

**From:** Laurie Schaller <lschaller@ndi-inc.org>  
**Sent:** Thursday, July 28, 2022 9:07 AM  
**To:** Comments  
**Subject:** [EXTERNAL MESSAGE] RIN 3064-AF81

National Disability Institute's (NDI) Assistive Technology Loan Program appreciates the opportunity to comment on the Notice of Proposed Rulemaking (NPR) updating the Community Reinvestment Act (CRA). In my role, as a Manager of Financial Empowerment, I encounter people with disabilities and seniors who need assistive technology (AT). In many cases, people need to purchase their own AT. AT vendors often provide financing with misleading terms and high interest rates that may fluctuate. Financial institutions need a nudge to consider the provision of consumer loans to address this need for many people who are faced with higher living costs associated with living with a disability. CRA needs to include a target population of people with disabilities to encourage the provision of loans for assistive technology within conventional lending. If you can imagine your parent having a stroke and needing an accessible vehicle to get to medical appointments and find that interest rates are up to 24% with repayment terms of up to 15 years. I ask, is a 10-year-old modified vehicle with 150,000 miles worth \$40,000 at 18% interest for a 15-year repayment term? People need access to affordable lending products. Traditional financial institutions play an important role in controlling consumer costs; this needs to include conventional lending for the purchase of assistive technology.

FDIC data has documented people with disabilities are more likely than their nondisabled peers to be unbanked and are low-and moderate income (LMI). The Americans with Disabilities Act – the preeminent civil rights legislation that protects people with disabilities states the Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals.

We are pleased that in the definition of "community supportive services" there is included "(7) Activities that benefit or serve individuals who receive or are eligible to receive Federal Supplemental Security Income, Social Security Disability Insurance, or support through other Federal disability assistance programs." The list should also include Vocational Rehabilitation (VR) services and Home- and Community-Based Services (HCBS) under Medicaid waivers. These examples of services that individuals with disabilities are eligible to receive should serve as proxies for banks to have presumptive proof of LMI coverage. It is important to note that it is also presumed that all LMI individuals with a disability receive a federal benefit, but that is not the case. Although this Paragraph 7 is one of many examples of groups and activities covered under the new definition of community supportive services, it is at least clear recognition that individuals with disabilities are and should be a target for community development activities including "childcare, education, workforce development, job training programs, health services and housing services programs that serve or assist low- or moderate-income individuals."

National Disability Institute supports development of a non-exhaustive, but illustrative, list of activities that do qualify for CRA credit. It is important to be clear that activities not on the list do not imply that there are no other activities that would qualify. Although short-lived, the prior OCC list that was a part of the regulations that were withdrawn had multiple examples of qualifying activities that supported individuals with disabilities:

- a. An unsecured consumer loan to a moderate-income individual for household assistive technology products and vehicle modifications to improve accessibility (Section 25.04(b)(1)(i)).
- b. Donations to workforce development programs designed to improve employment opportunities for LMI individuals with disabilities (Section 25.04(c)(3)).
- c. Financial capability training by bank employees to individuals with disabilities (Section 25.04(c)(9)).
- d. Loan to upgrade equipment in a public library to accommodate LMI disabled individual patrons (Section 25.04(c)).

Examiners should make a part of their regular exam routine to include outreach to historically underserved groups defined by race, ethnicity and/or disability to provide documentation of unmet individual and community needs. Public written and oral comments that provide evidence of patterns (positive and/or negative) regarding access to credit and bank response should be a factor in conclusions for the retail lending and services tests. Unless the challenges of LMI people with disabilities are intentionally addressed, people with disabilities will be unintentionally excluded from the financial system and overlooked as a target of community development activities.

Thank you for your attention to and support of our comments.

Sincerely, Laurie Schaller, Manager Financial Empowerment

National Disability Institute Assistive Technology Loan Program

Laurie Schaller, Manager Financial Empowerment

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