



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

April 8, 2020

Submitted via Regulations.gov

Chief Counsel's Office
Attention: Comment Processing
Office of the Comptroller of the Currency
400 7th Street SW
Suite 3E-281
Washington DC 20219

**Re: Community Reinvestment Act Regulations from the Department of the Treasury
Office of the Comptroller of the Currency (OCC) [Docket ID OCC-2018-0-008, RIN
1557-AE34]; and the Federal Deposit Insurance Corporation [RIN 3064-AF22]**

To Whom It May Concern:

Thank you for the opportunity to comment on the **notice of proposed Community Reinvestment Act regulations**. Please accept this letter as the comments of the Co-Chairs of the Consortium for Citizens with Disabilities (CCD) Housing Task Force. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

We agree substantially with the comments of the National Disability Institute and other organizations that highlight that the Office of the Comptroller of the Currency (OCC) and the Federal Deposit Insurance Corporation (FDIC) have made people with disabilities as invisible as ever to the banking world. The proposed regulations ignore the data that people with disabilities are among the most economically vulnerable among low- and moderate-income (LMI) populations and tend to be worse off in their access and use of financial services.¹ The Notice of Proposed Rulemaking (NPRM) makes no mention of disability, thus allowing banks to continue to overlook the unique needs of this population when implementing community reinvestment activities. As such, we urge the OCC and FDIC to consider the following recommendations to ensure that people with disabilities are treated equitably and recognized as valuable members of American society, including as members of the workforce.

¹ Goodman, N. & Morris, M. (2019). Financial Status and Financial Behaviors of Adults with Disabilities: Finding from the 2017 National Survey of Unbanked and Underbanked Households and Focus Group Research. Washington D.C.: National Disability Institute. <https://www.nationaldisabilityinstitute.org/reports/banking-status-and-financial-behaviors-2019/>.

Comment: Revise §345.04(c) community development loans to include housing for people with disabilities. This can be achieved by adding the language below *italicized and bolded* to the proposed rule:

- (1) Affordable housing, which means:
 - (i) Rental housing:
 - (A) That is likely to partially or primarily benefit low- or moderate-income individuals or families, *including housing for people with disabilities such as HUD's Section 811 PRA, permanent supportive housing and other programs, ...*

Comment: Revise §345.04(c) community development loans to include housing for people with disabilities. This can be achieved by adding the language below *italicized and bolded* to the proposed rule:

- (4) Community support services which means activities such as child care, education, health services, *disability-related* and housing services,

Comment: Revise §345.15 re: Discriminatory and other illegal credit practices to include the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. This change can be achieved by adding the language below *italicized and bolded* to the proposed rule:

- (a) *Evidence of discrimination or other illegal credit practices*
 - ...
 - (6) Violations of the Military Lending Act; *and*
 - (7) Violations of the Servicemembers Civil Relief Act;
 - (8) *Violations of the Americans with Disabilities Act; and*
 - (9) *Violations of Section 504 of the Rehabilitation Act*

Conclusion

CCD urges the OCC and the FDIC to make these adjustments to the proposed rule, in order to ensure that people with disabilities are covered by these critical rules.

Thank you for the opportunity to comment on the proposed rule.

Sincerely,

Molly Burgdorf
Co-Chair CCD Housing Task Force

Andrew Sperling
Co-Chair CCD Housing Task Force