

**§§ 794.161–794.169**

personal use or study, or other devices of a personal nature.

(2) Where the agency communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf person (TDD's) or equally effective telecommunication systems shall be used.

(b) The agency shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.

(c) The agency shall provide signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each primary entrance of an accessible facility.

(d) This section does not require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 794.160 would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this section would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, handicapped persons receive the benefits and services of the program or activity.

**12 CFR Ch. VII (1–1–06 Edition)**

**§§ 794.161–794.169 [Reserved]**

**§ 794.170 Compliance procedures.**

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of handicap in programs or activities conducted by the agency.

(b) The agency shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity Commission in 29 CFR part 1613 pursuant to section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

(c) The Director, Office of Administration, shall be responsible for coordinating implementation of this section. Complaints may be sent to NCUA, 1776 G Street NW., Room 7261, Washington, DC 20456.

(d) The agency shall accept and investigate all complete complaints for which it has jurisdiction. All complete complaints must be filed within 180 days of the alleged act of discrimination. The agency may extend this time period for good cause.

(e) If the agency receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate government entity.

(f) The agency shall notify the Architectural and Transportation Barriers Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), or section 502 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 792), is not readily accessible to and usable by handicapped persons.

(g) Within 180 days of the receipt of a complete complaint for which it has jurisdiction, the agency shall notify the complainant of the results of the investigation in a letter containing—

(1) Findings of fact and conclusions of law;

(2) A description of a remedy for each violation found; and

(3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 90 days

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of receipt from the agency of the letter required by §794.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the head of the agency.

(j) The head of the agency shall notify the complainant of the results of the appeal within 60 days of the receipt of the request. If the head of the agency determines that additional information is needed from the complainant, he or she shall have 60 days from the date of receipt of the additional information to make his or her determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended with the permission of the Assistant Attorney General.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

[51 FR 22889, 22896, June 23, 1986, as amended at 51 FR 22889, June 23, 1986; 59 FR 36042, July 15, 1994]

§§ 794.171–794.999 [Reserved]

**PART 795—OMB CONTROL NUMBERS ASSIGNED PURSUANT TO THE PAPERWORK REDUCTION ACT**

AUTHORITY: 12 U.S.C. 1766(a) and 5 U.S.C. 3507(f).

**§ 795.1 OMB control numbers.**

(a) *Purpose.* This subpart collects and displays the control numbers assigned to NCUA’s information collection requirements by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35. NCUA intends to comply with the requirement that agencies display a current OMB control number upon the collection of information. 44 U.S.C. 3507(a)(3). The table does not include the currently valid OMB control numbers already on display in NCUA’s forms, questionnaires, instructions, and other written collections of information. 5 CFR 1320.3(f).

(b) *Display.*

12 CFR part or section where identified and described	Current OMB control No.
701.1 .....	3133–0015
701.14 .....	3133–0121
701.21 .....	3133–0139
.....	3133–0058
701.22 .....	3133–0141
701.23 .....	3133–0127
701.26 .....	3133–0149
701.31 .....	3133–0068
701.32 .....	3133–0114
.....	3133–0117
701.33 .....	3133–0130
701.34 .....	3133–0140
701.36 .....	3133–0040
702 .....	3133–0154
703 .....	3133–0133
704 .....	3133–0129
706 .....	3133–0165
707 .....	3133–0134
708a .....	3133–0153
708b .....	3133–0024
.....	3133–0099
711 .....	3133–0152
712 .....	3133–0149
714 .....	3133–0151
716 .....	3133–0163
722 .....	3133–0125
723 .....	3133–0101
740.2 .....	3133–0098
740.3 .....	3133–0149
741 .....	3133–0099
.....	3133–0142
.....	3133–0163
748 .....	3133–0033
.....	3133–0108
749 .....	3133–0032
.....	3133–0057
.....	3133–0058
.....	3133–0059
.....	3133–0080
760 .....	3133–0143
792 .....	3133–0146

[69 FR 12266, Mar. 16, 2004]

**PART 796—POST-EMPLOYMENT RESTRICTIONS FOR CERTAIN NCUA EXAMINERS**

- Sec.
- 796.1 What is the purpose and scope of this part?
- 796.2 Who is considered a senior examiner of the NCUA?
- 796.3 What special post-employment restrictions apply to senior examiners?
- 796.4 When do these special restrictions become effective and may they be waived?
- 796.5 What are the penalties for violating these special post-employment restrictions?
- 796.6 What other definitions and rules of construction apply for purposes of this part?

AUTHORITY: 12 U.S.C. 1786(w).

SOURCE: 70 FR 72703, Dec. 7, 2005, unless otherwise noted.