



National Association
of Federal Credit Unions
3138 10th Street North
Arlington, VA 22201-2149

NAFCU | Your Direct Connection to Advocacy, Education & Compliance

August 8, 2016

Ms. Rebecca Bond
Chief, Disability Rights Section, Civil Rights Division
U.S. Department of Justice
1425 New York Avenue, NW
Suite 4039
Washington, DC 20005

**RE: Response to Supplemental Advance Notice of Proposed Rulemaking (ANPR)
re: Web Accessibility for State and Local Government Entities (RIN: 1190-
AA65)**

Dear Ms. Bond:

On behalf of the National Association of Federal Credit Unions (NAFCU), the only national trade association focusing exclusively on federal issues affecting the nation's federally insured credit unions, I am writing to you regarding the Department of Justice's (DOJ) Supplemental Advance Notice of Proposed Rulemaking (ANPR) on accessibility of web information and services of State and Local Government entities. *See* 81 FR 28657 (May 09, 2016). While the current ANPR is only targeted toward Title II entities, namely state and local governments, NAFCU's interest in any future rulemaking addressing this issue is based on credit unions' status as covered entities under Title III of the *Americans with Disabilities Act* (ADA). Title III of the ADA prohibits entities, such as credit unions, from discriminating on the basis of a disability and ensures the full and equal enjoyment to places of public accommodation.

As not-for-profit, community-based financial institutions, credit unions are uniquely situated to meet the needs of their individual members, especially those with disabilities. For example, a NAFCU-member credit union in the Northeast region offers a lending program specifically designed to assist disabled members finance the purchase of life-improving products, devices, and/or building modifications, including adaptive computer and communications equipment. As DOJ progresses toward future rulemakings under the ADA, NAFCU strongly recommends the Department consider the unique structure of credit unions as member-focused financial institutions and create less burdensome alternatives for regulatory compliance.

NAFCU and our members support DOJ's efforts to ensure that individuals are not discriminated against based on a disability. Specifically, NAFCU believes that disabled individuals should have the equal access to life's necessities, including financial services. However, NAFCU does not support the promulgation of any additional regulatory requirements on credit unions that

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would result in diminished member services due to overall regulatory burden.

While NAFCU supports DOJ's current focus on web accessibility for Title II entities, NAFCU and our members would caution DOJ against adopting an identical regulatory approach to Title III entities. As mentioned above, we believe that such a move would add to the already overwhelming regulatory burden felt by credit unions and force many credit unions to expend substantial resources complying with costly web accessibility standards, which may result in reduced access to the low-cost financial services that credit unions are best known for.

NAFCU appreciates the opportunity to share our thoughts on DOJ's supplemental ANPR on web accessibility by Title II entities. We hope to be a resource for DOJ as the Department works to develop any future ADA rulemaking. Should you have any questions or concern, or if you would like to discuss this issue further, please feel free to contact me at amonterrubio@nafcu.org or (703) 842-2244.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Monterrubio', with a horizontal line extending to the right.

Alexander Monterrubio

Director of Regulatory Affairs