

Compliance Journal

Special Focus

National Defense Authorization Act FY 2021 Brings Changes to Bank Secrecy Act

The National Defense Authorization Act for Fiscal Year 2021 (NDAA), enacted on January 1, 2021, includes several provisions which impact the Bank Secrecy Act (BSA). This article is meant to provide an overview of the requirements set forth under the Act including future revisions to beneficial ownership requirements, currency transaction and suspicious activity reporting (CTRs/SARs), and BSA laws and guidance in general.

The changes made by NDAA first need be implemented through rulemaking by the Department of Treasury (Treasury) or Financial Crimes Enforcement Network (FinCEN). In most cases the agencies are to consult with federal and state prudential financial regulators and law enforcement agencies in the rulemaking process. Until rules are finalized, financial institutions need to maintain existing BSA policies and procedures—including existing customer due diligence (CDD) procedures.

Changes Made by National Defense Authorization Act

National Exam and Supervision Priorities

Pursuant to Section 6101 of NDAA Title LXI, Treasury is required to establish a national exam and supervision priorities no later than 180 days after enactment. Once established, the priorities are to be updated at least once every four years. Rules to implement these requirements are to be promulgated by FinCEN no later than 180 days after Treasury establishes the priorities.

Modernizing AML System

Many changes will come as a result of efforts to modernize the anti-money laundering (AML) system under NDAA. In particular, under Title LXII, section 6204, Treasury is required to undertake a formal review of CTR and SAR filings by financial institutions. This includes the processes used to submit reports under BSA, regulations that implement BSA, and related guidance. Treasury is required to propose changes to CTRs and SARs to reduce any unnecessarily burdensome regulatory requirements.

In those efforts, NDAA requires Treasury's review to include, whether:

- the circumstances under which an institution must file a continuing SAR, including insider abuse, or the process followed in determining whether to file such report should be streamlined or otherwise adjusted;
- the fields designated as critical on the SAR form, the fields on CTRs, and the number or nature of files on the forms should be adjusted;
- the categories, types, and characteristics of SARs and CTRs are of the greatest value to, and best support of, investigative priorities;
- increased use or expansion of exemption provisions to reduce CTRs that may be of little or no value to the efforts of law enforcement;
- there are appropriate ways to promote financial inclusion and address the adverse consequences of institutions de-risking categories of relationships, including charities, embassy accounts, and money service businesses;



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- electronic submission of reports could be improved for all, including allowing greater integration between financial institutions' systems and the electronic filing system to allow for automatic population of report fields and the automatic submission of transaction data for SARs without bypassing the obligation of each institution to assess the specific risk of the transactions reported;
- there is an appropriate manner in which to ensure security and confidentiality of personal information;
- there can be improvements to cross-referencing of individuals or entities operating at multiple financial institutions and across international borders;
- there are ways to improve CTR aggregation for entities with common ownership;
- financial institutions should be permitted to streamline or otherwise adjust, with respect to particular types or customers or transactions, the process for determining whether activity is suspicious, or the information included in the SAR narrative; and
- any other matter Treasury determines is appropriate.

Section 6205 also requires Treasury to review thresholds for CTR and SAR filings to determine whether the dollar thresholds, including aggregate thresholds, should be adjusted. Included in Treasury's considerations must be the costs likely to be incurred or saved by financial institutions from any adjustment to the thresholds. No later than one year from date of enactment, Treasury is to publish a report of its review findings and to propose rulemakings to implement its findings and determinations.

Additionally, Section 6209 of Title LXII requires Treasury to issue a rule to specify what technology and related technology internal processes will be determined to facilitate compliance with BSA requirements. The standards will then be used by financial institutions to test the technology and related technology internal processes. The section sets forth specific criteria and standards in this context.

Treasury and the federal functional regulators are also required to undertake a formal review of the regulations that implement BSA and related guidance. The review is to identify those regulations and guidance that may be updated, redundant, or otherwise do not promote a risk-based AML compliance and counter the financing of terrorism.

BSA No-Action Letters

Treasury is to conduct an assessment on whether to establish a process for the issuance of no-action letters by FinCEN in response to inquiries from persons concerning the application of BSA, or other AML rule, and guidance.

Safe Harbor with Respect to Keep-Open Directives

Section 6306 of NDAA creates a new safe harbor. With respect to a customer account or customer transaction at a financial institution, if a federal law enforcement agency, after notifying FinCEN of the intent to submit a written request to an institution that the institution keep the account or transaction open, or if a state, Tribal, or local law enforcement agency with the concurrence of FinCEN submits a keep-open request, the financial institution shall not be liable under BSA for maintaining the account or transaction consistent with the parameters and timing of the request. Additionally, no federal or state department or agency can take adverse supervisory action with respect to the institution solely for maintaining the account or transaction consistent with the parameters of the request.

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Beneficial Ownership Information Reporting Requirements

NDAA Title LXIV, Section 6403 establishes new beneficial ownership information reporting requirements. Under the new requirements, any reporting company that has been formed or registered before the effective date of implementing regulations, must report ownership information to FinCEN within two years after the effective date of the implementing regulation. Any reporting company that is formed or registered after the effective date of the new regulations must report beneficial ownership information to FinCEN at the time of formation or registration. If a reporting company has a change in information that is required to be reported, the reporting companies will be required to update the information, in a timely manner and not later than one year after the date of which there is a change in information.

A “reporting company” means a corporation, limited liability company (LLC), or similar entity. The term excludes a number of regulated businesses, including banks, bank holding companies, money transmitters, broker/dealers, stock exchanges, and small businesses of no more than 20 full-time employees if the small business meets additional conditions.

A reporting company reporting its beneficial ownership information to FinCEN may request a FinCEN Identifier which the company may then provide to a financial institution instead of disclosing beneficial ownership information.

Other BSA-Related Changes

NDAA also includes a host of other BSA-related changes. These include increasing penalties and creating new violations, requiring examiner training, creating an information exchange and FinCEN liaisons, updating the whistleblower program, and several new Government Accountability Office (GAO) reports.

Customer Due Diligence

As mentioned above, NDAA requires Treasury to revise its CDD rule for financial institutions to reduce any burdens on financial institutions and legal entity customers that are unnecessary or duplicative. In its efforts, Treasury is required to consider use of risk-based principles for requiring reports of beneficial ownership information; degree of reliance by financial institutions on information provided by FinCEN for obtaining and updating beneficial ownership information; strategies to improve accuracy, completeness, and timeliness of the information reported; and any other matter Treasury determines is appropriate.

Conclusion

While changes made by NDAA first need to be implemented through rulemaking by Treasury or FinCEN, financial institutions should take note that the new law does bring changes to the BSA and existing guidance. Future rulemakings will result in revisions to beneficial ownership requirements, CTR and SAR forms and reporting thresholds, and revised reporting procedures due to advancing technologies.

If financial institutions have questions regarding existing BSA requirements, be sure to contact WBA Legal at 608-441-1200 or at wbalegal@wisbank.com. WBA Legal will report on revised BSA-related rules as the agencies take steps to implement the changes made by NDAA. Financial institutions can finally look forward to some regulatory relief from the burden of BSA compliance. NDAA may be viewed at: <https://www.govtrack.us/congress/bills/116/hr6395/text> ■

Latest HPML Escrow Account Creates Another Exemption

The Bureau of Consumer Financial Protection (CFPB) has published its final rule to amend Regulation Z, which implements the Truth in Lending Act (TILA), as mandated by section 108 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (EGRRCPA). The amendments exempt certain creditors from the requirement to establish escrow accounts for certain higher-priced mortgage loans (HPMLs). The final rule is effective February 17, 2021. This article outlines the new exemption and its conditions.



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Background

The rules requiring a creditor to establish an escrow account for HPMLs first began with the Board of Governors of the Federal Reserve System (FRB) before enactment of the Dodd-Frank Act as FRB considered HPMLs to be subprime. FRB's intention for the rule at the time was to reduce consumer and systemic risks by requiring the subprime market to structure loans and disclose pricing similarly to the prime market.

Then in 2010, Congress enacted the Dodd-Frank Act, which amended TILA and transferred TILA rulemaking authority and other functions from FRB to CFPB. The Dodd-Frank Act also added TILA section 129D(a), which adopted FRB's rule requiring that creditors establish an escrow account for HPMLs.

CFPB used its new authority to create an exemption from the escrow account requirement based on asset size and mortgage lending activity for creditors operating predominantly in rural or underserved areas. In 2015, CFPB revised the HPML escrow account requirements to incorporate necessary changes as Congress amended TILA again by striking the term "predominantly" for creditors operating in rural or underserved areas.

More recently, Congress enacted EGRRCPA in 2018. In section 108 of EGRRCPA, Congress directed CFPB to conduct rulemaking to create a new exemption, this one to exempt from TILA's escrow account requirement HPMLs made by certain creditors with assets of \$10 billion or less that meet other criteria. CFPB's final rule implements the TILA change to Regulation Z. The final rule also removes obsolete text from the Official Interpretations to Regulation Z (commentary), corrects prior inadvertent deletions from the regulation, and corrects two scrivener's errors in existing commentary.

HPML Escrow Exemption

New Regulation Z section 1026.35(b)(2)(vi) exempts from the regulation's HPML escrow account requirement any loan made by an insured depository institution secured by a first-lien on the principal dwelling of a consumer if several conditions are met, including: institution asset size, a loan origination threshold, and certain existing HPML escrow account exemption criteria.

In particular, Section 1026.35(b)(2)(vi) has been created to provide that an escrow account need not be established for a transaction made by a creditor that is an insured depository institution if, at the time of consummation:

- (A) As of the preceding December 31st, or, if the application for the transaction was received before April 1 of the calendar year, as of either of the two preceding December 31sts, the financial institution had assets of \$10 billion or less;
- (B) During the preceding calendar year, or, if the application for the transaction was received before April 1 of the current calendar year, during either of the two preceding calendar years, the creditor and its affiliates, together extended no more than 1,000 covered transactions secured by a first-lien on a principal dwelling; and
- (C) The transaction satisfies the criteria in Regulation Z sections 1026.35(b)(2)(iii)(A) and (D).

The (b)(2)(iii)(A) criteria requires that during the preceding calendar year, or, if the application for the transaction was received before April 1 of the current calendar year, during either of the two preceding calendar years, the creditor extended a covered transaction, secured by a first-lien on a property that is located in an area that is either "rural" or "underserved." A covered transaction in this instance means a consumer credit transaction that is secured by a dwelling, other than a home equity line of credit or a mortgage transaction secured by a consumer's interest in a time share. The terms "rural" and "underserved" have the same meaning in the new exemption as the terms are otherwise used under existing HPML exemptions.

The (b)(2)(iii)(D) criteria requires that neither the creditor nor its affiliate maintain an escrow account of the type normally required for HPMLs under Regulation Z 1026.35(b) for any extension of consumer credit secured by real property or a dwelling that the creditor or its affiliate currently services, other than (1) escrow accounts established for first-lien HPMLs for which applications were received on or after April 1, 2020, and before June 17, 2021; or (2) escrow accounts established after consummation as an accommodation to distressed consumers to assist such consumers in avoiding default or foreclosure. Distressed consumers are consumers who are working with the creditor or servicer to attempt to bring the loan into a current status through a modification, deferral, or other accommodation to the consumer.



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Escrow accounts established for first-lien HPMLs for which applications were received on or before April 1, 2010, and before June 17, 2021, are not counted for purposes of section 1026.35(b)(2)(iii)(D). Creditors, together with their affiliates, that continue to maintain escrow accounts established for first-lien HPMLs for which applications were received on or after April 1, 2020, and before June 17, 2021, still qualify for the new exemption so long as they do not establish new escrow accounts for transactions for which they receive applications on or after June 17, 2021, other than for the exemption under (b)(2)(iii)(D)(2) to accommodate a distressed consumer.

For applications received on or after June 17, 2021, creditors, together with their affiliates, that establish new escrow accounts for first-lien HPMLs other than under the exemption to accommodate a distressed consumer, do not qualify for the new Regulation Z section 1026.35(b)(2)(vi) exemption.

The term “affiliate” used within the new exemption means any company that controls, is controlled by, or is under common control with another company, as set forth in the Bank Holding Company Act, 12 U.S.C. 1841.

Lastly, the \$10 billion asset threshold will be adjusted annually for inflation using the Consumer Price Index for Urban Wage Earners and Clerical Workers, not seasonally adjusted, for each 12-month period ending in November.

Conclusion

CFPB has implemented the 2018 EGRRCPA Section 108 exemption from TILA’s escrow account requirement for HPMLs. New Regulation Z section 1026.35(b)(2)(vi) exempts from the regulation’s HPML escrow account requirement any loan made by an insured depository institution secured by a first-lien on the principal dwelling of a consumer if: (1) the institution has assets of \$10 billion or less; (2) the institution and its affiliates originated 1,000 or fewer loans secured by a first-lien on a principal dwelling during the preceding calendar year; and (3) certain existing HPML escrow exemption criteria are met.

A condition under the new exemption is that the creditor and its affiliates not establish an escrow account for a first-lien HPML for which an application was received on or after June 17, 2021. Institutions for which the new exemption may apply, that wish to utilize the new exemption, need be mindful of the June 17, 2021 date so as to not be inadvertently disqualified from the new exemption if the practice has been to establish escrow accounts. The final rule, effective February 17, 2021, may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-17/pdf/2021-01572.pdf> ■

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Agencies Issue Final Net Stable Funding Ratio.

The Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), Office of the Comptroller of the Currency (OCC) (collectively, the agencies) issued a final rule to implement a stable funding requirement, known as the net stable funding ratio (NSFR), for certain large banking organizations. The final rule establishes a quantitative metric, the NSFR, to measure the stability of the funding profile of certain large banking organizations and requires the banking organizations to maintain minimum amounts of stable funding to support their assets, commitments, and derivatives exposures over a one-year time horizon. The final rule applies to certain large U.S. depository institution holding companies, depository institutions, and U.S. intermediate holding companies of foreign banking organizations, each with total consolidated assets of \$100 billion or more, together with certain depository institution subsidiaries (together, covered companies). Under the final rule, the NSFR requirement increases in stringency based on risk-based measures of the top-tier covered company. U.S. depository institution holding companies and U.S. intermediate holding companies subject to the final rule are required to publicly disclose their NSFR and certain components of their NSFR every second and fourth calendar quarter for each of the two immediately preceding calendar quarters. The final rule also amends certain definitions in the agencies’ liquidity coverage ratio rule that are also applicable to the NSFR. The final rule is effective **07/01/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2020-26546.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 9120-9221.



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Agencies Issue Final Rules to Codify 2018 Interagency Statement Clarifying Role of Supervisory Guidance.

- The Bureau of Consumer Financial Protection (CFPB) issued a final rule to codify the Interagency Statement Clarifying the Role of Supervisory Guidance, issued by CFPB and the Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), Office of the Comptroller of the Currency (OCC), and National Credit Union Administration (NCUA) (collectively, the agencies), on **09/11/2018** (2018 Statement). By codifying the 2018 Statement, with amendments, the final rule confirms that CFPB will continue to follow and respect the limits of administrative law in carrying out its supervisory responsibilities. The 2018 Statement reiterated well-established law by stating that, unlike a law or regulation, supervisory guidance does not have the force and effect of law. As such, supervisory guidance does not create binding legal obligations for the public. Because it is incorporated into the final rule, the 2018 Statement, as amended, is binding on CFPB. The final rule is effective **03/15/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-12/pdf/2021-01524.pdf>. *Federal Register*, Vol. 86, No. 28, 02/12/2021, 9261-9269.
- The Federal Deposit Insurance Corporation (FDIC) issued a final rule to codify the Interagency Statement Clarifying the Role of Supervisory Guidance, issued by FDIC, Board of Governors of the Federal Reserve System (FRB), Office of the Comptroller of the Currency, (OCC), National Credit Union Administration (NCUA), and Bureau of Consumer Financial Protection (CFPB) (collectively, the agencies) on **09/11/2018** (2018 Statement). By codifying the 2018 Statement, with amendments, the final rule confirms that FDIC will continue to follow and respect the limits of administrative law in carrying out its supervisory responsibilities. The 2018 Statement reiterated well-established law by stating that, unlike a law or regulation, supervisory guidance does not have the force and effect of law. As such, supervisory guidance does not create binding legal obligations for the public. Because it is incorporated into the final rule, the 2018 Statement, as amended, is binding on FDIC. The final rule is effective **04/01/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-02/pdf/2021-01537.pdf>. *Federal Register*, Vol. 86, No. 39, 03/02/2021, 12079-12086.
- The Office of the Comptroller of the Currency (OCC) issued a final rule to codify the Interagency Statement Clarifying the Role of Supervisory Guidance, issued by OCC, Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), National Credit Union Administration (NCUA), and Bureau of Consumer Financial Protection (CFPB) (collectively, the agencies) on **09/11/2018** (2018 Statement). By codifying the 2018 Statement, with amendments, the final rule confirms that OCC will continue to follow and respect the limits of administrative law in carrying out its supervisory responsibilities. The 2018 Statement reiterated well-established law by stating that, unlike a law or regulation, supervisory guidance does not have the force and effect of law. As such, supervisory guidance does not create binding legal obligations for the public. Because it is incorporated into the final rule, the 2018 Statement, as amended, is binding on OCC. The final rule is effective **03/15/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-12/pdf/2021-01499.pdf>. *Federal Register*, Vol. 86, No. 28, 02/12/2021, 9253-9261.

Agencies Seek Comment on Call Report Revisions.

The Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC) (collectively, the agencies) seek comment regarding revisions and extension of the information collection related to the Consolidated Reports of Condition and Income (Call Reports) (FFIEC 031, FFIEC 041, and FFIEC 051), which are currently approved collections of information. On **11/30/2020**, the agencies, under the auspices of the Federal Financial Institutions Examination Council (FFIEC), requested comment on a proposal to revise and extend the information collections. The agencies' proposal addressed measurement dates of total asset thresholds associated with the reporting of certain data in the Call Reports. After considering the comments received, the agencies are proceeding with the proposed revisions to the reporting forms and instructions for the Call Reports related to the agencies' asset-size thresholds rulemaking. The agencies hereby give notice of the plan to submit to Office of Management and Budget (OMB) a request to approve the revision and extension of the information collections, and again seek comment on the renewal. Comments are due **03/22/2021**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-18/pdf/2021-03210.pdf>. *Federal Register*, Vol. 86, No. 31, 02/18/2021, 10157-10160.

CFPB Issues Final HPML Escrow Exemption Rule.

The Bureau of Consumer Financial Protection (CFPB) issued a final rule to amend Regulation Z, which implements the Truth in Lending Act, as mandated by section 108 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (EGRRCPA). The amendments exempt certain insured depository institutions and insured credit unions from the requirement to establish escrow



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accounts for certain higher-priced mortgage loans (HPMLs). The final rule implements EGRRCPA section 108 statutory directive, removes certain obsolete text from the Official Interpretations to Regulation Z, and also corrects prior inadvertent deletions from the commentary and two scrivener's errors in existing commentary. New Regulation Z section 1026.35(b)(2)(vi) exempts from the HPML escrow requirement any loan made by an insured depository institution or insured credit union and secured by a first-lien on the principal dwelling of a consumer if: (1) the institution has assets of \$10 billion or less; (2) the institution and its affiliates originated 1,000 or fewer loans secured by a first-lien on a principal dwelling during the preceding calendar year; and (3) certain of the existing HPML escrow exemption criteria are met, as described in the final rule. The final rule is effective **02/17/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-17/pdf/2021-01572.pdf>. *Federal Register*, Vol. 86, No. 30, 02/17/2021, 9840-9857.

CFPB Issues Statement Regarding General QM Rule.

CFPB released a statement regarding the mandatory compliance date of its General Qualified Mortgage (QM) final rule and of the possible reconsideration of the rule and of the Seasoned QM final rule. The statement was released on CFPB's website on **02/23/2021**. The statement may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-26/pdf/2021-03987.pdf>. *Federal Register*, Vol. 86, No. 37, 02/26/2021, 11623.

CFPB Issues Proposed Rule to Delay Compliance Date of General QM Rule.

CFPB issued a proposed rule to delay the mandatory compliance date of the General Qualified Mortgage (QM) final rule until **10/01/2022**. Specifically, the proposed rule amends comments 43-2 and 43(e)(4)-2 and -3 to reflect an extension of the mandatory compliance date of the General QM final rule by changing **07/01/2021**, where it appears in the comments to **10/01/2022**. The proposed rule also adds new comment 43(e)(2)-1 to clarify the General QM loan definitions available to creditors for applications received on or after **03/01/2021**, but prior to **10/01/2022**. If the proposed rule is finalized, for covered transactions for which creditors receive applications on or after **03/01/2021**, and before **10/01/2022**, creditors would have the option of complying with either the revised General QM loan definition or the General QM loan definition in effect prior to **03/01/2021**. Under the proposed rule, the revised regulations would apply to covered transactions for which creditors receive applications on or after **10/01/2022**. Comments are due **04/05/2021**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-05/pdf/2021-04698.pdf>. *Federal Register*, Vol. 86, No. 42, 03/05/2021, 12839-12857.

FRB Revises Regulation EE Netting Eligibility.

The Board of Governors of the Federal Reserve System (FRB) issued a final rule to amend Regulation EE to include additional entities in the definition of "financial institution" contained in section 402 of the Federal Deposit Insurance Corporation Improvement Act (FDICIA) so that the institutions are covered by FDICIA's netting protections. The final rule also clarifies certain aspects of the existing activities-based test in Regulation EE. The final rule is effective **03/29/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-26/pdf/2021-03596.pdf>. *Federal Register*, Vol. 86, No. 37, 02/26/2021, 11618-11622.

FRB Revises Federal Open Market Committee Rules of Procedure.

FRB issued a final rule to revise rules of procedure for its Federal Open Market Committee to replace the references to "Chairman" and "Vice Chairman," with the gender-neutral equivalent terms of "Chair" and "Vice Chair." Although the terms chairman and vice chairman are referenced in the Federal Reserve Act, traditionally the terms have been used to refer to persons regardless of gender. As the terms are not intended to be and, in practice, are not gender-specific, the terms were changed. The final rule is effective **02/26/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-26/pdf/2021-04039.pdf>. *Federal Register*, Vol. 86, No. 37, 02/26/2021, 11622-11623.

FRB Issues Interim Rule to Extend Regulation O Exemption for PPP Loans.

FRB issued an interim final rule to extend an exemption from Regulation O for loans made under the Small Business Administration's (SBA's) Paycheck Protection Program (PPP). On **04/17/2020** and **07/15/2020**, FRB issued two interim final rules to exempt certain loans made through **06/30/2020** and **08/08/2020**, respectively, that are guaranteed under SBA's PPP from the requirements of section 22(h) of the Federal Reserve Act and FRB's Regulation O. FRB issued this interim final rule to further extend the relief to PPP loans, including PPP second draw loans, made through **03/31/2021**. The interim final rule is effective **02/17/2021**. Comments are



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due **04/05/2021**. The interim final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-17/pdf/2021-02966.pdf>. *Federal Register*, Vol. 86, No. 30, 02/17/2021, 9837-9840.

FRB Issues Corrections to Recent Rule Which Amended Regulation Q Capital Planning and Stress Testing Requirements for Certain Holding Companies.

FRB issued a document to correct an error in Amendatory Instruction 2 of the final rule which effected Part 217 of FRB's Regulation Q rule published in the *Federal Register* on **02/03/2021**. See the notice for the specific corrections. The correction is effective **04/05/2021**. The correction may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-12/pdf/2021-02911.pdf>. *Federal Register*, Vol. 86, No. 28, 02/12/2021, 9261.

FDIC Issues Final Rule on Parent Companies of Industrial Banks and Industrial Loan Companies.

The Federal Deposit Insurance Corporation (FDIC) issued a final rule that requires certain conditions and commitments for each deposit insurance application approval, non-objection to a change in control notice, and merger application approval that would result in an insured industrial bank or industrial loan company becoming, on or after the effective date of the final rule, a subsidiary of a company that is not subject to consolidated supervision by the Board of Governors of the Federal Reserve System (FRB). The final rule also requires that before any industrial bank or industrial loan company may become a subsidiary of a company that is not subject to consolidated supervision by FRB, such company and the industrial bank or industrial loan company must enter into one or more written agreements with FDIC. The final rule is effective **04/01/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-23/pdf/2020-28473.pdf>. *Federal Register*, Vol. 86, No. 34, 02/23/2021, 10703-10729.

FDIC Issues Responses to Exception Requests Pursuant to Recordkeeping for Timely Deposit Insurance Determinations.

- FDIC issued a notice in accordance with its rule regarding recordkeeping for timely deposit insurance determination. FDIC has provided notice that it has granted time-limited exception relief to covered institutions from the: information technology system and recordkeeping requirements applicable to certain formal revocable and irrevocable trust accounts; information technology system requirements, general recordkeeping requirements, and alternative recordkeeping requirements applicable to certain deposit accounts for which the covered institution must perform data clean up to assign an appropriate ownership right and capacity code to the subject accounts and related system updates; information technology system requirements and general recordkeeping requirements to certain internal (work-in-process) deposit accounts for which the covered institution's information technology system is not yet capable of calculating deposit insurance within 24 hours after the appointment of FDIC as receiver; and the information technology system requirements, general recordkeeping requirements, and alternative recordkeeping requirements for a limited number of deposit accounts held in the covered institution's trust department, which acts in an agency or fiduciary capacity. See the notice for a more detailed explanation of the exceptions. The grants of exception relief are effective **02/03/2021**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2021-02782.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 9068-9070.
- FDIC issued a notice in accordance with its rule regarding recordkeeping for timely deposit insurance determination. FDIC has provided notice that it has granted time-limited exception relief to covered institutions until **03/31/2022**, from information technology system requirements and recordkeeping requirements for principal and interest payments held in mortgage servicing accounts for which the covered institutions act as servicers or sub-servicers. The recommended relief will provide the covered institutions additional time to remediate their servicing platforms and internal processing capabilities pending further direction from FDIC. See the notice for a more detailed explanation of the exception. The grant of exception relief is effective **02/04/2021**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2021-02781.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 9070-9071.

FDIC Announces Terminations of Receiverships.

FDIC, as Receiver, for each of the insured depository institutions listed in the notice, was charged with the duty of winding up the affairs of the former institutions and liquidating all related assets. The Receiver has fulfilled its obligations and made all dividend distributions required by law. Receiver has further irrevocably authorized and appointed FDIC-Corporate as its attorney-in-fact to execute and file any and all documents that may be required to be executed by the Receiver which FDIC-Corporate, in its sole



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discretion, deems necessary, including but not limited to releases, discharges, satisfactions, endorsements, assignments, and deeds. Effective on the termination dates listed in the notice, the Receiverships have been terminated, the Receiver has been discharged, and the Receiverships have ceased to exist as legal entities. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2021-02783.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 9071.

FDIC Issues Technical Correction to Branch Application Procedures Rule.

FDIC issued corrections to the final rule published in the *Federal Register* on **11/13/2020**, related to branch application procedures. See the notice for the specific technical corrections. The correction is effective **02/16/2021**. The correction may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-16/pdf/2021-00371.pdf>. *Federal Register*, Vol. 86, No. 29, 02/16/2021, 9433.

FDIC Proposes Rescission and Removal of Transferred OTS Regulations.

FDIC issued a proposed rule to rescind and remove from the Code of Federal Regulations rules entitled, Definitions for Regulations Affecting All State Savings Associations that were transferred to FDIC from the Office of Thrift Supervision (OTS) on **07/21/2011**, in connection with the implementation of the Dodd-Frank Act. Part 390, subpart Q, contains definitions of terms used in subparts 390 and 391, and is derived from definitions contained in 12 CFR part 561 of OTS regulations. All of part 391 has been rescinded and removed from FDIC's regulations. For part 390, 24 of the 26 subparts have been rescinded and removed and the other remaining subpart, subpart W, is expected to be considered at the January 2021 FDIC board meeting. Once the other remaining subpart of part 390 is rescinded and removed, no regulations will remain to which the definitions in subpart Q will apply. As a result, FDIC has proposed to rescind and remove subpart Q, the last of the 26 subparts, and will coordinate the final rule's effective date with effective dates for the rescission and removal of the remaining other subparts of part 390. Comments are due **03/15/2021**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2021-01536.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 9028-9031.

FEMA Issues Final Rule to Correct NFIP Rules.

The Federal Emergency Management Agency (FEMA) issued a final rule to correct a previously published final rule regarding changes made to the National Flood Insurance Program (NFIP). On **07/20/2020**, FEMA published in the *Federal Register* a final rule to revise NFIP regulations to codify certain provisions of the Biggert-Waters Flood Insurance Reform Act and the Homeowner Flood Insurance Affordability Act, and to clarify certain existing NFIP rules relating to NFIP operations and the Standard Flood Insurance Policy. The final rule provides corrections to instructions to be used in lieu of the information published July 20. See the final rule for specific corrections. The final rule is effective **10/01/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-18/pdf/2021-02644.pdf>. *Federal Register*, Vol. 86, No. 31, 02/18/2021, 10029.

FEMA Issues Final Rules on Suspensions of NFIP Community Eligibility.

- FEMA issued a final rule that identifies communities in the state of **Minnesota** where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within the final rule because of noncompliance with the floodplain management requirements of the program. If FEMA receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in the final rule, the suspension will not occur. Information identifying the current participation status of a community can be obtained from FEMA's CSB available at: www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Please note that per Revisions to Publication Requirements for Community Eligibility Status Information Under the National Flood Insurance Program, notices such as this for scheduled suspension will no longer be published in the *Federal Register* as of June 2021 but will be available at: www.fema.gov. Individuals without internet access are able to contact their local floodplain management official and/or State NFIP Coordinating Office directly for assistance. The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the table within the final rule. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2021-02832.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 9023-9025.
- FEMA issued a final rule that identifies communities in the state of **Minnesota** where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within the final rule because of noncompliance with the floodplain management requirements of the program. If FEMA receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension



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date given in the final rule, the suspension will not occur. Information identifying the current participation status of a community can be obtained from FEMA's CSB available at: www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Please note that per Revisions to Publication Requirements for Community Eligibility Status Information Under the National Flood Insurance Program, notices such as this for scheduled suspension will no longer be published in the *Federal Register* as of June 2021 but will be available at: www.fema.gov. Individuals without internet access are able to contact their local floodplain management official and/or State NFIP Coordinating Office directly for assistance. The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the table within the final rule. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-02/pdf/2021-04111.pdf>. *Federal Register*, Vol. 86, No. 39, 03/02/2021, 12117-12118.

FEMA Issues Final Flood Hazard Determinations.

- FEMA issued a final notice which identifies communities in the state of **Michigan** where flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final. The FIRM and FIS reports are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in FEMA's National Flood Insurance Program (NFIP). The final notice is effective **06/02/2021**. The final notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-24/pdf/2021-03768.pdf>. *Federal Register*, Vol. 86, No. 35, 02/24/2021, 11322-11323.
- FEMA issued a final notice which identifies communities in the state of **Iowa** where flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final. The FIRM and FIS reports are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in FEMA's National Flood Insurance Program (NFIP). The final notice is effective **06/01/2021**. The final notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-01/pdf/2021-04151.pdf>. *Federal Register*, Vol. 86, No. 38, 03/01/2021, 12013-12014.

FEMA Issues Notices of Changes in Flood Hazard Determinations.

- FEMA issued a notice which lists communities in the states of **Illinois**, **Minnesota**, and **Wisconsin**, where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by FEMA for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect the flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The flood hazard determinations will be finalized on the dates listed in the table in the notice and revise the FIRM panels and FIS report in effect prior to the determination for the listed communities. From the date of the second publication of notification of the changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-24/pdf/2021-03502.pdf>. *Federal Register*, Vol. 86, No. 35, 02/24/2021, 11311-11314.
- FEMA issued a notice which lists communities in the states of **Illinois**, **Michigan**, and **Wisconsin**, where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by FEMA for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The flood hazard determinations will be finalized on the dates listed in the table and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities. From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request



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through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-10/pdf/2021-04981.pdf>. *Federal Register*, Vol. 86, No. 45, 03/10/2021, 13728-13730.

FEMA Issues Proposed Flood Hazard Determinations.

- FEMA seeks comment on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities in the states of **Indiana, Michigan, and Iowa**, as listed in the table in the notice. The purpose of the notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that FEMA has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). Comments are due **05/25/2021**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-24/pdf/2021-03766.pdf>. *Federal Register*, Vol. 86, No. 35, 02/24/2021, 11314-11315.
- FEMA seeks comment on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities in the state of **Michigan**, as listed in the table in the notice. The purpose of the notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that FEMA has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). Comments are due **05/25/2021**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-24/pdf/2021-03767.pdf>. *Federal Register*, Vol. 86, No. 35, 02/24/2021, 11321-11322.

FEMA Issues Corrections to Previously Published Proposed Flood Hazard Determinations.

- On **01/12/2021**, FEMA published in the *Federal Register* a proposed flood hazard determination notice that contained an erroneous table. The notice provides corrections to that table to be used in lieu of the erroneous information. The table provided in the correction represents the proposed flood hazard determinations and communities affected for Rice County, **Minnesota** and Incorporated Areas. The correction may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-01/pdf/2021-04150.pdf>. *Federal Register*, Vol. 86, No. 38, 03/01/2021, 12011.

Treasury Updates Civil Money Penalties.

The Department of the Treasury (Treasury) issued a final rule to adjust its civil monetary penalties (CMPs) for inflation as mandated by the Federal Civil Penalties Inflation Adjustment Act, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act. Treasury also published the final rule to implement the inflation adjustment for CMPs that may be assessed under 31 CFR part 16 and updated the inflation adjustments through 2021. Comments are due **04/05/2021**. If Treasury receives substantive adverse comment, Treasury will publish a timely withdrawal in the *Federal Register* informing the public that the direct final rule will not take effect. The amendments to 31 CFR part 27 and 31 CFR part 50 are effective **03/04/2021**. The amendments to 31 CFR part 16 are effective **05/03/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-04/pdf/2021-04377.pdf>. *Federal Register*, Vol. 86, No. 41, 03/04/2021, 12537-12539.

Treasury Issues Interim Final Rule on Emergency Capital Investment Program.

Treasury issued an interim final rule regarding Emergency Capital Investment Program restrictions on executive compensation, share buybacks, and dividends. Section 104A of the Community Development Banking and Financial Institutions Act, which was added by the Consolidated Appropriations Act, establishes the Emergency Capital Investment Program to support capital investments in low- and moderate-income community financial institutions. The program is available to eligible minority depository institutions and community development financial institutions that are insured depository institutions, bank holding companies, savings and loan holding companies, or federally insured credit unions. Under Section 104A, Treasury is required to issue rules setting restrictions on executive compensation, share buybacks, and dividend payments for recipients of capital investments under the program. The interim



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final rule establishes the restrictions. The interim final rule is effective **03/09/2021**. Comments are due **04/08/2021**. The interim final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-09/pdf/2021-04900.pdf>. *Federal Register*, Vol. 86, No. 44, 03/09/2021, 13449-13459.

IRS Issues Corrections to Statutory Limitations on Like Kind Exchanges.

The Internal Revenue Service (IRS) issued corrections to a final rule that was published in the *Federal Register* on **12/02/2020**. The final rule provided guidance under section 1031 of the Internal Revenue Code (Code) to implement recent statutory changes to the section. See the notice for the specific changes. The correction is effective **02/22/2021**, and applicable **12/02/2020**. The correction may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-22/pdf/2021-00895.pdf>. *Federal Register*, Vol. 86, No. 33, 02/22/2021, 10457-10458.

SBA Issues PPP Revisions to Loan Amount Calculation and Eligibility.

The Small Business Administration (SBA) issued an interim final rule which implements changes related to loans made under the Paycheck Protection Program (PPP), which was originally established under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to provide economic relief to small businesses nationwide adversely impacted by the Coronavirus Disease 2019. On **12/27/2020**, the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Economic Aid Act) was enacted, extending the authority to make PPP loans through **03/31/2021**, certain PPP requirements, and permitting second draw PPP loans. This interim final rule allows individuals who file an IRS Form 1040, Schedule C to calculate their maximum loan amount using gross income, removes the eligibility restriction that prevents businesses with owners who have non-financial fraud felony convictions in the last year from obtaining PPP loans, and removes the eligibility restriction that prevents businesses with owners who are delinquent or in default on their federal student loans from obtaining PPP loans. The interim final rule is effective **03/04/2021**. Comments are due **04/07/2021**. The interim final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-08/pdf/2021-04795.pdf>. *Federal Register*, Vol. 86, No. 35, 03/08/2021, 13149-13156.

SBA Releases Updated PPP FAQs and Lender Guidance.

SBA has updated its Paycheck Protection Program (PPP) document of Frequently Asked Questions (FAQs) to incorporate changes made by the recently published interim final rule highlighted in the previous paragraph. SBA has also updated its lender guidance for both First Draw and Second Draw PPP loans. The three resources may be viewed at the following links, respectively: <https://www.sba.gov/sites/default/files/2021-03/PPP-FAQs-3.12.21.pdf>; <https://www.sba.gov/sites/default/files/2021-03/HowtoCalculateFirstDrawLoanAmountsFAQs-3.12.21.pdf>; and <https://www.sba.gov/sites/default/files/2021-03/HowtoCalculateSecondDrawFAQs-3.12.21.pdf>

SBA Seeks Comment on Changes to Lending Risk Rating System.

SBA seeks comment on changes implemented to its Risk Rating System. The Risk Rating System is an internal tool to assist SBA in assessing the risk of the SBA loan operations and loan portfolio of each active 7(a) Lender and Certified Development Company (CDC). Consistent with industry best practices, SBA recently redeveloped the model used to calculate the composite risk ratings of lenders and the risk associated with each SBA loan to ensure that the Risk Rating System remains current and predictive as technologies, the economy, and available data evolve. In conjunction with the redevelopment of the Lender Risk Rating, SBA has updated the Lender Portal and its definition for Confidential Information. Comments are due **04/19/2021**. The notice is effective **02/16/2021**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-16/pdf/2021-03053.pdf>. *Federal Register*, Vol. 86, No. 29, 02/16/2021, 9562-9567.

FSA Issues Correction to Farm Loan Programs Debt Settlement Rule.

The Farm Service Agency (FSA) issued a correction to the Farm Loan Programs Debt Settlement Rule. FSA amended the regulations through a final rule published in the *Federal Register* on **06/17/2020**. The correction is to remove the word “or” at the end of the sentence and to end the sentence with a period in 7 CFR 761.403(c)(3). The correction is effective **02/22/2021**. The correction may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-22/pdf/2021-03186.pdf>. *Federal Register*, Vol. 86, No. 33, 02/22/2021, 10440-10441.



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FCIC Issues Correcting Amendment to Crop Insurance Provisions.

The Federal Crop Insurance Corporation (FCIC) issued a correcting amendment to past crop insurance regulation revisions. On **11/30/2020**, FCIC published a final rule which revised the Area Risk Protection Insurance Regulations; Common Crop Insurance Policy Basic Provisions; Common Crop Insurance Regulations, Sunflower Seed Crop Insurance Provisions; and Common Crop Insurance Regulations, Dry Pea Crop Insurance Provisions. Changes were published in the final rule that were inadvertently not incorporated when the changes were made in the Code of Federal Regulations (CFR) as currently reflected in the electronic CFR. The correcting amendment makes the corrections. The correction is effective **02/24/2021**. The correction may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-24/pdf/2021-03502.pdf>. *Federal Register*, Vol. 86, No. 35, 02/24/2021, 11091.

Agencies Issue Correction to Strategic Economic and Community Development Program NOSA.

The Rural Business-Cooperative Service (RBC), Rural Housing Service (RHS), and Rural Utilities Service (RUS) (collectively, the agencies) published a notice of solicitation of applications (NOSA) in the *Federal Register* on **01/11/2021**, entitled, Notice of Solicitation of Applications (NOSA) for the Strategic Economic and Community Development Program for Fiscal Year (FY) 2021. The NOSA provided requirements to applicants submitting applications for programs that have been prioritized by the Secretary of Agriculture for Strategic Economic and Community Development funding. Contrary to what was published in the NOSA, the correction has been issued to clarify that Strategic Economic and Community Development priority funding will not be set aside for the Community Connect Grant Program in FY 2021. The correction may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-04/pdf/2021-04440.pdf>. *Federal Register*, Vol. 86, No. 41, 03/04/2021, 12597.

RBC Issues Amendments to VAPG Program.

The Rural Business-Cooperative Service (RBC) published a notice in the *Federal Register* on **12/21/2020**, seeking applications for the Value-Added Producer Grant (VAPG) program. Subsequently, the Consolidated Appropriations Act, which provides \$35 million in COVID-19 relief funds, was enacted. Accordingly, a total of \$76 million in program funding is available. RBC has extended the application deadline; increased available total funding for the program; allowed for application submission through email; eliminated the awarding of points for the Level of Commitment category specified in Section 1(c) of the original notice; and allows for a reduced cost share match of 10 percent of the grant amount for the \$35 million in COVID-19 relief funds. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-05/pdf/2021-04687.pdf>. *Federal Register*, Vol. 86, No. 42, 03/05/2021, 12905-12907.

RUS Issues Final Rule to Establish Rural eConnectivity Program.

The Rural Utilities Service (RUS) issued a final rule to establish the Rural eConnectivity Program. The Rural eConnectivity Program provides loans, grants, and loan/grant combinations to facilitate broadband deployment in rural areas. The final rule describes the eligibility requirements, application process, and criteria that will be used by RUS to assess applicants' creditworthiness. RUS seeks comment on the final rule. Comments are due **04/27/2021**. The final rule is effective **04/27/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-26/pdf/2021-03443.pdf>. *Federal Register*, Vol. 86, No. 37, 02/26/2021, 11603-11618.

CFTC Issues Final Rule on Exemptions from Swap Trade Execution Requirement.

The Commodity Futures Trading Commission (CFTC) issued a final rule that establishes two exemptions from the statutory requirement to execute certain types of swaps on a swap execution facility (SEF) or a designated contract market (DCM) (the trade execution requirement). The final rule establishes two exemptions from the trade execution requirement for swaps, both of which are linked to CFTC's exemptions from, and exceptions to, the swap clearing requirement. The first such trade execution requirement exemption applies to a swap that qualifies for, and meets the associated requirements of, any exception or exemption under part 50 of CFTC's regulations. The second codifies relief provided under CFTC Letter No. 17-67, and prior CFTC letters, and applies to a swap that is entered into by eligible affiliate counterparties and cleared, regardless of the affiliates' ability to claim the inter-affiliate clearing exemption under section 50.52 of CFTC's regulations. The final rule is effective **03/15/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2020-28943.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 8993-9003.



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CFTC Issues Final Rule on Swap Execution Facilities.

CFTC issued a final rule to address operational issues swap execution facilities (SEF) face and their market participants in connection with CFTC's regulatory requirements for a SEF's audit trail data, financial resources, and chief compliance officer (CCO). The final rule makes the following changes to the SEF regulatory regime: (1) eliminates the requirement of a SEF to capture and retain post-execution allocation information in its audit trail data; (2) applies existing Core Principle 13 financial resources requirements to SEF operations in a less burdensome manner, including through amendments to the existing six-month liquidity requirement and the addition of new acceptable practices providing further guidelines to SEFs for making a reasonable calculation of their projected operating costs; and (3) streamlines requirements for the CCO position, allows SEF management to exercise greater discretion in CCO oversight, and simplifies the preparation and submission of the required annual compliance report. The final rule is effective **05/12/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-11/pdf/2020-28944.pdf>. *Federal Register*, Vol. 86, No. 27, 02/11/2021, 9224-9252.

SEC Issues Final Rule to Modernize Delegations of Authority to Staff and Division and Office Descriptions.

The Securities and Exchange Commission (SEC) issued a final rule to amend its rules delegating authority to SEC's staff to modernize the rules and more efficiently use SEC's resources, as well as descriptions of the responsibilities of SEC divisions and offices. The final rule is effective **02/16/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-16/pdf/2020-28819.pdf>. *Federal Register*, Vol. 86, No. 29, 02/16/2021, 9436-9448.

SEC Issues Final Rule on Investment Adviser Marketing.

SEC issued a final rule to adopt amendments under the Investment Advisers Act to update rules that govern investment adviser marketing. The amendments create a merged rule that replaces both the current advertising and cash solicitation rules. The amendments reflect market developments and regulatory changes since the advertising rule's adoption in 1961 and the cash solicitation rule's adoption in 1979. SEC also adopted amendments to Form ADV to provide SEC with additional information about advisers' marketing practices. Finally, SEC adopted amendments to the books and records rule under the Advisers Act. The final rule is effective **05/04/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-05/pdf/2020-28868.pdf>. *Federal Register*, Vol. 86, No. 42, 03/05/2021, 13024-13147.

SEC Issues Order Extending Annual Report Filing Date for Smaller Broker-Dealers.

SEC issued an order to extend the annual report filing date for smaller broker-dealers. Broker-dealers registered with SEC are generally required to file with SEC, within 60 calendar days after the end of the fiscal year of the broker-dealer, a financial report and either a compliance report or exemption report, along with reports prepared by an independent public accountant covering the financial report and, as applicable, the compliance or exemption report (collectively, the annual reports). Pursuant to paragraph (m)(3) of Exchange Act Rule 17a-5, the Financial Industry Regulatory Authority, Inc. (FINRA) has requested that SEC extend by 30 calendar days the deadline for certain smaller broker-dealers to file the annual reports. The order grants the extension to certain smaller broker-dealers, subject to the conditions described in section III of the order. The order may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-19/pdf/2021-03353.pdf>. *Federal Register*, Vol. 86, No. 32, 02/19/2021, 10372-10375.

SEC Issues Statement Regarding Custody of Digital Asset Securities by Broker-Dealers.

SEC issued a statement to encourage innovation around the application of the Customer Protection Rule to digital asset securities. SEC stated it envisions broker-dealers performing the full set of broker-dealer functions with respect to digital asset securities, including maintaining custody of the assets, in a manner that addresses the unique attributes of digital asset securities and minimizes risk to investors and other market participants. Rule 15c3-3 under the Securities Exchange Act (Customer Protection Rule) requires a broker-dealer to promptly obtain and thereafter maintain physical possession or control of all fully-paid and excess margin securities it carries for the account of customers. Market participants have raised questions concerning the application of the Customer Protection Rule to the potential custody of digital asset securities for customers by broker-dealers. SEC seeks comment to provide SEC with an opportunity to gain additional insight into the evolving standards and best practices with respect to custody of digital asset securities. SEC intends to consider the comments in connection with any future rulemaking or other SEC action. Comments may be submitted



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any time throughout the five-year term of the statement. The statement is effective **04/27/2021**. The statement may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-26/pdf/2020-28847.pdf>. *Federal Register*, Vol. 86, No. 37, 02/26/2021, 11627-11632.

CDFI Funding Opportunities.

The Community Development Financial Institutions Fund (CDFI) issued several notices of funds availability (NOFAs) to invite applications for financial assistance (FA) awards or technical assistance (TA) grants under the Community Development Financial Institutions Program (CDFI Program) fiscal year (FY) 2021 Funding Round. See the NOFAs for specific program information, funding opportunities, application dates, and requirements. The NOFAs may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-19/pdf/2021-03356.pdf>. *Federal Register*, Vol. 86, No. 32, 02/19/2021, 10390-10413; <https://www.govinfo.gov/content/pkg/FR-2021-02-19/pdf/2021-03354.pdf>. *Federal Register*, Vol. 86, No. 32, 02/19/2021, 10413-10432; <https://www.govinfo.gov/content/pkg/FR-2021-02-26/pdf/2021-04034.pdf>. *Federal Register*, Vol. 86, No. 37, 02/26/2021, 11824-11838; and <https://www.govinfo.gov/content/pkg/FR-2021-03-04/pdf/2021-04429.pdf>. *Federal Register*, Vol. 86, No. 41, 03/04/2021, 12772-12788.

NCUA Issues Final Rule to Amend Corporate Credit Union Regulation.

The National Credit Union Administration (NCUA) issued a final rule to amend its corporate credit union regulation to update the definitions in the regulation and make clear that corporate credit unions may purchase subordinated debt instruments issued by natural person credit unions. The final rule also specifies the capital treatment of the instruments for corporate credit unions that purchase them. The final rule is effective **01/01/2022**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-23/pdf/2021-01399.pdf>. *Federal Register*, Vol. 86, No. 34, 02/23/2021, 10729-10731.

NCUA Finalizes Subordinated Debt Rule.

NCUA issued a final rule to amend various parts of its regulations to permit Low-income Designated Credit Unions, Complex Credit Unions, and New Credit Unions to issue subordinated debt for purposes of regulatory capital treatment. NCUA finalized the rule largely as proposed, except for a few changes to various sections based on comments received. The changes include amending the definition of “accredited investor,” providing a longer timeframe in which a credit union may issue subordinated debt after approval, reducing the required number of years of pro forma financial statements an issuing credit union must provide with its application, clarifying the prohibition on subordinated debt issuances outside of the United States, and clarifying that NCUA will publish a fee schedule only if it makes a determination to charge a fee. The final rule is effective **01/01/2022**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-23/pdf/2020-28281.pdf>. *Federal Register*, Vol. 86, No. 34, 02/23/2021, 11060-11085.

NCUA Issues Joint Account Final Rule.

NCUA issued a final rule to amend its share insurance regulation governing the requirements for a share account to be separately insured as a joint account by the National Credit Union Share Insurance Fund (NCUSIF). Specifically, the final rule provides an alternative method to satisfy the membership card or account signature card requirement necessary for insurance coverage (signature card requirement). Under the final rule, even if an insured credit union cannot produce membership cards or account signature cards signed by the joint accountholders, the signature card requirement can be satisfied by information contained in the account records of the insured credit union establishing co-ownership of the share account. The final rule is effective **03/26/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-24/pdf/2021-03671.pdf>. *Federal Register*, Vol. 86, No. 35, 02/24/2021, 11321-11322.

NCUA Issues Risk-Based Net Worth-COVID-19 Regulatory Relief Proposal.

NCUA issued a proposed rule to raise the asset threshold for defining a credit union as “complex” for purposes of being subject to any risk-based net worth requirement in NCUA’s regulations. The proposed rule would amend NCUA’s regulations to provide that any risk-based net worth requirement will be applicable only to a federally insured natural-person credit union (credit union) with quarter-end assets that exceed \$500 million and a risk-based net worth requirement that exceeds six percent. The COVID-19 pandemic has created a vital need for financial institutions, including credit unions, to provide access to responsible credit and other member services to support consumers. Implementing the regulatory change in advance of **01/01/2022**, the effective date of the 2015 final risk based capital rule issued by NCUA, would provide necessary capital relief to a significant number of credit unions without



Regulatory Spotlight

substantially decreasing the safety and soundness of credit unions or the National Credit Union Share Insurance Fund. Comments are due **03/25/2021**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-23/pdf/2021-01400.pdf>. *Federal Register*, Vol. 86, No. 34, 02/23/2021, 10872-10875.

NCUA Issues Proposed Rule to Broaden Permissible Activities and Services of CUSOs.

NCUA seeks comment on a proposed rule that would amend its credit union service organization (CUSO) regulation. The proposed rule would accomplish two objectives: expand the list of permissible activities and services for CUSOs to include originating any type of loan that a federal credit union (FCU) may originate; and grant NCUA additional flexibility to approve permissible activities and services. NCUA also seeks comment on broadening FCU investment authority in CUSOs. Comments are due **03/29/2021**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-02-26/pdf/2021-01398.pdf>. *Federal Register*, Vol. 86, No. 37, 02/26/2021, 11645-11651.

NCUA Issues Proposed Rule on CAMEL Rating System.

NCUA issued a proposed rule to add the “S” (Sensitivity to Market Risk) component to the existing CAMEL rating system and redefining the “L” (Liquidity Risk) component, thus updating the rating system from CAMEL to CAMELS. The proposal to add the “S” component will enhance transparency and allow NCUA, State Supervisory Authorities, and federally insured credit unions to better distinguish between liquidity risk (L) and sensitivity to market risk (S). The amendment would also enhance consistency between the regulation of credit unions and other financial institutions. NCUA has proposed to implement the addition of the S rating component and a redefined L rating as early as the first quarter of 2022. Comments are due **05/10/2021**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-09/pdf/2021-01396.pdf>. *Federal Register*, Vol. 86, No. 44, 03/09/2021, 13494-13498.

NCUA Issues Proposed Rule on Simplification of Risk Based Capital Requirements.

NCUA seeks comments on two approaches to simplify its risk-based capital requirements. NCUA’s risk-based capital requirements are set forth in a final rule dated **10/29/2015**, which is currently scheduled to become effective on **01/01/2022**. The delayed effective date has provided NCUA with additional time to evaluate the capital standards for federally-insured credit unions (FICUs) that are classified as “complex” (those with total assets greater than \$500 million). The first approach would replace the risk-based capital rule with a Risk-based Leverage Ratio requirement, which uses relevant risk attribute thresholds to determine which complex credit unions would be required to hold additional capital (buffers). The second approach would retain the 2015 risk-based capital rule but enable eligible complex FICUs to opt-in to a “complex credit union leverage ratio” (CCULR) framework to meet all regulatory capital requirements. The CCULR approach would be modeled on the “Community Bank Leverage Ratio” framework, which is available to certain banks. Comments are due **05/10/2021**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-09/pdf/2021-01397.pdf>. *Federal Register*, Vol. 86, No. 44, 03/09/2021, 13498-13502.

DOL Announces Delay of Effective Date for Independent Contractor Status Under FLSA.

The Department of Labor (DOL) announced a delay in effective date for the independent contractor status rule under the Fair Labor Standards Act (FLSA). Consistent with the Presidential directive as expressed in the memorandum of **01/20/2021**, from the Assistant to the President and Chief of Staff, entitled, Regulatory Freeze Pending Review, the action finalizes DOL’s proposal to delay until **05/07/2021**, the effective date of the rule titled Independent Contractor Status Under the Fair Labor Standards Act, which was published in the *Federal Register* on **01/07/2021**. The delay will allow DOL to review issues of law, policy, and fact raised by the rule before it takes effect. As of **03/04/2021**, the effective date of the Independent Contractor Rule published **01/07/2021**, at 86 FR 1168 is delayed until **05/07/2021**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2021-03-04/pdf/2021-04608.pdf>. *Federal Register*, Vol. 86, No. 41, 03/04/2021, 12535-12537. ■



Compliance Notes

▲ DFI recently reported on the strength and soundness of Wisconsin's state-chartered banks and savings institutions and reported that year-end 2020 key financial indicators include:

- Total assets were at \$63.8 billion as of 12/31/2020
- Assets increased by \$7.5 billion, a growth rate of 13.31%
- Year-end net income increased by 17.19% from \$664.7 million in 2019 to \$778.9 million in 2020
- Total interest income decreased by 3.55% in 2020 compared to 2019
- Total equity capital at year-end was \$7.05 billion
- The return on average assets ratio was 1.34% compared to 1.25% in 2019
- Net loans increased in 2020 with a total of \$43.5 billion compared to \$40.8 billion in 2019
- Capital ratio of 11.06% was a slight decline from 11.86% in 2019
- Delinquent loans as a percentage of loans decreased to 1.06% in 2020 from 1.33% in 2019
- Banks increased allowance for loan losses to \$640 million (1.45%) from \$532 million (1.28%) at year-end 2019.

The DFI press release may be viewed at: www.wdfi.org/newsroom/press/2021/20210301_NewsRelease_BankYearEnd2020Data_vFINAL.pdf

▲ FRB, FDIC, and OCC published updated FAQs to assist financial institutions with determining CRA considerations for activities undertaken in response to the COVID-19 pandemic. Five new FAQs were added to the thirteen interagency FAQs dated **05/27/2020**. The five new FAQs address considerations for SBA's PPP loans as community development, flexible, or innovative lending, and considerations of community development services provided virtually by bank representatives. The new FAQs may be viewed at: www.occ.gov/news-issuances/bulletins/2021/bulletin-2021-12.html

▲ FFIEC updated the following sections of the *FFIEC Bank Secrecy Act/Anti-Money Laundering (BSA/AML) Examination Manual*: Assessing Compliance with BSA Regulatory Requirements; Customer Identification Program; Currency Transaction Reporting; and Transactions of Exempt Persons. The updated manual may be viewed at: www.ffiec.gov/press/pr022521.htm

▲ OCC released a revised Servicemembers Civil Relief Act booklet of the *Comptroller's Handbook*. The booklet provides information and procedures in connection with the consumer protections that servicemembers are eligible for under SCRA. With the issuance of the revised booklet, OCC Bulletin 2011-6, Servicemembers Civil Relief Act: Revised Examination Procedures, and the Servicemembers Civil Relief Act of 2003 booklet of the *Comptroller's Handbook* issued in May 2011 are both rescinded. The revised booklet may be viewed at: www.occ.gov/news-issuances/bulletins/2021/bulletin-2021-11.html

▲ Fannie and Freddie announced the extension of the moratoriums on single-family foreclosures and REO evictions until **06/30/2021**. The foreclosure moratorium applies to Fannie- and Freddie-backed, single-family mortgages only. The REO eviction moratorium applies to properties that have been acquired by Fannie or Freddie through foreclosure or deed-in-lieu of foreclosure transactions. The current moratoriums were set to expire **03/31/2021**.

FHFA also announced that borrowers with a mortgage backed by Fannie or Freddie may be eligible for an additional three-month extension of COVID-19 forbearance. Eligibility for the extension is limited to borrowers who are in a COVID-19 forbearance plan as of **02/28/2021**, and other limits may apply. The COVID-19 Payment Deferral offered by Fannie and Freddie allows borrowers to repay missed payments at the time the home is sold, refinanced, or at mortgage maturity. The announcement may be viewed at: www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Extends-COVID-19-Forbearance-Period-and-Foreclosure-and-REO-Eviction-Moratoriums.aspx

▲ FinCEN issued a notice to inform financial institutions about: (1) Anti-Money Laundering Act efforts related to trade in antiquities and art, (2) select sources of information regarding existing illicit activity related to antiquities and art, and (3) specific instructions for filing SARs related to trade in antiquities and art. FIN-2021-NTC2 may be viewed at: www.fincen.gov/sites/default/files/2021-03/FinCEN%20Notice%20on%20Antiquities%20and%20Art_508C.pdf

▲ FRB announced it will extend its PPP Lending Facility (PPPLF) until **06/30/2021**. The extension is to provide continued support for the flow of credit to small businesses through PPP. The PPPLF extends term credit to financial institutions making PPP loans, accepting the PPP loans as collateral. The liquidity provided by the PPPLF helps eligible financial institutions fund additional PPP loans. The other currently active FRB facilities, Commercial Paper Funding Facility, Money Market Mutual Fund Liquidity Facility, and Primary Dealer Credit Facility, have not had significant usage since last summer and will expire as scheduled on **03/31/2021**. The announcement may be viewed at: www.federalreserve.gov/newsevents/pressreleases/monetary20210308a.htm



Compliance Notes

▲ Fannie and Freddie announced the continuation of COVID-19 forbearance options to qualifying multifamily property owners through **06/30/2021**, subject to the continued tenant protections FHFA imposed during the pandemic. The programs were set to expire **03/31/2021**. Property owners with Fannie- or Freddie-backed multifamily mortgages who enter into a new or modified forbearance agreement must inform tenants in writing about tenant protections available during the property owner's forbearance and repayment periods and agree not to evict tenants solely for the nonpayment of rent while the property is in forbearance. Additional tenant protections apply during the repayment periods which include giving tenants at least a 30-day notice to vacate, not charging tenants late fees or penalties for nonpayment of rent, and allowing tenant flexibility in the repayment of back-rent over time versus in a lump sum. The announcement may be viewed at: www.fhfa.gov//Media/PublicAffairs/Pages/FHFA-Extends-COVID-19-Multifamily-Forbearance-through-June-30-2021.aspx

▲ FRB released its latest edition of its *Beige Book*, a report that is published eight times per year. The *Beige Book* summarizes the information by Bank district and sector. An overall summary of the twelve district reports is prepared by a designated Federal Reserve Bank on a rotating basis. The latest edition may be viewed at: www.federalreserve.gov/monetarypolicy/beige-book-default.htm

▲ IRS issued guidance for employers claiming the employee retention credit under the CARES Act as modified by the Relief Act for calendar quarters in 2020. For 2020, the employee retention credit can be claimed by employers who paid qualified wages after **03/12/2020**, and before **01/01/2021**, and who experienced a full or partial suspension of their operations or a significant decline in gross receipts. The credit is equal to 50 percent of qualified wages paid, including qualified health plan expenses, for up to \$10,000 per employee in 2020. The maximum credit available for each employee is \$5,000 in 2020. The guidance also provides answers to frequently asked questions. The guidance and related FAQs may be viewed at: www.irs.gov/newsroom/irs-provides-guidance-for-employers-claiming-the-employee-retention-credit-for-2020-including-eligibility-rules-for-ppp-borrowers

▲ DFI and Wisconsin BBB issued a warning to businesses about solicitations designed to look like invoices arriving through postal mail from "WI Certificate Service." The solicitation is designed to look like it is from the Secretary of State and requests payment of \$72.50 for a "Certificate of Status." DFI warns that the solicitation is not being sent by DFI, and the requested payment amount far exceeds the \$10 fee DFI charges to obtain an official certificate of status online. The solicitation is not a valid invoice and businesses are advised to not pay it. The alert may be viewed at: www.wdfi.org/newsroom/press/2021/20210302_NewsRelease_DFIandBBBWarnBusinessesAboutMisleadingSolicitations_vFI.pdf

▲ FTC launched a new initiative aimed to partner with community legal aid organizations to expand outreach to lower-income communities to ensure the reporting of fraud and to provide advice to help recover. FTC's Community Advocate Center initiative will provide a new way for organizations that provide free and low-cost legal services to report fraud and other illegal business practices their clients have experienced directly to FTC on behalf of their clients. More information may be viewed at: www.ftc.gov/news-events/press-releases/2021/03/ftc-launches-initiative-encourage-lower-income-communities-report ■

Are you a WBA member with a compliance question?

Contact the WBA Legal Call Program

This WBA member-exclusive program provides information in response to compliance questions.
call: 608-441-1200



Conferences | Summits

Schools | Boot Camps

Seminars | Workshops

WBA Webinars

Other Events

APRIL 2021

- **Agricultural Bankers Conference**
7-8 Virtual half days; \$245/attendee
- **FIPCO Software & Compliance Forum: Deposit**
8-15 Virtual; \$265/bank; unlimited attendees!
- **Introduction to Commercial Lending School**
9-21 Madison – \$795/attendee
- **Power of Community Week**
10-24 www.wisbank.com/BanksPowerWI
- **Branch Manager Boot Camp: Maintaining Superior Team Performance (1 of 4 sessions)**
21 Virtual Half-Day; \$800/attendee, includes 4 sessions
- **Community Bankers for Compliance (CBC) hSession II**
27-28 Virtual Half-Days; Membership (*pricing options vary*)
- **Residential Mortgage Lending School**
27-30 Madison; \$1,045/attendee
- **WBA/ICBA Capital Summit**
27 Virtual (*complimentary*)

MAY 2021

- **FIPCO tour de Compliance Concierge Loan/Mortgage Road Shows**
4-5 Virtual
- **Personal Banker School**
4-5 Wausau/Rothschild; \$495/attendee
- **Compliance Management School**
4-6 Madison; \$795/attendee
- **School of Bank Management**
10-14 Madison; \$1,395/attendee
- **Capitol Day**
11 Virtual (*complimentary*)
- **Empowering Women in Banking Virtual Series**
11, 18 & 25 Virtual; \$250/attendee
- **Trust Conference**
18 Virtual; \$220/Trust Section member; \$245/non-section member banker
- **Credit Analysis Boot Camp**
20-21 Virtual; \$495/attendee

MAY 2021 *continued*

- **BSA/AML Workshops**
25-26 Virtual half days; \$245/attendee
- **Branch Manager Boot Camp: Managing a Successful Branch (1 of 4 sessions)**
26 Virtual half day; \$800/attendee, includes 4 sessions
- **Bank Directors Summit**
19 Virtual; Pricing TBD

JUNE 2021

- **BOLT Summer Leadership Summit**
10-11 Wisconsin Dells or Virtual; \$150/attendee
- **Compliance Forum: Session 1**
22 Stevens Point; Membership (*pricing options vary*)
- 23 Madison; Membership (*pricing options vary*)
- **Credit Analysis Boot Camp**
24-25 Green Bay; \$495/attendee
- **Principles of Banking Course**
TBD Locations TBD; \$550/attendee

JULY 2021

- **Community Bankers for Compliance (CBC) – Session III**
27-28 Virtual; Membership (*pricing options vary*)
- **Advanced Financial Statement & Cash Flow Analysis Workshop**
29 Madison; \$245/attendee
- **Advanced Tax Return Analysis Workshop**
29 Madison; \$245/attendee

KEY: Color-Coded Event Descriptions...

• **Conferences|Summits** – One or more days, based on hot topics, industry news and best practices; scheduled time for peer networking. • **Schools|Boot Camps** – Focused on a particular area of banking, allowing for a deep dive into that focused area over the course of two to six days. • **Workshops|Seminars** – One-day programs, sometimes in multiple locations, focused on a specific topic or area of banking. • **WBA-Hosted Webinars** – Two-hour webinars instructed with a particular focus on Wisconsin state law and rules. • **Other Events**.