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BY THE COMPTROLLER GENERAL
Report To The Congress
OF THE UNITED STATES

**Making Public Buildings Accessible To
The Handicapped: More Can Be Done**

The Architectural Barriers Act of 1968 requires federally funded buildings to be accessible to handicapped persons. To oversee the actions of Federal agencies and insure that buildings are barrier free, the Architectural and Transportation Barriers Compliance Board was established by the 1973 Rehabilitation Act.

Confusion exists among the Compliance Board and other agencies because of overlapping legal mandates and no clear definition of oversight and leadership roles.

As a result, the Compliance Board has not been able to provide the leadership necessary to oversee agency actions in eliminating barriers for the handicapped. And agencies have been reluctant to take the steps necessary to remove barriers.

GAO makes recommendations to resolve these and other issues.



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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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To the President of the Senate and the
Speaker of the House of Representatives

The Barriers Act of 1968 requires that federally funded buildings be accessible to handicapped persons. In a 1975 report to the Congress we reported that to make public buildings barrier free, the 1968 act would have to be strengthened and Federal agencies would have to make buildings accessible to handicapped persons. In 1976 the act was strengthened by Public Law 94-541.

This report is a followup to our report. It discusses the effectiveness of the 1976 legislation and actions taken by Federal agencies to make public buildings accessible to the handicapped. It recommends further actions needed by both the Congress and Federal agencies to make the Barriers Act of 1968 effective.

We are sending copies of this report to the Director, Office of Management and Budget, the Administrator, General Services; Secretaries of Defense, Labor, the Interior, and Housing and Urban Development; the Postmaster General; the Chairperson of the Architectural and Transportation Barriers Compliance Board; and other interested parties.

Comptroller General
of the United States

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D I G E S T

The Barriers Act of 1968 requires certain public buildings constructed or leased with Federal funds be made accessible to handicapped persons. The Architectural and Transportation Barriers Compliance Board was established by the Congress in 1973 as an independent entity to provide leadership and to make sure that Federal agencies comply with the Barriers Act. The Compliance Board has not been able to effectively carry out its responsibilities, in large part, because it has been unable to operate independently.

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Moreover, the 1968 Barriers Act and the 1973 Rehabilitation Act (which established the Compliance Board) assign overlapping functions to the Board and to other agencies and do not clearly assign leadership and authority roles. (See p. 6.)

COMPLIANCE BOARD HAMPERED
BY LACK OF INDEPENDENCE

The Compliance Board has not functioned as an independent agency. Instead, the Department of Health, Education, and Welfare 1/ has exercised extensive control over the Board's operating budget and resources. The Board has not been appropriated the resources authorized by the Congress. (See pp. 8-10.)

1/On May 4, 1980, this Department's responsibilities were split between the new Department of Education and the Department of Health and Human Services.

The fiscal year 1981 budget provides for \$2.3 of the \$3 million authorized by the 1978 amendments to the Rehabilitation Act, with a total of 32 positions for the Board's staff, but does not recognize the Board as an independent entity with a separate budget presentation. (See p. 10.)

The Rehabilitation Act was amended in 1978 to require that public members be appointed to serve on the Compliance Board. However, no one was appointed until December 1979. As a result, the Board was unable to conduct much of its official business during 1979. (See pp. 10 and 11.)

BOARD'S ROLE IN ESTABLISHING STANDARDS

A 1975 GAO study on Architectural Barriers was critical of building accessibility standards issued by the American National Standards Institute (ANSI). The standards were not specific and therefore were subject to considerable interpretation. (See pp. 15 and 16.)

Some actions have been taken to resolve the problems GAO identified, but much more must be done to establish a set of acceptable building standards. GAO brought this matter to the attention of the Board in an October 1, 1979, report (FPCD-79-87). (See p. 42.)

The Compliance Board must provide strong leadership by working with the agencies to make sure that its guidelines are followed and that the requirements of the Barriers Act are interpreted and applied consistently throughout the Nation. (See ch. 3.)

MORE EMPHASIS NEEDED TO
REMOVE AND PREVENT BARRIERS

Under the Barriers Act, HUD, DOD, GSA, and the Postal Service were to establish systems to make sure that standards are incorporated in building design and construction. (See p. 22.)

These systems need further refinement. For example, although DOD's system applies to most major construction projects, it overlooks smaller projects authorized by base commanders. (See pp. 23-29.)

Other public buildings constructed or leased with funds from contracts or grants awarded by the Departments of Labor and the Interior also are not barrier free. These departments need to develop or improve systems to make sure that buildings constructed or leased with Federal funds are accessible to the handicapped. (See pp. 29-33.)

LACK OF RECORDS HAMPERS REVIEWS

The Barriers Act requires HUD, DOD, GSA, and the Postal Service to establish continuing survey and investigation systems to assure that buildings constructed or leased are accessible to the handicapped. The agencies have generally included these reviews in other audit and inspection activities. This approach may meet the legislative requirement, if the agencies establish or improve building activity recordkeeping systems. (See p. 33.)

The 1969 Federal Property Management Regulations required that records be maintained showing buildings subject to the act and actions taken to make buildings accessible to the handicapped. These records were to be used to select buildings to be investigated.

However, such records are not being maintained and there is confusion over who must comply with the GSA Federal Property Management Regulations. The lack of records has also made it difficult for the Compliance Board to carry out its investigations. (See pp. 33-35.)

RECOMMENDATIONS

To clearly define the role of the Compliance Board, the Congress should amend the Barriers Act to:

- Establish the Board as the principal authority to provide leadership and insure compliance. (See p. 13.)
- Require HUD, DOD, GSA, and the Postal Service to consult with the Board and obtain concurrence that agencies' standards conform to its guidelines and requirements. (See p. 13.)
- Require the Board, rather than GSA, to report annually to the Congress on all waivers of standards. (See p. 13.)
- Require the Board rather than GSA to report on all Federal activities pertaining to standards issued, revised, amended, or repealed under the Barriers Act. (See p. 13.)

The Director, Office of Management and Budget, should recognize the Board as an independent agency with a separate budget presentation, similar to other Federal independent agencies. (See p. 13.)

To assure that the Barriers Act is used consistently throughout the Nation, GAO recommends that the:

- Compliance Board issue the minimum guidelines and requirements and direct that they are incorporated in all agency standards and that the Barriers Act requirements are properly and consistently interpreted. (See p. 21.)
- Compliance Board work with the Postal Service to resolve the present difference in dealing with lease options and assure that buildings are made barrier free. (See p. 21.)
- Compliance Board work with Federal agencies to refine or develop their compliance systems and provide the necessary information to carry out investigative functions to insure that all building activities will be accessible to the handicapped. (See p. 37.)
- Secretary of Defense direct that DOD's policies on buildings' accessibility are adequately implemented and pay particular attention to assuring that nonappropriated fund activities comply with the Barriers Act. (See p. 37.)
- Secretaries of Labor and the Interior establish or refine systems to insure that all building activities funded with Federal funds are accessible to the handicapped. (See p. 37.)
- Postmaster General establish a system of continuing surveys and investigations to insure that accessibility standards are incorporated in postal facilities. (See p. 38.)
- Administrator of General Services and the Compliance Board resolve the confusion caused by the Federal property management regulations concerning building activity recordkeeping. The Compliance Board

should issue regulations requiring agencies to maintain records of building activities for use by the standard-setting agencies and the Compliance Board. (See p. 38.)

--Secretaries of Defense and HUD, the Postmaster General, and the Administrator of General Services improve their building activity recordkeeping systems to identify buildings subject to and in compliance with the Barriers Act. (See p. 38.)

AGENCY COMMENTS

The Compliance Board generally agreed with GAO's observations. It commented that many of the problems are moving toward resolution under the restructured Board which became operational December 4, 1979.

The Board endorsed the report's recommendations concerning Board authority, Board independence, minimum guidelines and requirements, and agency compliance systems. (See app. III.)

Other agencies were not asked to officially comment on this report, although they were given the opportunity to review the draft, verify the accuracy of the data presented, and discuss it with GAO. Their comments and observations have been considered in the report.

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ABBREVIATIONS

ANSI	American National Standards Institute
CETA	Comprehensive Employment and Training Act
DOD	Department of Defense
GAO	General Accounting Office
GSA	General Services Administration
HEW	Department of Health, Education, and Welfare
HUD	Department of Housing and Urban Development

CHAPTER 1

INTRODUCTION

On July 15, 1975, we issued a report to the Congress entitled, "Further Action Needed To Make All Public Buildings Accessible To The Physically Handicapped." We found that, to make public buildings barrier free, the Architectural Barriers Act of 1968 (82 Stat. 718, 42 U.S.C. 4151 et seq.) would have to be strengthened and Federal agencies would have to take further action to make buildings accessible to handicapped persons. (See app. I.)

On October 18, 1976, the Barriers Act was strengthened by Public Law 94-541 which required all agencies to take actions to make buildings accessible to the handicapped. We followed up on our 1975 review to determine if the problems highlighted then have been corrected and if the 1976 legislation has been effective.

LEGISLATION

The Barriers Act, as amended, requires the Administrator of General Services, the Secretary of Housing and Urban Development (HUD), the Secretary of Defense, and the U.S. Postal Service--in consultation with the Secretary of Health, Education, and Welfare (HEW) 1--to prescribe standards for designing, constructing, and altering buildings under their jurisdiction to insure, wherever possible, that physically handicapped persons have access to them. To insure compliance with such standards, each agency is required to establish systems of continuing surveys and investigations.

The act authorizes the heads of the four agencies to modify or waive their standards on a case-by-case basis when necessary. The Administrator of General Services is required to report all case-by-case modifications and waivers to the Congress during the first week of January each year. The Administrator is also required to report Federal activities pertaining to standards issued, revised, amended, or repealed under the act.

The Rehabilitation Act of 1973 established the Architectural and Transportation Barriers Compliance Board as an independent entity to oversee implementation of the Barriers

1/On May 4, 1980, HEW's responsibilities were split between the new Department of Education and the Department of Health and Human Services.

Act as one of its major responsibilities. The 1973 act required the Board to carry out the following responsibilities that pertain to buildings:

- Insure compliance with standards established according to the Barriers Act of 1968 as amended.
- Investigate and examine alternative approaches to the architectural, transportation, and attitudinal barriers confronting handicapped individuals.
- Determine what measures Federal, State, and local governments and other public or nonprofit agencies are taking to eliminate these barriers.
- Promote the use of the "international accessibility symbol" in all public facilities that comply with the Barriers Act.
- Report the results of its investigations to the Congress and the President.
- Recommend to the President and the Congress legislation and activities necessary to eliminate these barriers.

To carry out its responsibilities, the 1973 act authorized the Compliance Board to conduct investigations, hold public hearings, and issue any necessary orders to insure compliance with the Barriers Act.

To strengthen the Board's authority, the 1973 act was amended in 1974 to make the compliance orders affecting any Federal department or agency final and binding. The amendment also provided that an order may include the withholding or suspension of Federal funds with respect to any building not in compliance.

In November 1978, the Rehabilitation Act was again amended and the Board was given additional responsibilities, including:

- Establish minimum guidelines and requirements for the standards required under the Barriers Act.
- Insure that all waivers and modifications of standards are based upon findings of fact and are not inconsistent with the Barriers Act.

--Develop standards and provide appropriate technical assistance to any public or private activity, person, or entity affected by regulations prescribed according to title V of the Rehabilitation Act with respect to overcoming architectural, transportation, and communications barriers. These actions are to be taken in consultation and coordination with other concerned Federal departments and agencies and offices within HEW. (HEW was given authority under Executive Order 11914 to coordinate implementation of section 504 of the act.)

Under these amendments, and at the Board's direction to enforce its compliance orders, the Board's Executive Director is authorized to bring a civil action in any appropriate United States District Court.

SCOPE OF REVIEW

We made this review to determine how efficiently and effectively Federal agencies and the Compliance Board are carrying out their responsibilities under the Barriers and Rehabilitation Acts. 1/ We reviewed agencies' procedures for administering the legislation and implementing regulations and interviewed officials responsible for assuring that buildings are accessible to the handicapped.

We examined both agency and Compliance Board documentation on buildings which did not comply with the Barriers Act and reviewed agencies' records to find out why. We also reviewed records on newer buildings to determine if they were accessible.

We observed the Compliance Board's review of buildings in the Denver, Colorado, area to determine how it was carried out and to validate the data used to identify buildings which do not comply. We also evaluated the extent and effectiveness of Federal agencies' procedures to assure accessibility.

We made our review at the:

--Compliance Board's Office in Washington, D.C.

1/Our review of responsibilities under the Rehabilitation Act was limited to section 502 because that section outlines responsibilities of the Compliance Board under the Barriers Act.

- Headquarters of the General Services Administration (GSA), Washington, D.C.; Region VII, Fort Worth, Texas; and Region IX, San Francisco, California.
- Headquarters of the Department of Defense (DOD) and the military services.
- Army Corps of Engineers Southwestern Division, Dallas, Texas; Fort Worth District, Fort Worth, Texas; South Atlanta Division, Atlanta, Georgia; and Savannah District, Savannah, Georgia.
- Naval Facilities Engineering Command, Charleston, South Carolina.
- Air Force Civil Engineer, Central Region, Dallas, Texas; Air Force Civil Engineer, Eastern Region, Atlanta, Georgia; and Carswell Air Force Base, Fort Worth, Texas.
- Army and Air Force Exchange Division, Dallas, Texas.
- Headquarters of HEW, Washington, D.C.; Region VI Dallas, Texas; and Region IX, San Francisco, California.
- Headquarters of the Department of Interior, Washington, D.C.; and the Southwest Regional Office, San Francisco, California.
- U.S. Postal Service Headquarters, Washington, D.C.; and Central Region, Chicago, Illinois.
- Headquarters of the Department of Labor, Washington, D.C.; and Region V, Chicago, Illinois.
- Headquarters of the Department of Housing and Urban Development (HUD), Washington, D.C.; and Region IV Area Office, Atlanta, Georgia.

The regional areas were selected with the Compliance Board staff's concurrence, primarily because it had completed its review in these areas and had notified the agencies of its findings.

As part of our review, we issued a letter report to the Compliance Board on October 1, 1979 (see app. II) on its need to promptly develop minimum guidelines and requirements

for agencies to use in establishing their individual standards. We also discussed with Office of Management and Budget (OMB) officials the Compliance Board's need for additional resources to carry out its functions.

CHAPTER 2

COMPLIANCE BOARD SHOULD FUNCTION

AS INDEPENDENT ENTITY

The Rehabilitation Act assigned specific responsibilities to the Compliance Board which overlap responsibilities of GSA and HEW under the Barriers Act. For example, the Barriers Act requires agencies developing standards to consult with HEW, while the Rehabilitation Act requires the same agencies to consult with the Compliance Board. This overlap results in a lack of clear authority for the Compliance Board and hampers its progress. To speed progress, we believe it is necessary to distinguish these responsibilities and clearly establish the Board as the principal authority for assuring compliance with the Barriers Act.

Also, the Board has not functioned as an independent entity because of HEW's administrative control, lack of adequate resources, and the Board's not having the quorum membership to conduct official business until late 1979.

CLEAR LINE OF OVERSIGHT AND ENFORCEMENT AUTHORITY NEEDED

The 1978 Rehabilitation Act amendments assigned the Compliance Board the responsibility 1/ of assuring that buildings are accessible to handicapped persons. In addition, the Barriers Act prescribed related functions to be performed by other agencies. However, this has caused confusion between the Compliance Board and other agencies because of overlapping legal mandates and no clear definition of leadership roles.

--Under the Barriers Act, HUD, DOD, GSA, and the Postal Service are required to establish standards in consultation with HEW. Since the Rehabilitation Act requires the Compliance Board to establish minimum guidelines and requirements for standards, the standards should be established in concurrence with the Board. (Consultation could be provided by Department

1/Although the responsibility for compliance rests with the agencies, the Compliance Board has authority to enforce agency compliance.

of Education 1/ but only in an advisory role that would not impede the Compliance Board's statutory requirement.) The Compliance Board must take a leadership role to assure that agencies establish standards and that the Barriers Act is properly and consistently interpreted.

--The Barriers Act authorizes the Secretary or Administrator of the standard-setting agencies to waive their standards on a case-by-case basis and requires GSA to report all waivers to the Congress. The Rehabilitation Act requires the Compliance Board to insure that all waivers and modifications of standards are based on findings of fact and are not inconsistent with the Barriers Act. Although only 10 waivers were issued in 1977 and 1978, once the agencies begin applying the Barriers Act to all buildings, waivers will likely increase. Since the Board is responsible for insuring that all waivers are properly issued, we believe the Board should report to the Congress.

--GSA is also required under the Barriers Act to report all Federal activities pertaining to standards issued, revised, amended, or repealed. Since the Board is required to establish the guidelines and requirements for the standards, we believe it should maintain and report on the agencies' efforts to amend, repeal, or establish standards.

A clear line of authority for oversight and enforcement is needed. By making the Compliance Board primarily responsible for these functions, GSA's report to the Congress could be eliminated and the information incorporated into the Board's annual report. This would be in line with the President's Executive order of November 30, 1979, curbing paperwork.

BOARD NEEDS INDEPENDENCE AND ADDITIONAL RESOURCES TO CARRY OUT ITS FUNCTIONS

The various amendments to the Rehabilitation Act highlight the congressional intent to change the Board's structure and to give it sufficient authority to carry out its role as an independent entity. However, the Board's problems in establishing an effective organizational structure,

1/On May 4, 1980, the Department of Education was assigned HEW's former responsibilities relating to the Barriers Act.

its reliance on other agencies for resources, the ineffective method of funding Board operations, and the time lag between the legislative requirement to change and the change in Board membership have prevented it from carrying out many of its functions as an independent entity.

Compliance Board's structure

The Board initially consisted of eight Federal agency heads or their designees--HEW; HUD; GSA; the Departments of Interior, Labor, and Transportation; the Veterans Administration; and the Postal Service--with no single agency as head. The members were to make technical, administrative, or other resources available as required to carry out the Board's functions. In addition, the Board was authorized to appoint other advisers, technical experts, and consultants necessary to help carry out its functions.

The Rehabilitation Act was amended in 1974, and the Secretary of Defense, or designee, was added to the Board and the Secretary of HEW, or designee, was made chairperson. At this time the Board was directed to establish a permanent staff by appointing an executive director and other professional and clerical personnel to carry out its functions.

The structure was again changed when the 1978 amendments added the head of the Department of Justice, or designee, to the Board and 11 members from the public. These amendments also directed the President to appoint the public members (5 were to be handicapped) and the first chairperson of the 21-member Board to serve for 2 years. Thereafter, the chairperson would be elected by a majority vote of the Board for 1 year.

The Congress initially authorized the Board to be appropriated \$1 million annually. This amount was increased to \$1.5 million for the fiscal year ending September 30, 1977, and to \$3 million annually with the passage of the 1978 amendments. This authorization was intended to cover all Board responsibilities under the Rehabilitation Act. (This includes responsibilities under other sections of the act that are not addressed in this report.)

Funding method limits Board's effectiveness

Since its inception, the Board has had numerous problems obtaining the necessary resources to carry out its functions. In fiscal year 1974, the Board relied on its member agencies for staff and funds through interagency transfers, but this

was not effective. Therefore, in fiscal year 1975 the Board was provided its first two permanent staff positions through HEW's Office of Human Development. Since this time, this office has provided the Board with most of its resources under the HEW budget line-item salaries and expense.

This funding method has made it difficult for the Board to carry out its functions. Although the Rehabilitation Act authorizes the Board to appoint an executive director and other personnel to carry out its functions, the present funding method has restricted it in obtaining the necessary staff. For example, through the efforts of the House Committee on Appropriations, the Board's staff was increased from 11 to 20 full-time positions in mid-1977. However, in early 1979, the staff was reduced to 18 positions when the Administration imposed ceiling cuts on HEW.

At a July 13, 1976, meeting, the Board pointed out that HEW disapproved a resolution requesting supplemental funds for the Board's National Advisory Committee. According to the Board chairperson, as long as the Board's budget is an item in the HEW budget, HEW has the authority to reject the Board members' recommendations. To overcome this problem, the chairperson submitted a request to OMB that the Board's budget be a separate item in the President's fiscal year 1978 budget. Although other Board members supported this request, OMB did not approve it.

With the passage of the 1978 amendments, the Board again realized the need for direct funding. In a March 20, 1979, letter to OMB the Board chairperson and vice chairperson again requested direct funding. They stated:

"As separate legal entity distinct from HEW or any of the other Federal members, the Board needs to directly interact with OMB. By virtue of the Board's functions, authorities and composition, it is, in essence, an autonomous entity with Federal-wide enforcement and policymaking responsibilities. To be effective, the membership, both Federal representatives and Presidential appointees, must maintain a national perspective which transcends the concerns of any one particular agency. The Board needs to directly and regularly interact with OMB on such critical issues as administrative and legislative recommendations, proposed legislation, and submission of the Board's budget. The 1978 amendments set the stage for change. The Board's mandate has significantly elevated its autonomous status and increased the amount of resources necessary to carry out its activities."

Although the 1978 amendments set the stage for change, little change has occurred. The Board's funding for fiscal year 1980 is still a part of HEW's budget and is at the same \$1 million level that has been provided since fiscal year 1977.

At the request of OMB, the Interagency Coordinating Council reviewed the Compliance Board's resource problem at its December 13, 1979, meeting. The Council was established under the Rehabilitation Act amendments to develop and implement policy and eliminate problems among Federal agencies responsible for implementing and enforcing the act.

In a response to OMB's request in a letter dated December 28, 1979, the Council made three recommendations:

- For future fiscal years OMB should authorize the Board to submit a separate line-item budget.
- The Council endorses levying upon the Board's member agencies for the loan of slots rather than personnel for the remainder of fiscal year 1980. The temporary assignment of personnel with loyalties elsewhere is seldom a satisfactory substitute for giving an agency the flexibility to establish a permanent staff structure. The Council supports the Board staff's request for a sufficient number of slots to increase the full-time staff to 95 for the remainder of fiscal year 1980.
- For fiscal year 1981 the Council endorses the Board staff's request for an appropriation of \$3 million.

The fiscal year 1981 budget shows that the Compliance Board is to receive \$2.3 million under the salaries and expense appropriation for the Office of Civil Rights, Department of Education. This funding includes 32 positions to carry out Board functions in 1981. OMB officials said the Administration also requested \$1 million in supplemental funds for fiscal year 1980. In March 1980 the supplemental request was reduced to \$623,000 and included authorization for 12 additional positions, increasing the Board's staff ceiling to 32 positions. However, this supplemental request has not yet been approved by the Congress.

Lack of a quorum delays Board activities

The Administration objected to the 1978 amendments that made the majority of the Board public members. In a November 17, 1978, letter from the White House to the Chairman,

Senate Committee on Labor and Human Resources, the Assistant to the President for Congressional Liaison stated that the President had signed Public Law 95-602 (the 1978 amendments) in anticipation of modifying key features of the bill during the next Congress. One such modification was to eliminate the Board's majority public vote and provide equal Government and non-Government vote.

Although the Board chairperson submitted a list of potential nominees to HEW on March 16, 1979, and a revised list with HEW input was submitted to the White House on June 18, 1979, the public members were not appointed until December 4, 1979.

In April 1979, the Department of Justice issued an opinion that a quorum was necessary to conduct official business and, without at least one public member, the Board did not constitute a quorum. This delayed the Board in taking official action and approving plans for carrying out its new functions provided by the 1978 amendments. The absence of a quorum for example, precluded it from making major policy decisions for new initiatives in such areas as field reviews, public conveyances, communications, and technical services.

ACTIONS TAKEN BY THE BOARD TO CARRY OUT ITS FUNCTIONS

Before October 1978 the Board relied primarily on agencies to enforce provisions of the Barriers Act. Complaints about buildings not complying with the act were referred to the agencies with a request for them to investigate and report back to the Board within a specified time. In line with this the Board, in July 1976, published guidelines for developing compliance systems and, through the use of contractors, developed and issued an agency self-compliance system in August 1979. This system was designed to supplement the Board's enforcement activities.

To expand its enforcement efforts, in October 1978 the Board began reviewing over 1,100 buildings in the 10 Federal regional cities with the assistance of members, other agencies, and consumers to determine if the buildings were accessible to the handicapped. A wide range of facilities--schools, transit stations, local public works projects, parks, overpasses, prisons and hospitals--as well as Federal offices were reviewed. Agencies were informed, by letter, of each facility that was not accessible to the handicapped and asked to develop an action plan in 60 days to correct the problems identified.

In selecting buildings for review, the Board relied on agencies' inventories. These inventories in many instances, did not show whether buildings were subject to the Barriers Act. As a result, a large percent of the buildings selected were not subject to the act. For example, none of the 11 Postal Service buildings and only 6 of the 34 GSA buildings in San Francisco and Dallas reviewed were subject to the act.

Other buildings, not subject to the act were selected for review because of their high use by the public or Federal employees which would highlight accessibility problems that agencies could correct. For example, most of the regional headquarters buildings selected were constructed before the Barriers Act took effect. These selections gave the Board more insight concerning the barriers confronting the handicapped and in establishing its guidelines and requirements.

Although its reviews will help remove some barriers, we think the Board should consider the following before continuing its reviews:

- Issue guidelines and requirements and work with the agencies to insure that their standards meet the guidelines and requirements and that they cover all buildings. (See ch. 3.)
- Work with agencies to develop compliance systems and conduct independent reviews to insure that systems are working. (See ch. 4.)
- Work with agencies to develop reporting systems for all building activities so that systems of survey and investigation are effectively carried out. (See ch. 4.)

CONCLUSIONS

The Architectural and Transportation Barriers Compliance Board was established by the Congress in 1973 as an independent entity to provide leadership and insure that Federal agencies comply with the Barriers Act. The Compliance Board has not achieved this goal and has been hampered extensively in its efforts to carry out legislated requirements. Confusion exists between the Compliance Board and some agencies because the Barriers and Rehabilitation Acts overlap functions without clarifying respective leadership and authority roles.

The Compliance Board has not functioned as an independent entity because of external control over operating budgets and resources and the need for HEW's approval of official business matters. Also, the Board has not been provided the resources authorized by the Congress.

Another factor which has hampered progress is the untimely appointment of public members to serve on the Compliance Board. As a result the Board was unable to conduct official business in most of 1979.

RECOMMENDATIONS

To clearly define the Board's role and to make it consistent with the Rehabilitation Act, we recommend that the Congress amend the Barriers Act to:

- Establish the Board as the principal authority to provide leadership and insure compliance.
- Require HUD, DOD, GSA, and the Postal Service to consult with the Board and obtain its concurrence that standards conform to the guidelines and requirements. (Consultation could be provided by Department of Education but only in an advisory role that would not impede the Board's statutory requirement.)
- Require the Board rather than GSA to report annually to the Congress on all waivers of standards.
- Require the Board rather than GSA to report all Federal activities pertaining to standards issued, revised, amended, or repealed under the Barriers Act.

We also recommend that the Director, OMB, recognize the Board as an independent agency with a separate budget presentation similar to other Federal independent agencies.

AGENCY COMMENTS

The Compliance Board agreed that it should be clearly recognized as the principal authority to insure compliance with the Architectural Barriers Act and to insure consistency and uniformity of federally required accessibility standards. The Board noted that its concurrence on agency-developed standards would facilitate its role.

The Board also agreed that it should be treated as an independent agency with a separate budget submission. This matter has been discussed with OMB and appears to be at a point of resolution.

CHAPTER 3

COMPLIANCE BOARD MUST TAKE LEADERSHIP

ROLE IN ESTABLISHING STANDARDS

One of the primary problems highlighted in our 1975 report was the lack of specificity of the American National Standards Institute (ANSI) standards. As pointed out in our 1975 report, the Federal agencies had agreed to adopt these standards which were issued in 1961 as criteria to be followed in achieving barrier-free buildings. Even though they were prescribed by each Federal agency and represented an important step toward promoting accessibility in public buildings, the standards, as written, are subject to considerable interpretation. At the time of our 1975 report, agencies had either initiated actions to revise the ANSI standards or had developed design criteria. These actions, however, were not successful.

With the passage of the 1978 Rehabilitation Act Amendments, the Congress directed the Compliance Board to develop guidelines and requirements for agencies' use in developing their standards. As a result, the Board entered into an agreement with the National Bureau of Standards to develop the guidelines and requirements. In a letter dated October 1, 1979, we recommended that the Board act immediately to publish uniform guidelines and requirements.

The lack of guidelines and requirements has delayed the establishment of standards by three of the four standard-setting agencies. As a result, there is not a consistent interpretation and application of the Barriers Act requirements throughout the Nation. For example, the Postal Service has established accessibility standards; however, its interpretation of the Barriers Act, as amended, excludes many leased buildings from accessibility requirements. GSA, on the other hand, requires similar leased buildings to be accessible on the basis of its interpretation of the Barriers Act.

PROBLEMS EXPERIENCED WITH ANSI STANDARDS STILL NOT RESOLVED

ANSI standards are generally considered incomplete, minimum standards. They define the various categories of accessibility but lack specificity in certain important areas. For example, they (1) do not specify what facilities are to be covered or to what extent ANSI specifications should be

followed, (2) do not cover residential housing, and (3) contain very few descriptive drawings. These inadequacies caused agencies to interpret the standards differently.

Differing interpretations and applications of standards and the Barriers Act continue to exist throughout the Nation. This problem was highlighted when agencies disagreed with the Board's recent findings that certain buildings did not comply with ANSI standards. To illustrate, the Board reported that 14 HEW buildings in San Francisco and Dallas did not comply with ANSI standards. HEW regional staffs were resurveying the 14 buildings because they believed some of the Board's findings were not required by ANSI. HEW does not plan to take corrective action until it confirms the deficiencies, and then only those they agree are required by ANSI.

In our October 1, 1979, letter to the Compliance Board, we pointed out that its actions in response to our 1975 report were not successful. Although a contract was awarded in 1976 for \$146,000 to develop design criteria, the contractor was not successful and the Board did not issue any criteria to help agencies develop definitive standards.

In our October 1979 letter we again expressed concern about whether the Board's September 18, 1979, agreement with the National Bureau of Standards would achieve the intended legislative requirement for guidelines. (See app. II.) The Compliance Board responded that its approach was appropriate and would accomplish the legislative requirement. But the Board did not provide any specific time period for accomplishing this requirement:

"The NBS's role is limited to some analysis and the conduct of specific research to aid the Board in developing minimum guidelines in areas for which there is no consensus. The guidelines for those defined technical areas are currently being developed by Board staff in conjunction with the four Federal standard making agencies. The Board's overall approach is to develop the minimum guidelines in phases--issue guidelines for those areas where there is general agreement and initiate research into specific areas (i.e., maximum door pull pressure, visual alarms, etc.) which lack a comprehensive data base. It is anticipated that these minimum guidelines in the form of a Notice of Proposed Rulemaking will be ready for Board action soon. In the interim, the Board hopes to publish a Notice of

Intent to propose rules which will invite public comment on a host of major issues associated with the implementation of guidelines * * *."

The Board believes its approach to developing minimum guidelines and requirements is appropriate. This approach is a comparative analysis of State and Federal standards, together with a subsequent review by the Federal standard-making agencies and national experts on standards and public rulemaking. According to the Board, the draft guidelines and requirements for the remaining areas, where technical specifications are not available, will be issued after the necessary research is completed.

The Board's staff informed us that additional progress has been made in establishing guidelines and requirements. The Board issued a notice of intent to propose rules in the Federal register on February 22, 1980. In response, the Board received 31 questions and over 100 comments which its staff is considering. It is the Board's goal to issue a notice of proposed rulemaking in July 1980 and final minimum guidelines and requirements in December 1980.

AGENCIES' ACTIONS TO ESTABLISH STANDARDS

Although the Compliance Board has not issued guidelines and requirements, the four agencies required by the Barriers Act to establish standards have taken action to do so.

GSA

GSA used ANSI standards to develop design criteria in December 1977. It is now using this criteria to design new facilities and alter old ones. But GSA has found the criteria to be cumbersome and difficult to use and, like the ANSI standards, subject to misinterpretation. Because of these difficulties, the criteria was not formally adopted as GSA's standards.

According to GSA, revised standards which are more workable and less subject to misinterpretation, have been drafted with the assistance of HEW and the Compliance Board. GSA will adopt the new standards as required by the Barriers Act.

GSA officials advised us that a notice of proposed rulemaking was published in the Federal register on February 6, 1980, and the target date for publishing the final rulemaking is July 1, 1980.

DOD

Officially, DOD still retains ANSI standards as its basic standard. However, while the Air Force and the Navy subscribe to ANSI, the Army Corps of Engineers in October 1976 developed separate standards to be used for its military and civil construction. Our analysis showed that these standards are more definitive and have greater accessibility requirements than ANSI.

It is DOD's overall intention to use the Army standards as a basis for the DOD standards. However, DOD is waiting for the Compliance Board to issue its guidelines and requirements before publishing DOD standards. DOD did not formally request the help of HEW or the Board in establishing its standards.

HUD

In 1975 HUD did not have adequate standards for publicly owned residential structures. We recommended in our 1975 report that HUD expedite the development of a standard for the design, construction, and alteration of publicly owned residential structures.

In a combined effort with the National Easter Seal Society for Crippled Children and Adults and the President's Committee on Employment of the Handicapped, HUD funded a research and development project to revise ANSI standards. By early spring 1980, revised ANSI standards will cover design, construction, and alteration of public residential structures.

HUD officials informed us that revised ANSI standards would be published in May 1980. These standards are being used as the baseline for the Board's minimum guidelines and requirements.

Postal Service

The Postal Service issued its standards in November 1979. HEW and the Compliance Board staff made a technical review of these standards before they were issued. We believe the Board must fully evaluate these standards before endorsement because the Postal Service's interpretation of section 202 of Public Law 94-541, which amended the Barriers Act to include lease renewals, differs from that of GSA. The Board's staff advised us that its interpretation of section 202 is consistent with GSA's.

Under section 202 all buildings leased on or after January 1, 1977--including those buildings leased before January 1, 1977, but whose lease was renewed after January 1, 1977--are required to be barrier free. However, the postal standards state:

"For the purpose of applying these standards, a lease which is renewed means a lease for which new or changed terms are negotiated or an entirely new agreement is made; it does not mean merely an extension of an already existing lease by exercise of an option already existing as one of the terms of the lease agreement."

Approximately 90 percent of the Postal Service's buildings are leased, and if these buildings are to be barrier free, standards must be applied to lease renewals as intended by the Congress. GSA, which also leases a large percentage of the public buildings, requires all building space acquired by lease renewal-type actions, including lease extensions, to be barrier free.

A change in the postal standards to include lease extensions or exercise of a lease option could affect from 2,400 to 3,000 buildings in the Central Postal Region alone. Under the Barriers Act, regions can request the Postmaster General to approve waivers of the standards, or the regions can document exceptions where the standards should not be applied. However, no waivers have been requested, and the Postal Service currently considers these buildings excluded from the requirements of the Barriers Act.

Postal Service officials gave us the following information regarding their interpretation of the application of the Barriers Act to leased buildings:

"The Barriers Act applies to any leased building where the lease is "renewed" after January 1, 1977, even though the original lease was made before that date and the building was not originally covered. The Postal Service position is that the exercise of a unilateral extension option afforded by the terms of a lease is not a renewal of a lease, and does not make the building subject to the Act. A renewal occurs when a tenant's right to remain in possession of leased space comes to an end and both parties must agree if the tenant is to have a right to continued occupancy. This new agreement provides an opportunity to change the terms of the

original lease. The parties might then agree to accessibility alterations, increased rent, adjustments in the responsibility to pay for maintenance and utilities, or any other changes. The result is a new lease. A tenant's exercise of a lease extension option granted in his original lease, on the other hand, does not involve any changes except the duration of the tenancy, and even that is in accordance with a previously agreed formula. If the tenant proposes to make previously unauthorized accessibility alterations, the landlord may seize on that opportunity to either terminate the tenancy or raise the rent. Although most Postal Service leases authorize the Service unilaterally to make alterations, that is an unusual lease provision and many Government leases may not contain it. There is no evidence in the legislative history of the Act that the Congress intended to compel the negotiation of new lease terms in order to accomplish accessibility alterations, except when new terms would otherwise have to be negotiated in due course."

CONCERNS EXPRESSED BY DEPARTMENT
OF THE INTERIOR ABOUT THE LACK
OF SPECIFIC STANDARDS

Department of the Interior officials expressed concern about the lack of specific standards for the recreational facilities they operate and fund. These facilities include nature trails, fishing piers, picnic areas, and swimming pools. Existing standards focus primarily on buildings and access to buildings. To establish workable procedures for compliance, the Department's officials believe standards should be established for recreational facilities.

CONCLUSIONS

Some actions have been taken since 1975 to resolve the problems that were experienced with ANSI standards. However, much remains to be done before there will be acceptable standards and before the Compliance Board can begin to insure a consistent application of the Barriers Act throughout the Nation. We believe the Board can accomplish this by providing strong leadership, working with the agencies to insure they follow guidelines in developing or revising their standards, and working with agencies to insure that Barriers Act requirements are consistently interpreted.

RECOMMENDATIONS

We recommend that the Compliance Board

- issue the minimum guidelines and requirements required under the 1978 Rehabilitation Act amendments,
- direct that the guidelines and requirements are incorporated and that Barriers Act requirements are properly and consistently interpreted in all agencies' standards, and
- work with the Postal Service to resolve the present difference in dealing with lease options and assure that buildings are made barrier free.

AGENCY COMMENTS

The Compliance Board commented that it understood and shared the urgency to issue minimum guidelines and requirements. It has established a timetable to expedite this effort and plans to publish a final regulation during December 1980.

CHAPTER 4

MANAGEMENT ACTIONS HAVE BEEN TAKEN TO HELP

ELIMINATE BARRIERS, BUT MORE NEEDS TO BE DONE

The four standard-setting agencies--GSA, DOD, HUD, and the Postal Service--have established compliance systems as required by the Barriers Act and have implemented regulations to assure that ANSI standards are incorporated into building design and construction. However, some of these systems need further improvement to assure that standards are applied in all construction and lease activities. For example, DOD needs to refine its compliance system so that the standards are consistently applied to smaller welfare and recreation buildings that are authorized by base commanders. These buildings do not receive the same review as major construction projects.

The Departments of the Interior and Labor are relying primarily on their grantees and contractors to assure that buildings constructed or leased with Federal funds are barrier free. These agencies have not been adequately monitoring the activities of contractors and grantees. As a result, buildings are being leased and constructed that are not barrier free.

The Board should work more closely with the agencies to develop and refine their individual compliance systems and insure that barriers to the handicapped are eliminated.

Also, agencies generally have no system for identifying buildings subject to the Barriers Act or reducing actions necessary to make buildings accessible.

ESTABLISHED COMPLIANCE SYSTEMS NEED FURTHER IMPROVEMENT

Each of the agencies have established systems to insure standards are incorporated into building design and construction and that buildings, when completed, comply with the Barriers Act. On major construction projects the architect who designs the building, the contractor who builds the building, and the agency must coordinate their activities to insure buildings are barrier free. However, agencies are not applying compliance systems to certain building alterations and leases because of their misinterpretations of the Barriers Act and their exclusion of buildings, which are below a certain dollar amount, from the requirement.

DOD needs to establish more controls
over small construction projects

Each of the military services has established a compliance system. These systems were being applied at the installations we visited. The systems require installations to document each construction project. The documentation for major construction projects must be reviewed and approved at various levels--the installation, the major command, the regional engineer, and headquarters--to assure compliance. The following generally portrays the system used for major construction in DOD to assure that standards are incorporated in building design:

- The installation prepares a project development book for most construction activities, indicating whether the building will be accessible to the handicapped. If it is not to be accessible, a written justification must be made. The book is reviewed by the major command, regional engineer, and headquarters.
- A DOD form 1391 is prepared, with a statement about handicapped accessibility. If the building is not to be accessible, a written justification must be provided. The form is reviewed by the major command, regional engineer, and headquarters.
- The regional engineer reviews the project at least three times during the design phase--at 35-percent completion, the pre-final stage, and the final stage. The methods used to perform these reviews vary. The Army uses a checklist, the Navy sometimes uses a checklist, and the Air Force has no requirement because the bulk of its technical review is by the Army or the Navy.
- The building is inspected during construction to make sure it meets specifications. There is also a post-completion "walk-through" inspection. In addition, the Navy has a post-occupancy evaluation program--a "lessons-learned" exercise which is performed on about 10 percent of the new construction approximately 6 to 12 months after a building is occupied.

The above system often is not applied to many smaller installation projects, such as morale, welfare, and recreational projects, funded with nonappropriated funds and built for less than \$300,000, or to projects not subjected to technical review outside the installation. Also, the system does not apply to certain repair work.

Military installations often design the smaller buildings without using the regional engineer. Installation commanders tend to be more involved in designing facilities that are intended solely for the use of able-bodied military personnel who are exempt from the provisions of the Barriers Act. For example, as part of its recently completed building review, the Compliance Board inspected a multicraft shop at Ft. McPherson, Georgia, built in 1973 at a cost of \$187,000 with nonappropriated funds. The Board found that this building did not comply with the Barriers Act. In 1973, DOD did not specifically require standards to be applied to nonappropriated fund activities even though the Barriers Act did.

In October 1975, DOD changed its criteria to include nonappropriated fund activities. Even though the DOD criteria was changed, smaller buildings are apparently still being constructed that are not accessible to the handicapped. For example, we found that a fiscal year 1978 Army project at Fort Stewart, Georgia--which included an addition to an arts and craft center, construction of a golf course maintenance building, and an extension to a tour room at the recreation center--was completed with nonappropriated funds. The installation determined this project was not required to be accessible to the handicapped. Also, the installation assigned responsibility for the project's design to a Corps of Engineers district office.

This district office did not challenge the installation's determination that the buildings need not be accessible. A district official told us that, in his opinion, the Barriers Act does not address extensions and that some installations believe nonappropriated fund activities are exempt from the DOD design criteria. The DOD criteria, as changed in October 1975, clearly pertains to nonappropriated fund activities. Also, the DOD construction criteria as well as the Federal property management regulations define alterations to include extensions.

Another example involved a similar extension being added to a building at Carswell Air Force Base. The installation had designed the addition to a child care center and had prepared a project development book which stated that the addition need not be accessible to the handicapped. It provided no further justification. At the same time, a form 1391 had been prepared for the project stating that the addition would be accessible to the handicapped.

The building was inspected by the Compliance Board as part of its review, and in August 1979, the Board informed

the installation commander that the facility, including the new addition, should be accessible to the handicapped. The designs for the addition were nearly finished and no one, including higher commands, had detected an absence of handicapped provisions during their reviews. The Board's report triggered an array of inquiries and legal opinions among the installation, the major command, and Air Force headquarters. The installation then realized that an extension or addition to this type of facility must, according to the Air Force and DOD policy, be accessible to the handicapped.

Another project at the Carswell Air Force Base demonstrated that, if followed, the compliance system could work. A review of this project by an Army district engineer required the base to construct the building so it would be accessible to the handicapped. A project development book indicated that the facility need not be accessible, but provided no justification. The engineer noted the deficiency and required that the standards' criteria be incorporated in the design.

These problems would be minimized if base-level engineers were more aware of which buildings come under DOD policy. Unless this awareness can be achieved at the base level, DOD may have to require all construction projects to be reviewed at the district or regional engineer level.

Postal Service actions to improve its compliance system

The Postal Service Central Region has established a compliance system that relies on an architect preparing design specifications to include a seal of certification that the postal standards have been adhered to. A Postal Service engineer reviews these specifications at the 10-, 30-, 60-, and 90-percent completion phase. During the construction phase an architectural engineering firm is hired to insure the contractor complies with specifications. The field office design and construction unit monitors the architectural engineering firm and contractor during construction to insure compliance. After completion, the facilities are inspected by a Postal Service inspector.

With the passage of Public Law 94-541 in October 1976, the Postal Service became subject to the Barriers Act. Before that time, it was Postal Service policy to make buildings accessible to the handicapped; but since accessibility was not required by law, the Postal Service did not establish its compliance system until the law was passed. The Postal Service's facilities in the Central Region, which the

Compliance Board found did not comply with the Barriers Act, were all constructed before passage of this law. According to Central Region officials, ANSI standards were not strictly applied because it was a matter of policy and not law.

In reviewing blueprints for three facilities designed after the Public Law was passed, we found that two of the blueprints did not highlight the Postal Service standards. In our opinion, highlighting these standards on blueprints could help assure that future buildings will be accessible to the handicapped.

GSA actions to improve its compliance systems

Only one of the three GSA-owned buildings surveyed by the Compliance Board in San Francisco and selected for followup by us was subject to the Barriers Act, and this building did not fully comply with ANSI standards. The building was completed in 1975 when GSA was not emphasizing ANSI. In 1975 little coordination existed between the contracting engineers and GSA. Interpreting ANSI standards (that is, if they were incorporated in the construction contract) was left solely to the contracting engineer. GSA did not follow up to assure that the newly constructed building fulfilled ANSI requirements.

During the last 3 years, GSA has placed greater emphasis on requirements for the handicapped. In December 1977, as part of this emphasis, GSA developed its design criteria. To assure that this criteria is incorporated in all new construction, GSA requires the following for each construction project:

- The GSA regional handicap coordinator must approve the preliminary design of a building.
- The coordinator must certify that the final working drawings and specifications (contract documents) of a building incorporate ANSI and GSA design criteria.
- During construction the construction engineer must consult with the coordinator on all design problems.
- Upon completion of a building the construction engineer must certify that the building complies with the contract documents and that all changes in construction or design were discussed with and approved by the coordinator.

The San Francisco region is using this compliance system for the first time on a new Federal building being planned for San Jose, California. A task force met on October 24, 1979, to discuss the new building. The task force consists of numerous GSA planning officials, including the regional handicap coordinator, and will serve as a review board for GSA throughout the planning stages for all new buildings.

GSA has taken actions to correct its lease procedures which permitted buildings to be leased that were not barrier free. The Compliance Board found that four GSA-leased buildings in the San Francisco and Dallas areas were subject to the Barriers Act but did not comply to its standards. In all four cases, the leases incorporated the standard attachments printed in 1975. These attachments excluded some ANSI standards for things such as parking lots, parking spaces, and public telephones.

Recognizing this problem, GSA revised its standard attachments for leases in November 1977 to include all ANSI standards. According to a GSA official, these new attachments are now used for all leases. Our review of files for recently leased buildings showed that the new attachments were being used.

However, it is not always possible to find space which fully meets ANSI standards. To insure that the most accessible space is leased, GSA gives the following considerations to building lease offers:

- First consideration is given to only those offers which fully meet ANSI standards.
- If no offer fully meets ANSI standards, only that space which substantially meets them will be considered.
- In the event that no offer substantially meets the standards, an award will be made to the offer which can meet the basic standards for entrances, elevators, toilets, and water fountains.

To insure that the best available barrier free space is obtained and that buildings comply with the Barriers Act and implementing regulations, GSA requires that:

- A list of potential buildings be compiled from advertisements; consultations with realtors, brokers, and Government officials; and a knowledge of the area in

which leased space is desired. A building manager is to make a market survey for the overall minimum requirements, including the basic needs of the handicapped.

- The contracting officer and building manager use checklists to inspect those buildings identified.
- GSA officials discuss with the bidders the ANSI standards and the changes to be made in a particular building
- The contracting officer certify, after the award has been made to the best offeror, that the building meets ANSI standards or has been waived or excepted according to GSA's Federal Property Management Regulations (FPMR 101-19.6).

GSA is also taking actions to make buildings currently under lease accessible to the handicapped. For those leases which will expire in less than 4 years, GSA is attempting to get the lessors to voluntarily make the necessary changes now to comply with the ANSI standards. If unsuccessful, GSA plans to renegotiate the leases when they expire to include the full ANSI standards or simply relocate the Federal agencies to other buildings which fully meet these standards. For the remaining leases (buildings where the Government is the sole occupant, occupies over 30,000 square feet, or the lease has more than 4 years remaining), GSA is attempting to correct basic accessibility problems through its own efforts. For example, it has identified 52 buildings in the San Francisco region needing some degree of alteration to make them accessible to the handicapped. Top priority has been given to these buildings, with \$736,000 expended in fiscal year 1979 and \$1.3 million planned for 1980.

HUD'S compliance system for low-rent housing projects

Under HUD's compliance system its 70 area and insuring offices are responsible for insuring building compliance. To gain an understanding of an area office's compliance system, we visited HUD's Region IV Area Office, Atlanta, Georgia. The Compliance Board also visited this area as part of its review and inspected four buildings subject to the Barriers Act. Two buildings were constructed under the low rent public housing "turnkey" project and two under the neighborhood facilities and the model cities programs.

Under the turnkey project, the local housing authority advertises for private developers to submit proposals to build housing for low-income families. If the proposal is accepted, a contract is awarded. Under the contract provisions, the developer's architect is required to certify that the planning and design documents comply with HUD's Low-Rent Preconstruction Handbook which outlines the standards that must be incorporated in the design. During construction, the local housing authority employs an inspecting architect to accompany its representative and the HUD construction analyst to insure the project is built according to plans and specifications--inspections are made every 2 weeks. After construction, HUD's architectural branch and the local housing authority architect perform an inspection to insure compliance with approved plans and specifications.

Because the Atlanta area office lacked records, we were not able to determine the extent to which the compliance system is followed. Area office officials indicated that some records were prepared but were shipped to storage.

Some of the problems the Board cited in its inspection were a matter of different interpretations of ANSI standards. As discussed on page 16, ANSI standards do not specifically pertain to residences. Also, the Board's interpretation of ANSI differed from HUD's interpretation as provided in its Low Rent Preconstruction Handbook. Once the revised ANSI standards are issued and incorporated into HUD's regulation, these differences should be minimized.

MANAGEMENT CONTROLS NEEDED TO ASSURE
BUILDINGS CONSTRUCTED OR LEASED WITH
FEDERAL GRANT OR LOAN FUNDS ARE ACCESSIBLE

Under the Barriers Act, buildings leased or constructed in whole or part by a Federal grant or loan must be accessible to the handicapped. Our review of the systems established by HEW and the Departments of Labor and the Interior, to assure that these type of buildings are accessible showed:

- HEW has established a system for reviews to be made at various phases of building design and construction to assure buildings are barrier free and
- Labor and the Interior rely primarily on State, city, or county agencies to assure buildings are accessible. Limited reviews are made to insure compliance.

HEW's compliance system

HEW awards contracts to universities and hospitals to construct facilities. Because Federal funds are used, the Barriers Act requires these facilities to be accessible to the handicapped. There are also overlapping responsibilities given to HEW under section 504 of the Rehabilitation Act. The Compliance Board reviewed some of these facilities in the San Francisco and Dallas areas. We selected 14 of these facilities to test HEW's compliance system.

According to the Board the 14 buildings were subject to the Barriers Act. They were built in the late 1960s or early 1970s. HEW developed a technical handbook in January 1975 on how to make buildings accessible to the handicapped. Before the handbook, HEW's procedures required the architect to place a certification of compliance with ANSI standards in the project file after completing construction.

HEW's handbook for facilities engineering and construction, revised in August 1978, provides standards for making the design, construction, alteration, and lease of facilities accessible to the handicapped in all facilities occupied and funded by HEW. The handbook also contains detailed checklists for regional staff to use in reviewing designs and inspecting buildings.

The staff completes the first checklist when the architect completes the design plans and specifications. Completing the checklist at this point

- assures that plans are reviewed for compliance with standards,
- provides documentation that the building will meet the standards, and
- serves as the vehicle for corrective action when plans do not conform to the standards.

The architect completes the second checklist at the time of the final onsite inspection. In addition the architect completes a certificate of compliance, insuring that the building meets the minimum provisions of the ANSI standards.

The HEW compliance system is also being used for planned, Federally assisted construction projects. We reviewed the files for two federally assisted construction projects recently started in the San Francisco and Dallas regions. In both instances, we found that the project files

contained the required checklists completed by the architect after reviewing the final construction plans. This system, when properly used, helps insure the elimination of barriers to the physically handicapped.

Department of the Interior's
monitoring system

Through the Land and Water Conservation Fund Act of 1965, the Department of the Interior makes funds available to State, city, and county agencies to increase outdoor recreation opportunities. Through the grant process, the Department awards funds to States, and the States, in turn, make awards to cities and counties. As a condition of the grants, States must assure that grantees design facilities which comply with ANSI standards. The States are required to perform inspections to insure compliance.

As part of the Compliance Board's review to determine whether the Department is complying with the Barriers Act, the Board reviewed a San Francisco city playground. The city was provided \$35,000 to reconstruct and landscape the playground. As a condition of the grant, the State of California was required to:

"* * * secure completion of the work in accordance with the approved construction plans and specifications and secure compliance with all applicable Federal, State, and local laws and regulations."

The Board's review showed the city playground did not comply with standards. Our review of the grant file for this project disclosed no evidence that the State of California or the Department of the Interior had inspected it for compliance with ANSI standards. According to a San Francisco regional official from the Department, his staff performs a joint inspection of a facility with a State inspector if the Federal grant exceeds \$100,000. Where the grant is less than \$100,000, a State inspector makes the inspection and certifies that the facility complies with ANSI standards. The Department's policy is to spot check these facilities. According to one Department official, the spot check is not routinely performed because of insufficient staffing. For example, the San Francisco region has only three staff members to monitor the construction of about 1,400 projects scattered over several States.

Department of Labor's
monitoring system

Labor's Employment Training Administration provides funds to States, county, and city agencies to administer employment programs. Two activities receiving funds are the State Employment Security System and the Comprehensive Employment and Training Act (CETA) prime sponsors and contractors. A portion of these grants are used by some of the administrators and sponsoring activities to lease building space to house the program administration. Each administrator or sponsor is required to certify that such space will be accessible to the handicapped. The CETA prime sponsor's certification is contained in its affirmative action plan and the State Employment Security System's certification is on its request for approval of expenditures for rental space.

The Compliance Board reviewed nine State Employment Security System buildings in the Chicago area and found that each one did not comply with ANSI standards. Our review of the rental requests for these buildings at the Chicago regional office disclosed that

- three requestors erroneously certified that the building complied with requirements for the physically handicapped,
- three certified that the building will comply with requirements,
- one was reviewing other locations to find a building that would comply, and
- two received free rental space so they would locate in an economically deprived area.

Our review of requests for recently leased building spaces showed that similar certifications are still being made. The regional office approved one request that stated, "Premises do not meet needs of the physically handicapped. No use of the premises is anticipated by handicapped persons." The Barriers Act and GSA implementing regulations require that such waiver of the standards must be approved by the Administrator of GSA. If the building meets one of the exceptions provided by the regulations, such as being used only by the able bodied, it must be fully documented. Although the regional office approves such certification, it does not check to make sure that the certification is valid or that the actions stated are carried out. Also, the region does not monitor CETA prime sponsor certifications.

On September 5, 1979, Labor's Chicago regional office sent letters to the State Employment Security System administrators and the CETA prime sponsors to inform them of the:

--Employment Training Administration's policy for insuring compliance with the Barriers Act (that prime sponsors develop corrective action plans where necessary to bring facilities into compliance).

--Procedures to use in handling Compliance Board complaints.

This action should make agencies more aware of the Barriers Act. But, we believe Labor should establish a monitoring system to assure that the requirements of the Barriers Act are met.

LACK OF RECORDS HAMPERS SURVEYS AND INVESTIGATIONS

The Barriers Act requires the four standard-setting agencies--HUD, DOD, GSA, and the Postal Service--to establish systems of continuing surveys and investigations to insure compliance with the act. To do this, GSA recognizes that records must be maintained on all buildings subject to the Barriers Act. However, none of these agencies have established systems either for identifying those buildings subject to the act or actions necessary to make buildings accessible. According to three of the four agencies, they are relying on existing inspections and audit groups, their compliance systems, and the Compliance Board's reviews to satisfy the legislative requirement. The Postal Service has not taken any action to satisfy this requirement.

Our review and the Board's reviews have identified buildings that do not comply with the act. Therefore, we believe that each agency should establish (1) an information system to identify buildings subject to the act and (2) followup actions necessary to make the buildings accessible.

GSA reporting system not effective

To comply with the Barriers Act GSA, in September 1969, issued regulations requiring Federal agencies to report semi-annually on buildings' accessibility to the handicapped. The regulations as amended required agencies to report buildings that were:

--Constructed or altered by the United States after September 2, 1969.

--Leased in whole or part by the United States after January 1, 1977.

--Financed in whole or part by the United States after August 12, 1968.

The regulations also required agencies to maintain records documenting the extent building activities incorporated or waived ANSI standards. These reports and records were intended to be used by GSA to perform surveys and investigations to assure compliance with the Barriers Act. However, this reporting system has not been effectively implemented because:

--About two-thirds of the 25 agencies GSA believes should be reporting their building activities are not.

--Many of the agencies reporting are not using GSA-required forms, and this makes it difficult for the staff assigned to the project to use reported data.

--GSA is not authorized to enforce compliance under the Barriers Act.

GSA's regulations state, "each administering agency shall prepare and submit reports," but they do not define an "administering agency." GSA officials interpret an "administering agency" to include all Federal agencies who administer contracts, grants, or loans for designing, constructing, altering, or leasing a building. However, DOD and Postal Service officials believe they are not required to report to GSA since they have been authorized to establish their own standards and perform their own surveys and investigations. Officials from other agencies included in our review told us that they were not familiar with the reporting requirement.

In September 1979, as part of a proposed plan to improve its implementations of the Barriers Act, GSA identified two possible solutions to the problems being experienced with the system:

--Adopt a Government-wide computerized reporting system.

--Transfer the responsibility, by Public Law, to the Compliance Board.

The reason for considering the transfer of this responsibility to the Compliance Board is that GSA cannot force agencies to comply with the Barriers Act. Since this is the primary

role of the Compliance Board, GSA officials told us that the Board could force agencies to comply by withholding their funds for noncompliance with the Barriers Act.

GSA is planning to

- survey all GSA building activities to determine the extent of compliance with the new standards,
- establish procedures to insure that buildings comply with the standards, and
- establish a refined information system to identify its national inventory and the extent of its compliance with standards.

GSA needs to maintain better records to document whether its buildings comply with standards or have been waived from them. For example, a technical inspection was conducted in the GSA San Francisco region during October 23 through 26, 1978. The June 1, 1979, inspection report stated that the lease files reviewed did not contain any provisions for accessibility to the physically handicapped. One of the recommendations in the report stated that a certified statement, required by GSA's Federal property management regulations, should be part of the documentation in all leases awarded after January 1, 1977. Our review of nine files for recently leased buildings in the GSA San Francisco region disclosed that most of the key documentation, required to insure that handicapped requirements were met, was missing from the files.

<u>Documentation required</u>	<u>Number of files missing documents</u>
Market survey reports	7
Inspection reports	7
Records of negotiation	8
Certificate of compliance	7

OTHER AGENCIES NEED TO IMPROVE INFORMATION SYSTEMS

The other three standard-setting agencies recognize the need to keep records on their building activities. However, in many instances, they do not keep records to show what buildings are subject to the Barriers Act and what actions have been taken to make buildings accessible.

The military services have not effectively implemented an information system on accessible facilities. We found that some DOD 1391 forms and other documents, such as project development books, did not certify accessibility for the handicapped or the certifications were not adequately supported.

We believe that an effective information system could be established if engineers at each installation, district, or regional engineering office were required to categorize every 6 months whether their ongoing projects--including those involving alterations, expansion, and "major repair"--come under the act. Similar reports are required by GSA regulations.

The Postal Service has established a reporting system that readily identifies its facilities. From this system, we were able to obtain a record of leased facilities in the State of Michigan. The records identified the date of the lease but did not indicate if the facilities were subject to the Barriers Act or if the Postal Service standards were applied to these buildings. For example, our review of leasing records and our discussions with central region officials show that a Holt, Michigan, postal facility has been altered. The Postal Service standards should have been applied, but were not. If the Postal Service had been keeping records and carrying out a system of survey and investigation, facilities such as the Holt Post Office would have been identified and action taken to make it accessible to the handicapped.

HUD's policy and implementing regulations require program administrators to maintain records for each building subject to the Barriers Act. We requested the records for six buildings from the HUD Atlanta area office--four buildings reviewed by the Compliance Board and two recently constructed. The files for these building were in storage, and area office personnel could not provide documentation to show whether handicapped standards had been applied.

GSA's Federal property management regulations require agencies to report their building activities to GSA. But many agencies are not complying with the requirement. GSA has not provided the resources to effectively meet its requirements and does not have the authority to enforce corrective action when buildings are not in compliance. GSA also believes this authority should rest with the Compliance Board.

CONCLUSIONS

Since 1975, Federal agencies have been taking actions to make buildings more accessible to the handicapped. Agencies responsible for construction of Federal buildings have established compliance systems. Various checks and reviews are made during the design and construction of major Federal buildings to assure they are barrier free. However, some of these systems need further refinement.

DOD policy on compliance needs to be better implemented, particularly as it relates to nonappropriated fund activities and buildings which are not subjected to the review process because of dollar limitations. The Departments of Labor and the Interior need to better monitor the building activities of State and local agencies receiving grants and loans. These Federal agencies rely on certifications from State and local agencies and/or perform very limited monitoring to make sure buildings are barrier free.

Records are necessary on all buildings subject to the Barriers Act, but agencies have not kept records to identify such buildings or actions necessary to make buildings accessible.

RECOMMENDATIONS

To assure that buildings constructed or leased with Federal funds are barrier free for handicapped persons, we recommend that:

- The Compliance Board work with the Federal agencies to refine or develop their compliance systems to insure that building activities will be accessible to the handicapped.
- The Secretary of Defense direct that DOD's policies on buildings accessibility are adequately implemented and that nonappropriated fund activities comply with the Barriers Act.
- The Secretaries of the Departments of Labor and the Interior establish or refine systems to insure that all building activities funded with Federal funds are accessible.
- The Postmaster General establish a system of continuing surveys and investigations to insure that accessibility standards are incorporated in postal facilities.

To provide records showing what buildings comply with the Barriers Act and to provide the necessary information for the Compliance Board and the agencies to carry out their investigative functions, we recommend that:

- The Administrator of General Services and the Compliance Board resolve the confusion caused by the Federal property management regulations concerning building activity recordkeeping. The Compliance Board should issue regulations requiring agencies to maintain records of building activities and make the records available to standard-setting agencies and the Compliance Board.
- The Secretaries of DOD and HUD, the Postmaster General, and the Administrator of GSA improve their building activity recordkeeping systems to identify buildings subject to and in compliance with the Barriers Act.

AGENCY COMMENTS

The Compliance Board commented that assisting agencies in developing decentralized compliance systems has been a high priority and will be continued in the future. The Board is considering publishing regulations in this area.

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

FURTHER ACTION NEEDED TO MAKE
ALL PUBLIC BUILDINGS ACCESSIBLE
TO THE PHYSICALLY HANDICAPPED
Departments of Defense; Health,
Education, and Welfare; Housing
and Urban Development; and the
General Services Administration

D I G E S T

The Congress should amend existing legislation to:

- Impose a clear statutory mandate that Federal agencies named in the Architectural Barriers Act insure that public buildings are made accessible to the physically handicapped.
- Include within the coverage of the act all Government-leased buildings and facilities intended for public use or in which the physically handicapped might be employed as well as all privately owned buildings leased to the Government for public housing.
- Require that agencies named in the act establish a system of continuing surveys and investigations to insure compliance with prescribed standards.
- Remove the present exemption of the U.S. Postal Service from coverage by the Architectural Barriers Act. (See pp. 36 to 37.)

Specific language for clarifying the Federal laws is provided in this report. (See pp. 37 to 39.)

The act authorized the General Services Administration and the Departments of Housing and Urban Development and Defense, in consultation

with the Department of Health, Education, and Welfare, to prescribe standards which would result in buildings being accessible to the physically handicapped.

These Departments agreed to adopt the American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped, A117.1-1961, as criteria to be followed in achieving barrier-free buildings. (See pp. 2 and 78.)

Although adoption of the Standard was a great step forward in promoting accessibility, the Standard's range is minimal, and its coverage of buildings, facilities, and situations is limited. (See pp. 30 to 34.) Federal agencies have neither considered the applicability of the Standard to their construction needs nor modified the Standard to cover their particular types of construction. (See pp. 42, 56, 69, and 78.)

The Standard in particular does not cover all portions of residential structures under responsibility of the Department of Housing and Urban Development. (See p. 56.)

Agencies have used the Standard for 6 years with only minor administrative exceptions. (See p. 78.) Efforts to establish new standards have only recently been made.

The Architectural and Transportation Barriers Compliance Board should coordinate the development of standards by those agencies charged with construction responsibility to eliminate all barriers. (See p. 39.)

GAO's findings are based on inspections of 314 federally financed buildings and/or building plans located in 66 geographical areas of 35 States and the District of

Columbia. All buildings inspected were constructed, altered, or leased after enactment of the Architectural Barriers Act in August 1968. (See p. 4.)

GAO's recommendations to each agency are in chapters 4, 5, 6, and 7.



UNITED STATES GENERAL ACCOUNTING OFFICE
 WASHINGTON, D.C. 20548

IN REPLY
 REFER TO:

HUMAN RESOURCES
 DIVISION

B-182030

OCTOBER 1, 1979

The Honorable Arabella Martinez
 Chairperson, Architectural and Transportation
 Barriers Compliance Board

Dear Chairperson:

Subject: Actions Needed by the Compliance Board to
 Make Buildings Accessible to the Handicapped
 (FPCD-79-87)

We are currently reviewing operations at the Architectural and Transportation Barriers Compliance Board and several executive agencies to determine what has been done to make buildings constructed or leased with Federal funds accessible to the physically handicapped. This work is a followup to our report "Further Action Needed to Make All Public Buildings Accessible to the Physically Handicapped" (FPCD-75-166, July 15, 1975).

A major problem highlighted in our 1975 report was a lack of specific standards to be followed in making buildings accessible to the handicapped. Those standards in use were issued by the American National Standards Institute in 1961 and reaffirmed by the Institute in 1971. However, the standards are generally considered incomplete and there is no uniform agreement among agencies as to the minimum acceptable building standards. The standards do not specify what facilities are to be covered or the extent to which building specifications must be followed. They also lack specificity in certain important areas, as shown by the examples below, and result in varying interpretation.

- Doors shall be operated by a single effort. (Amount of pressure to be applied not specified.)
- Spaces that are accessible and approximate to the facility should be set aside and identified for use by individuals with physical disabilities. (Number of spaces and distance from building not specified.)

(964147)

--An appropriate number of toilet rooms, water fountains, and public telephones should be made accessible to and usable by the physically disabled. (Number of facilities not specified.)

In response to our 1975 report, the Board stated that it had awarded a contract in April 1975 consistent with its intent and expectations in making buildings accessible, functional, and safe for mentally and physically handicapped individuals. This contract was with the National Academy of Sciences, Building Research Advisory Board to provide the necessary services to help the Federal Government coordinate efforts to develop effective criteria for design, construction, and alteration of Federally owned and leased buildings and facilities to make them accessible, functional, and safe for mentally and physically handicapped individuals. Although the contract was completed in April 1976 at a cost of \$146,000, it was not successful in developing effective design criteria and the Board did not issue any criteria to agencies to overcome the problem of lack of definitive building standards.

With the passage of Public Law 94-541 in October 1976, the Architectural and Transportation Barriers Act of 1968 was amended to require the Department of Housing and Urban Development, Department of Defense, General Services Administration, and the Postal Service to establish building accessibility standards. Although these agencies have established standards which they are using in building design and construction, they do not comprise a definitive nationwide standard.

The Congress took additional action in 1978 to speed up the standards development process by amending the 1973 Rehabilitation Act. This action directed the Board to establish the minimum guidelines and requirements for agencies to use in establishing standards. Although an additional year has passed since the Rehabilitation Act was amended, minimum guidelines and requirements still have not been established. Instead, the Board has recently entered into another agreement, this time with the National Bureau of Standards, to develop the guidelines and requirements. This agreement will be carried out in three phases: the first phase will be completed in October 1979; the second phase will be completed 18 months later; and the third phase will be a continuing effort concerned with (1) revising and updating through research, demonstration, and public participation the accessibility guidelines and (2) promoting the guidelines' adoption nationwide.

This action does not assure that agencies will be promptly provided guidelines and requirements sufficient for them to formalize their standards. Considering the past experiences in attempting to reach agreement and issue uniform standards, we are concerned as to whether this present effort will achieve the legislative requirements.

We base this concern on the fact that over 4 years have passed since we highlighted the problem of lack of specific standards for making buildings accessible to the physically handicapped. We recognize that the Compliance Board and others have attempted to deal with this matter; however, to date, progress has been limited and we see no assurance of success in the near future. The Congress, in 1978, directed the Compliance Board to provide agencies with guidelines and requirements for developing standards and it is only reasonable that this should be done promptly and as a matter of highest priority. Agencies need the uniform guidelines now if they are expected to fulfill their more immediate responsibilities of providing and maintaining barrier free buildings. We believe the uniform guidelines could be issued at the end of phase I in the fall of this year if the Board, agencies, and States combined and directed their efforts to using information they already know and developed.

Therefore, we recommend that the Compliance Board act immediately to publish uniform guidelines and requirements for developing building standards at the conclusion of phase I of your present agreement with the National Bureau of Standards.

We are aware that the Compliance Board is presently hampered in satisfying the intent of the various legislative requirements placed on it for assuring that buildings are accessible to the physically handicapped. Credit is due to those Board and agency personnel who are working diligently under these conditions on the legislative requirements. The lack of necessary Board members to constitute a quorum for deciding on issues, the impact on the Board's operations because of its administrative location, and the timeliness in the Board getting its annual reports to the Congress approved are being reviewed in our continuing effort.


- - - -

As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions taken on our recommendations to the House Committee on Government Operations and

the Senate Committee on Governmental Affairs not later than 60 days after the date of the report and to the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of the report.

We are sending copies of this report to the Director, Office of Management and Budget; the Chairmen, House Committee on Public Works and Transportation, Senate Committee on Environment and Public Works, House Subcommittee on Select Education, and Senate Subcommittee on the Handicapped; the Chairmen, House and Senate Committees on Appropriations, House Committee on Government Operations, and Senate Committee on Governmental Affairs; Administrator, General Services Administration; the Secretaries of Defense, Health, Education, and Welfare, and Housing and Urban Development; and the Postmaster General.

Sincerely yours,



Gregory J. Ahart
Director



United States Architectural and Transportation Barriers Compliance Board Washington, D.C. 20201

May 22, 1980

Mr. H. L. Krieger
Director
Federal Personnel and
Compensation Division
U.S. General Accounting Office
Washington, D.C. 29548

Dear Mr. Krieger:

Thank you for your letter of April 14, 1980 forwarding the draft of your proposed report, Making Public Buildings Accessible To The Handicapped: More Can Be Done. Board and GAO staff have discussed the draft, and it was also discussed during the May 16, 1980 meeting of the Architectural and Transportation Barriers Compliance Board. Following are our comments, suggestions for clarification, and an updating of some information to reflect more precisely the status of the Board's current operations.

1. General Comment

The major thrust of the report identifies significant historical problems of policy, administration and operations caused directly or indirectly by the uncertainty concerning its independent status, administrative relationships to the host agency, lack of control over the budget, and some murkiness which surrounded its role vis-a-vis the other Federal agencies. Many of these problems are moving toward resolution under the restructured Board which became operational December 4, 1979.

2. Board Authority

We agree with the GAO view that the Board should be clearly recognized as the principal authority to ensure compliance with the Architectural Barriers Act and to ensure consistency and uniformity of federally required accessibility standards. Concurrence by the Board in agency-developed standards would facilitate this role.

3. Board Independence

We agree that in its relations to OMB the Board should be treated as an independent agency with a separate budget submission. This has been discussed with OMB and appears to be at the point of satisfactory resolution.

4. Minimum Guidelines and Requirements

We understand and share the urgency expressed in the proposed report that the Board expedite the issuance of minimum guidelines and requirements. The Board has established an expeditious timetable for this effort. In February the Board published a Notice of Intent to Propose Rules in the Federal Register. Since the April 7, 1980 closing date, Board staff and members of the Standards Committee have been heavily engaged in the preliminary stages preparatory to drafting a proposed regulation. A Notice of Proposed Rulemaking will be before the Board for action on July 18, 1980 and will be published in the Federal Register before the end of July 1980. Following a 90-day comment period a final regulation will be published during December 1980.

5. Agency Compliance Systems

Assisting agencies with development of decentralized compliance systems has been a high priority of the Board and will be continued in the future. I expect the Board to consider publishing regulations in this area at some point in the future.

6. Specific suggestion for modification or correction of the proposed report

Page 10, last paragraph: We suggest that the discussion concerning the authorization level should note that the current level must accommodate responsibilities under the Rehabilitation Act as well as the Architectural Barriers Act.

Page 16, last paragraph: We suggest that some additional language be incorporated in the discussion of the selection of buildings for the directed reviews which would highlight the fact that many buildings not covered by the Architectural Barriers Act were reviewed because they were used extensively by the public or were major Federal employment centers.

Page 18, second paragraph: We suggest substitution of the word "concurrence" for "consultation."

Page 20: We suggest that it might be appropriate to insert the Board's timetable for minimum guidelines and requirements following line 22. In connection with this, we further suggest removal of the first complete sentence on this page.

Page 23, last sentence: This sentence is incorrect. Board staff did provide some technical consultation to GSA with their new proposed standards but did not instruct GSA to publish. Furthermore, the Board staff have no authority to provide such an instruction.

Page 25: Postal Service standards were reviewed by Board staff,
not the Board.

We appreciate the opportunity to respond fully to your proposed report and
look forward to receiving the final report when it is published.

Sincerely,



MAX CLELAND
Chairperson

cc: T. Kremer

(964147)



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