis must prioritize the components from the eye of the criminal/potential perpetrator. Measures to deter the unwanted behavior must signal that there is a degree of difficulty from a personal perspective that exceeds the benefit.

Security Impact Analysis – (SIA)

Coordinating with your Business Continuity Plan, the identification of the critical security zones needed to match the risks your employees and customers face, is not dissimilar to the process of identifying the components of your “Business Impact Analysis”. Identify your public access, work areas, restricted work areas, secured and highly secured areas and more to protect what it is you think you are protecting.

NOVEMBER 8:

Security Practices in Detail

- Designing a Multi Layered Security Program
- Understanding and Developing Mitigation Timelines
- Addressing the Current Perils and Future Adaptations (Robbery vs Active Shooters and Threats)
- Physical Security and Information Protection

Understanding “Zero Trust” in Physical Security

IT professionals are gravitating away from “trust but verify” concepts for transactions inside your bank's network to the concept of “Zero Trust”, even when the request is from inside your network. Physical security principles will be analyzed against this new model for new and innovative ideas for your bank to consider for future physical security implementation.

Who Should Attend

This informative workshop is for all management level personnel with responsibility for security policies within their organization.

About the Speaker

Jim Rechel is president of The Rechel Group, Inc., a risk-consulting firm headquartered in Cincinnati, Ohio. He was a Vice President for a top 10 financial institution and is on the board of The Institute for Criminal Justice Education, Montgomery, Alabama, and a member of numerous national organizations, and is a Certified Financial Security Officer. He is a past local board member of the International Association of Financial Crimes Investigators Association and the American Society of Industrial Security.

Registration and Pricing Information

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

Member: \$235 (per person)

Non-Member: \$705 (per person)

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

Notice is required for all substitutions/cancellations. If the cancellation request is received by the NBA Education Center by **October 25, 2021**, the full fee will be refunded. After that date, the refund is subject to a 50% cancellation fee per registrant. Substitutions are welcomed.

(Please register online or use the form below)

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

09/16/2021



Security Management 2021: Everything Has Changed

VIRTUAL Workshop

November 1 & 8, 2021

1:00 – 4:00 p.m. (CT) Both Days

Financial Institution: _____

Bank / Branch Address: _____

City/Town/ST: _____ Zip: _____

Phone# (_____) _____

Check here for the MEMBER BANK ALL-ACCESS PASS: \$600 (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 \$ _____

Four Ways to Register:

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

PHONE: (402) 474-1555

WEBSITE:

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Event Calendar

Payment Choice (check one):

MasterCard VISA Discover American Exp.

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____

Employment Law Compliance for Banks

VIRTUAL Workshop

November 10, 2021
9:00 a.m. – 1:00 p.m.

Cosponsored by



Graduate School of Banking
at the University of Wisconsin – Madison

NBA Nebraska Bankers Association

About the Program

This timely program sponsored by the Graduate School of Banking at the University of Wisconsin-Madison will provide HR professionals with relevant, practical, and up-to-date advice in employment law compliance. Focusing on recent developments in federal law — as well as in federal regulatory agencies and their initiatives — this interactive forum will allow participants to ask questions and discuss solutions while networking with other bank HR professionals.

Topics of discussion include:

- Recent developments in employment law
- Greatest risks and how to prevent them
- Policies and procedures
- Hiring and termination procedures
- Leaves of absence
- Discrimination and harassment - proper procedures and policies to avoid liability

Participants are also encouraged to have their bank's application forms and/or handbooks available to review during the program.

Who Should Attend

Human resource officers, supervisors, CEOs, and general counsel or in-house legal counsel.

About the Speaker

Patty Wise is a nationally known labor and employment lawyer and is certified by the Ohio State Bar Association as a specialist in that area of practice. She has been interviewed by NPR, quoted in the Wall Street Journal and the Economist magazine, and has contributed to media publications from San Francisco to Atlanta. She has testified before a Congressional subcommittee, before the EEOC, and the California State Legislature. She was a member of the EEOC Select Task force on Workplace Harassment.

Registration and Pricing Information

Check here for the MEMBER BANK ALL-ACCESS PASS: \$700 *(Need a main contact/registrant)*

Member: \$295 *(first person)*
\$245 *(each add'l)*

Non-Member: \$885 *(per person)*

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

Notice is required for all substitutions/cancellations. If the cancellation request is received by the NBA Education Center by November 3, 2021, the full fee will be refunded. After that date, the refund is subject to a 50% cancellation fee per registrant. Substitutions are welcomed.

(Please register online or use the form on the next page)



**Employment Law
Compliance for Banks**
VIRTUAL Workshop

November 10, 2021

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

Check here for the MEMBER BANK ALL-ACCESS PASS: \$700 (Need a main contact/registrant)

**Member: \$295 (first person)
\$245 (each add'l)**

Non-Member: \$885 (per person)

Please register the following individual:			Email Address	Member: \$295/245 Non-Member: \$885
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
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Event Calendar

Payment Choice (check one):

- MasterCard
- VISA
- Discover
- American Exp.

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____

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



Principles of Commercial/Ag Loan Documentation



**VIRTUAL
Offering**



Poor loan documentation can cost your financial institution thousands of dollars each year. Unfortunately, the importance of effective loan documentation is most apparent when it is already too late. This workshop focuses on the major concepts, specific requirements, and common problems in the specialized fields of **commercial** and **agricultural** loan documentation with emphasis on avoiding loan losses due to faulty documentation. Our “hands-on” approach allows you to return to work and apply what you have learned immediately.

November 17, 2021

8:45 a.m. – 4:15 p.m. (includes a break from 12:15 – 12:45 p.m.)

Problem Method

Throughout the program the problem method will be used to challenge the participants in important areas of loan documentation. The instructor will demonstrate the difficulty and challenges often hidden in every day/routine lending transactions by posing problems to the participants based on “real world” situations faced by actual lenders who, unfortunately, documented the loan incorrectly resulting in costly legal challenge. The use of the problem method will involve the participants and challenge their ability to identify documentation errors and deficiencies common in commercial/ag lending transactions.

The program will illustrate how to:

- Perfect security interests under Revised Article 9 of the UCC
- Identify the borrower (including spouses and children involved in family farming operations) and document the authority to borrow
- Understand contract basics: notes, security agreements, mortgages, pledges, and other essential loan contracts
- Use of commitment letters
- Undertake essential pre-loan due diligence
- Understand the effect of non-UCC crop and livestock lien status on the lender taking collateral under the UCC
- Understand the implications of loan default(s)
- Comply with notification requirements under the Federal Food Security Act
- Protect against tax liens and other conflicting encumbrances
- Understand bankruptcy implications
- Recognize and prevent violations of ECOA (Reg-B)

Essentials of Article 9 of the Uniform Commercial Code

Essentials of Article 9 of the Uniform Commercial Code - including coverage of the 2010 Amendments which became effective in most states on July 1, 2013. Among other changes, these amendments impact how individual debtors are to be identified on UCC financing statements. The revisions to Article 9 of the UCC brought major changes to the area of agricultural security interests.

The program will examine the most common problems encountered with UCC Article 9 and provide practical guidance in critical areas, including:

- Impact of 2010 Amendments effective July 1, 2013
- Identification of individual debtors on UCC financing statements
- Agricultural security interests with an emphasis on perfecting security interests on both tangible and intangible
- Agricultural collateral
- Perfecting security interests in deposit accounts under Revised Article 9
- Cover, in detail, the “where to file” rules under Revised Article 9
- Interaction between Article 9 security interests and state agricultural liens under the expanded scope of Article 9
- Different perfection methods under Revised Article 9 and when to use them
- Lien priorities and lien searches
- Enforcing unperfected security interests
- Gaining priority through purchase money transactions

Real Estate Mortgages/Deeds of Trust

Participants will learn the basic requirements of securing loans with real estate examining such problems as perfection, future advance clauses and loan renewals. Participants will be exposed to proper "due diligence" procedures when a loan is secured by real estate including the use of title insurance, surveys, and environmental audits.

Who Should Attend

Anyone involved in the commercial or agricultural lending process, including CEO's, loan officers, credit analysts, attorneys, bank counsel, branch managers with lending authority, loan review personnel, internal auditors, and documentation support staff.

About the Speaker

Terri D. Thomas, EVP currently serves as the Legal Department Director of the Kansas Bankers Association, and manager of its subsidiary, Kansas Bankers Consulting Services, LLC. In these roles, she provides legal and compliance services to Kansas banks. Terri has forty years of experience working in various aspects of the banking industry. She has taught as an adjunct professor at Washburn University School of Law in Topeka, Kansas, as well as the University of Kansas School of Law, and is a frequent seminar presenter for banking associations and schools.

Registration and Pricing Information

Member: \$235 (first person)
\$195 (each add'l)

Non-Member: \$705 (per person)

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

Notice is required for all substitutions/cancellations. If the cancellation request is received by the NBA Education Center by November 10, 2021, the full fee will be refunded. After that date, the refund is subject to a 50% cancellation fee per registrant. Substitutions are welcomed.

(Please register online or use the form below)

10/06/2021



Principles of Commercial/ Ag Loan Documentation VIRTUAL Offering

November 17, 2021

8:45am-12:15pm and 12:45-4:15pm

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

Member: \$235 (first person)/**\$195** (each add'l)

Non-Member: \$705 (per person)

Please register the following:		Email Address	Reg Fee
FIRST NAME	LAST NAME		
			\$235
			\$195
			\$195

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

TOTAL DUE \$ _____

Payment Choice (check one):

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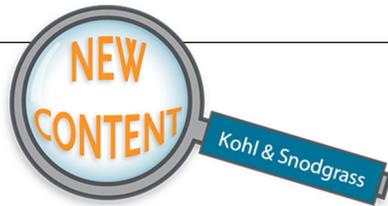
Exp. Date: _____ Signature: _____

2021 Ag & Beyond Virtual Workshop

NBA Nebraska Bankers Association



**VIRTUAL
Offering**



December 7, 2021

9:00 a.m. – 12:00 p.m.

Weather and Economics Outlook: Actions for Success

What are two of the subjects most difficult to predict but most compelling to follow? Weather and economics, of course.

Join Dr. Dave Kohl and Eric Snodgrass in a tag-team unplugged environment that is engaging, thought provoking and entertaining.

Two of the most popular speakers on the agricultural circuit who have often presented together in face-to-face meetings will come to you virtually from Cyberville. Dr. Dave will present the latest information on global trade, government payments, supply and marketing chain disruptors, as well as the U.S. and global recession during the pandemic. Of course, Eric will provide his latest update on weather trends in the U.S. and abroad that impact the bottom-line of your agricultural business.

Along the way, both will provide tips, techniques and take-aways that can be implemented in your business, family and personal lives. In a socially distanced environment, this morning session will be a great way to make an investment in your customers, stakeholders and bank team members.

Join us at this year's Ag & Beyond Series from Cyberville to close down 2020 and kick off 2021.

- Virtually educate and connect with customers and team members
- Provide actionable items and enhance business and financial literacy for attendees
- Learn answers to critical questions for crucial conversations
- Gain wisdom and perspective for everyday business and personal life from Eric and Dr. Dave

BANK ALL-ACCESS PASS: \$600

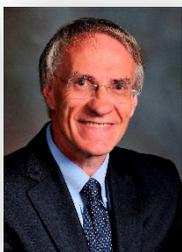
Unlimited number of attendees!

Hosting idea:

Invite your producers in for breakfast and the program, or the program and lunch!

For those who do not wish to participate in person, you can provide them with the link to join from home.

About the Speakers



David M. Kohl, Ph.D.
Professor Emeritus, Virginia Tech

Dr. Dave Kohl is an academic Hall of Famer in the College of Agriculture at Virginia Tech, Blacksburg, VA. Dr. Kohl has keen insight into the agriculture industry gained through extensive travel, research, and involvement in ag businesses. He has traveled nearly 10 million miles; conducted more than 6,500 presentations; and published more than 2,250 articles in his career. Dr. Kohl's wisdom and engagement with all levels of the industry provide a unique perspective into future trends.

Sponsored by:
 **Schools
of Banking**



Eric Snodgrass
Nutrien Ag Solutions

Eric is the Principal Atmospheric Scientist for Nutrien Ag Solutions, where he develops predictive, analytical software solutions to manage weather risk for global production agriculture. He provides frequent weather updates that focus on how high-impact weather events influence global agriculture productivity. He presents his research as a featured speaker at over 50 conferences annually where he provides logistical guidance and solutions to weather sensitive financial institutions, farmers, commodity traders, and other stakeholders.

Sponsored by:
NBA Nebraska Bankers
Insurance and
Services Company

Registration and Pricing Information

NBA Member: ~~\$175~~ **\$150 per person**

Fee includes presentation materials.

Ag Customer & Spouse: \$100 **\$75 per couple**

Fee includes presentation materials.

Ag Student/Teacher Guest(s): \$75 **\$50 per person**

Fee includes presentation materials.

Non-NBA Member: **\$375 per person**

Fee includes presentation materials.

BANK ALL-ACCESS PASS: \$600
Unlimited number of attendees!

Host your ag customers in the bank or provide them with the link to join from home.

Fee includes the OnDemand recording for 30-days plus, presentation materials.

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

Once registered, notice is required for cancellation **by November 30**. Notice is required for all cancellations. If the request is received by the NBA Education Center by November 30, 2021, the full fee will be refunded.

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

NEBRASKA BANKERS ASSOCIATION
233 South 13th Street, Suite 700 / Lincoln, Nebraska 68508
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www.nebankers.org

1-09/17/2021



2021 Ag & Beyond Virtual Workshop

December 7, 2021

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

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

<i>Please register the following individual(s):</i>		EMAIL ADDRESS	Banker \$150	Producer \$50	Spouse <small>(Accompanying a producer)</small> \$25	Student/Teacher \$50
FIRST NAME	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: _____