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**National Association of Federally-Insured Credit Unions**

November 8, 2017

The Honorable Chuck Grassley  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

**Re: The Impact of Lawsuit Abuse on American Small Businesses and Job Creators**

Dear Chairman Grassley and Ranking Member Feinstein:

On behalf of the National Association of Federally-Insured Credit Unions (NAFCU), the only trade association exclusively representing the federal interests of our nation's federally-insured credit unions, I write today in conjunction with the hearing entitled "The Impact of Lawsuit Abuse on American Small Businesses and Job Creators" to urge the Committee to examine steps to stem the rise in frivolous lawsuits that are arising due to unclear website access requirements under the *Americans with Disabilities Act (ADA)*.

A number of lawsuits and dozens of demand letters have been received by credit unions over accessibility of their websites, including a recent spike against a number of credit unions in California. Some lawsuits and demand letters have even come from plaintiffs who are not a member nor clearly in the targeted credit union's field of membership. We want to bring this issue to your attention, and urge the Committee to examine this issue as you look at lawsuit abuse.

NAFCU and its member credit unions believe in the importance of the ADA and of the ability for all Americans to have access to the financial services that they need. Credit unions want to make sure their members have the accessibility to the services they need, however abusive frivolous lawsuits can have a chilling effect forcing an institution to cut services due to litigation risk.

NAFCU appreciates the Committee's examination of abusive litigation and urges you to examine and get involved to address website ADA issue. We thank you for the opportunity to share our thoughts on this important matter and look forward to working with you and your staff in addressing our concerns. If we can be of additional help in any way please contact me or Allyson Browning, NAFCU's Associate Director of Legislative Affairs, at 703-842-2836 or [abrowning@nafcu.org](mailto:abrowning@nafcu.org).

Sincerely,

Brad Thaler  
Vice President of Legislative Affairs

cc: Members of the Senate Judiciary Committee