



June 2023

# U.S. ACCESS BOARD

## Interagency Efforts to Promote Accessibility for People with Disabilities Generally Followed Leading Collaboration Practices

Accessible Version

# GAO Highlights

Highlights of [GAO-23-105948](#), a report to congressional requesters

## Why GAO Did This Study

The U.S. Access Board is a small federal agency (\$9.8 million operating budget in fiscal year 2022) that promotes accessibility for people with disabilities. Because the Access Board is structured as a coordinating body with a governing board that includes federal agency representatives, interagency collaboration is a key feature of its work. GAO was asked to examine the Access Board's interagency collaboration in achieving its mission and goals.

This report examines (1) the ways the Access Board collaborates with federal agencies to accomplish its mission and goals and (2) the extent to which the Access Board's collaboration with federal agencies on selected efforts aligns with leading collaboration practices.

GAO analyzed Access Board documents such as its performance and accountability reports from 2017 to 2022; conducted structured interviews with the Access Board and three other federal agencies (Department of Transportation, General Services Administration, and U.S. Postal Service), and reviewed related agency documents and information. The three selected collaborative efforts varied across the Access Board's key work areas, access mode (e.g., digital or physical), agencies involved, and the Access Board's role. GAO assessed the efforts against leading collaboration practices previously identified by GAO.

View [GAO-23-105948](#). For more information, contact Elizabeth Curda at (202) 512-7215 or [curdae@gao.gov](mailto:curdae@gao.gov).

June 2023

## U.S. ACCESS BOARD

### Interagency Efforts to Promote Accessibility for People with Disabilities Generally Followed Leading Collaboration Practices

## What GAO Found

The U.S. Access Board, which works to promote accessibility for people with disabilities, has collaborated with federal agencies to carry out the three key areas of its mission: developing accessibility guidelines, providing related technical assistance and training, and enforcing certain accessibility requirements applicable to federal facilities. For example, in updating accessibility guidelines, such as on medical equipment, it collaborated with federal agency members on its governing board to obtain input and approval. The Access Board also collaborated with relevant agencies when providing technical assistance, such as on designing accessible electric vehicle charging stations. Additionally, the Access Board uses a collaborative approach with federal agencies when investigating public complaints about inaccessibility at federal facilities.

The Access Board and selected agencies generally followed leading collaboration practices for the three selected efforts that GAO reviewed. In the few instances where the agencies had not fully followed a leading practice, GAO found that the agencies either were taking action to more fully implement the practice (e.g., recruiting additional participants) or used other ways to communicate and agree on interagency plans (in lieu of written agreements). (See example below.)

#### Examples of Actions Taken by the U.S. Access Board and the Department of Transportation on Developing Public Rights-of-Way Accessibility Guidelines, Organized by Leading Collaboration Practices

Practice	Examples of Actions
Outcomes and Accountability	Agencies shared goals of drafting guidelines that reflected the expertise of relevant agencies and of facilitating subsequent steps in the rulemaking process. Officials tracked and communicated progress at board meetings.
Bridging Organizational Cultures	Agencies relied on long-term working relationships and common terminology to bridge their distinct cultures and missions.
Leadership; Clarity of Roles, Responsibilities	As this collaborative effort focused on developing Access Board's guidelines, officials from both agencies were clear on roles and responsibilities, including Access Board's leadership role.
Participants	Relevant staff attended meetings regularly and brought their expertise and institutional knowledge to develop the guidelines.
Resources	Both agencies contributed staff time and expertise. The Access Board primarily funded necessary activities, such as a cost benefit analysis, given its leadership role.
Written Guidance and Agreements	The Access Board did not have formal documents outlining detailed plans for the collaborative effort with the Department of Transportation, but plans were communicated in frequent meetings and emails. Further, additional formal guidance or agreements were not needed, given that the collaborative effort ended in March 2023.

Source: GAO analysis of interviews with agency officials and related documents. | GAO-23-105948

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	<b>Abbreviations</b>	
	ABA	Architectural Barriers Act of 1968
	GSA	General Services Administration
	DOJ	Department of Justice

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DOT  
Section 508  
USPS

Department of Transportation  
Section 508 of the Rehabilitation Act of 1973  
United States Postal Service

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June 26, 2023

The Honorable Bernard Sanders  
Chair  
Committee on Health, Education, Labor, and Pensions  
United States Senate

The Honorable Tammy Duckworth  
United States Senate

The Honorable Patty Murray  
United States Senate

The U.S. Access Board, originally established in 1973 as the Architectural and Transportation Barriers Compliance Board, is a small federal agency with several responsibilities related to promoting accessibility for people with disabilities. The Access Board develops accessibility guidelines, and, in some cases, legally enforceable standards for the built environment (human-made structures, facilities, and features where people live and work), information and communication technology, and other areas under federal laws such as the Americans with Disabilities Act of 1990. Additionally, it provides technical assistance and training to public and private sector entities to help them meet these guidelines and standards. The Access Board also investigates complaints related to the Architectural Barriers Act of 1968 (ABA), which requires accessibility of certain facilities that were designed, built, altered, or leased with federal funds.

The Access Board is organized to function as a coordinating body. Specifically, its 25-member governing board consists of 13 individual private citizens, a majority of whom must have a disability, along with 12 federal agency representatives.<sup>1</sup> Given the governing board's structure, collaboration with other federal agencies is an integral activity.<sup>2</sup> Little is

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<sup>1</sup>For the purpose of this report, we use the term "governing board" to refer to this entity comprising representatives from other federal agencies and private citizens to distinguish it from the agency.

<sup>2</sup>For the purpose of this report we use the term "collaboration" broadly to include interagency activities that others have variously defined as "cooperation," "coordination," "integration," or "networking." We have done so because there are no commonly accepted definitions for these terms, and we are unable to make definitive distinctions between these different types of interagency activities.

known, however, about the effectiveness of the Access Board's collaboration with other agencies, including the extent to which it follows leading collaboration practices.

You asked us to explore the role and effectiveness of the Access Board's interagency collaboration as it works to accomplish its mission and goals. This report examines (1) the ways the Access Board collaborates with federal agencies to accomplish its mission and goals, and (2) the extent to which the Access Board's collaboration with federal agencies on selected efforts aligns with leading collaboration practices.

To address our first objective, we reviewed documents from the Access Board, such as information posted on its website, its strategic plan, and performance and accountability reports from 2017 through 2022 (the most recent reports available at the time of our review). We also interviewed and obtained written responses from Access Board officials to better understand its collaboration with other agencies across a range of relevant efforts, as aligned with the Access Board's stated mission and goals.

To address our second objective, we selected three collaborative efforts, one from each of the Access Board's three primary work areas: developing accessibility guidelines, providing technical assistance and training, and enforcing ABA compliance by investigating complaints. For each of the three collaborative efforts, we reviewed documentation from and conducted structured interviews with the Access Board and with one other federal agency involved in the effort.

- **Developing Public Rights-of-Way Accessibility Guidelines with the Department of Transportation (DOT):** Between summer 2021 and early 2023, the Access Board chose to collaborate with DOT and the Department of Justice (DOJ) as it developed language for the final Public Rights-of-Way Accessibility Guidelines.<sup>3</sup> These guidelines encompass access to sidewalks, streets, crosswalks, curb ramps, pedestrian signals, and on-street parking, among other areas.
- **Providing technical assistance on Section 508 of the Rehabilitation Act of 1973 (Section 508) with the General Services Administration (GSA):** The Access Board and GSA collaborate on an ongoing basis to provide technical assistance to

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<sup>3</sup>We selected DOT as the involved agency for this collaborative effort. Although we did not interview officials from DOJ, we shared relevant text with DOJ for review.

federal agencies about accessibility requirements for their information and communication technology. Technical assistance is provided through trainings, webinars, and informational resources.

- **Enforcing ABA compliance by investigating complaints at United States Postal Service (USPS) postal facilities:** To enforce the ABA, which generally requires that federal facilities be accessible, the Access Board investigates complaints submitted by the public, and generally relies on a collaborative approach with federal agencies in line with the Access Board's regulations. We selected the Access Board's collaboration with USPS to address complaints, as USPS received and closed the most ABA complaints in the last 5 years, based on information provided by the Access Board.<sup>4</sup>

We selected these efforts to vary across the following criteria: area of accessibility addressed (e.g., physical or digital), involved agencies, and the Access Board's role (e.g., leader or partner).<sup>5</sup> We assessed the information we obtained about these selected collaborative efforts against the leading practices for interagency collaboration that we have identified in prior work.<sup>6</sup>

We conducted this performance audit from April 2022 to June 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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<sup>4</sup>USPS is an independent establishment of the executive branch. For the purposes of this report, we refer to USPS as a federal agency along with other agencies.

<sup>5</sup>We also interviewed representatives from three stakeholder organizations that conduct work in the area of accessibility to learn about the context of the Access Board's work and help inform our selection of efforts.

<sup>6</sup>See GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, [GAO-12-1022](#) (Washington, D.C.: Sept. 27, 2012). Many of the key considerations we identified in [GAO-12-1022](#) align with the leading collaboration practices we identified in GAO, *Results-Oriented Government: Practices That Can Help Enhance and Sustain Collaboration among Federal Agencies*, [GAO-06-15](#) (Washington, D.C.: Oct. 21, 2005) and represent our leading collaboration practices. Also see GAO, *Managing for Results: Implementation Approaches Used to Enhance Collaboration in Interagency Groups*, [GAO-14-220](#) (Washington, D.C.: Feb. 14, 2014).

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## Background

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### The Access Board's Mission and Responsibilities

**U.S. Access Board's Mission and Strategic Goal**

**Mission:** To advance accessibility and inclusion by developing guidelines and standards; and providing technical assistance, education, enforcement, and outreach.

**Strategic Goals:**

- (1) Establish technical specifications for accessible design
- (2) Provide education and information on the importance and implementation of accessible design
- (3) Improve the accessibility of the federal government
- (4) Promote accessibility throughout society

**Stewardship Objective:** Improve agency systems and modernize operations

Source: U.S. Access Board Strategic Plan for fiscal years 2022 through 2026. | GAO-23-105948

The Access Board's mission and responsibilities under several federal laws focus on improving accessibility for people with disabilities. To achieve its mission, the Access Board has outlined strategic goals, such as establishing technical specifications and providing education and information on accessibility to federal agencies and other entities (see side bar). Relatedly, over the years, several federal laws have tasked the Access Board with developing accessibility guidelines and standards and providing technical assistance, among other responsibilities.<sup>7</sup> These laws cover certain areas of accessibility in the federal sector, such as federal facilities and the technology agencies use when providing information to the public, in addition to certain aspects of accessibility in state, local, and private sectors. (See table 1.)

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<sup>7</sup>The Access Board is given authority to issue guidelines applicable to facilities and transportation vehicles subject to Titles II and III of the Americans with Disabilities Act of 1990. In turn, enforcement agencies must adopt standards that are consistent with the Access Board's guidelines. The Access Board also is charged with maintaining minimum guidelines and requirements for standards issued pursuant to the ABA. In the area of electronic and information technology for federal agencies, it promulgates "standards," which are mandatory and legally enforceable. For both its guidelines and standards, the Access Board undergoes a formal rulemaking process.



**Table 1: U.S. Access Board’s Responsibilities under Key Federal Laws**

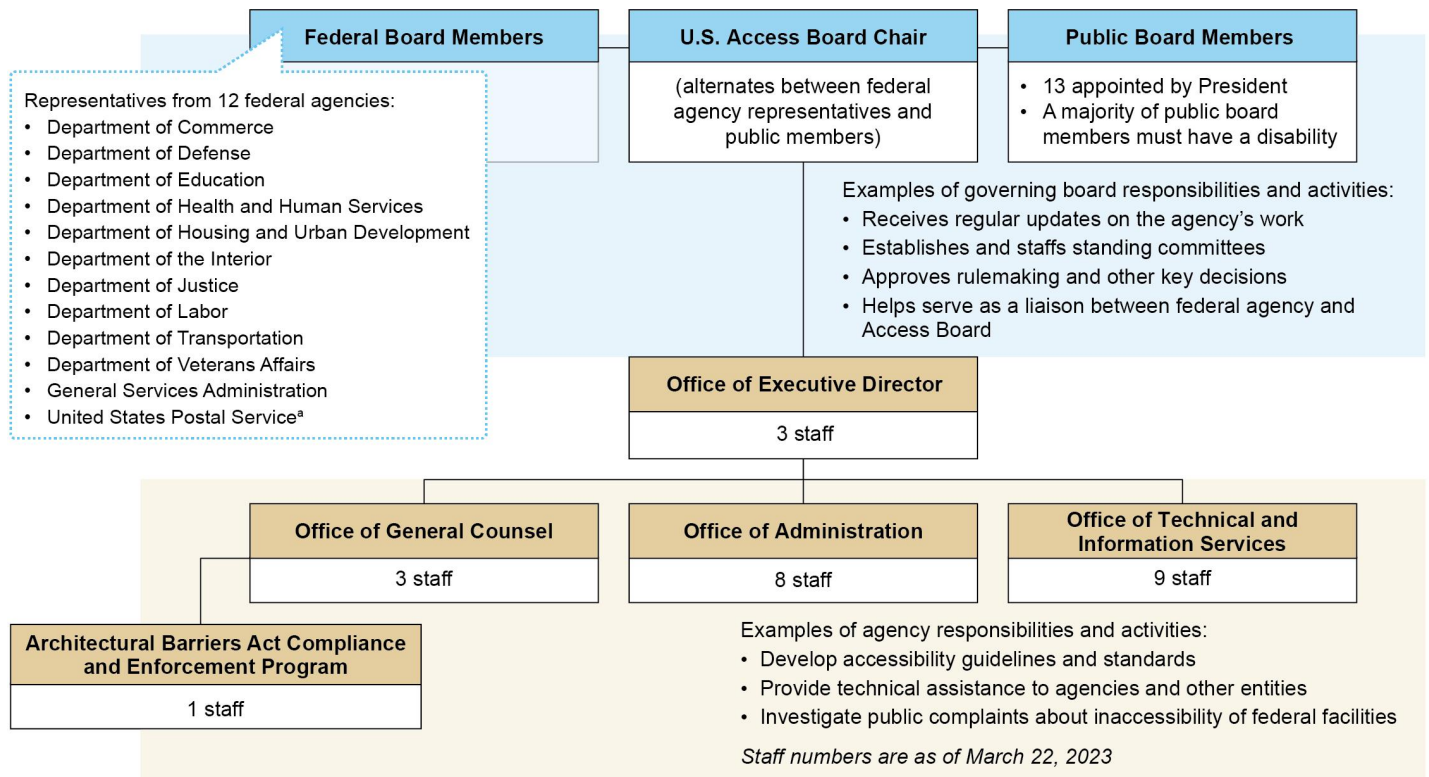
Law	U.S. Access Board’s Responsibilities
Architectural Barriers Act of 1968 (ABA)	<ul style="list-style-type: none"> <li>• ABA standards apply to <b>buildings and facilities designed, built, altered, or leased with federal funds</b> (such as U.S. post offices, federal courthouses, and prisons) after a certain date. Under the Rehabilitation Act of 1973, the Access <b>Board is charged with developing and updating ABA accessibility guidelines</b>. These guidelines serve as the basis for related ABA standards, which have been adopted by other agencies, such as the U.S. Postal Service.</li> <li>• The Access Board <b>enforces ABA standards</b> through the investigation of complaints made by the public for applicable federal facilities.</li> </ul>
Rehabilitation Act of 1973	<ul style="list-style-type: none"> <li>• The Rehabilitation Act of 1973 <b>established the Access Board and, as amended since its enactment, outlines key responsibilities</b> such as providing technical assistance on the Americans with Disabilities Act of 1990.</li> <li>• The Access Board is charged with <b>developing and maintaining accessibility standards related to electronic and information technology in the federal sector and providing related technical assistance</b>.</li> <li>• The Access Board is charged with <b>developing and maintaining standards for medical diagnostic equipment</b>.</li> </ul>
Americans with Disabilities Act of 1990	<ul style="list-style-type: none"> <li>• The Americans with Disabilities Act of 1990 charged the Access Board with <b>developing and maintaining accessibility guidelines for buildings, facilities, rail passenger cars, and vehicles</b>. These guidelines serve as the basis for standards adopted and used by agencies tasked with enforcement of the Americans with Disabilities Act of 1990 standards (Departments of Justice and Transportation).</li> </ul>
Telecommunications Act of 1996	<ul style="list-style-type: none"> <li>• The Telecommunications Act of 1996 tasked the Access Board with <b>developing accessibility guidelines for telecommunications equipment</b>, which the Federal Communications Commission enforces.</li> </ul>

Source: GAO analysis of selected federal laws and information from the U.S. Access Board. | GAO-23-105948

## The Access Board’s Organizational Structure

The Access Board is a small agency of approximately 24 full-time staff, including an executive director and general counsel who liaise with the agency’s governing board (see fig. 1). In fiscal year 2022, the agency had an operating budget of \$9.8 million. The agency’s roles and responsibilities, such as developing accessibility guidelines or enforcing ABA compliance in federal facilities, touch on a range of areas. Accordingly, the governing board helps ensure the Access Board’s work is coordinated appropriately with relevant federal agencies, as well as people with disabilities.

**Figure 1: Organization and Responsibilities of the U.S. Access Board**



Source: GAO analysis of Access Board documents and information and interviews with officials. | GAO-23-105948

**Text of Figure 1: Organization and Responsibilities of the U.S. Access Board**

1) U.S. Access Board

a) Federal Board Members

- i) Representatives from 12 federal agencies:
- ii) Department of Commerce
- iii) Department of Defense
- iv) Department of Education
- v) Department of Health and Human Services
- vi) Department of Housing and Urban Development

- vii) Department of the Interior
- viii) Department of Justice
- ix) Department of Labor
- x) Department of Transportation
- xi) Department of Veterans Affairs
- xii) General Services Administration
- xiii) United States Postal Service
- b) U.S. Access Board Chair  
(alternates between federal agency representatives and public members)
  - i) Office of Executive Director  
3 staff
    - (1) Office of General Counsel  
3 staff
      - (a) Architectural Barriers Act Compliance and Enforcement Program  
1 staff
    - (2) Office of Administration  
8 staff
    - (3) Office of Technical and Information Services  
9 staff
      - (a) Examples of governing board responsibilities and activities:
        - (i) Receives regular updates on the agency's work
        - (ii) Establishes and staffs standing committees
        - (iii) Approves rulemaking and other key decisions
        - (iv) Helps serve as a liaison between federal agency and Access Board

- c) Public Board Members
  - 13 appointed by President
  - A majority of public board members must have a disability
- i) Examples of governing board responsibilities and activities:
  - (1) Receives regular updates on the agency's work
  - (2) Establishes and staffs standing committees
  - (3) Approves rulemaking and other key decisions
  - (4) Helps serve as a liaison between federal agency and Access Board

Source: GAO analysis of Access Board documents and information and interviews with officials. | GAO-23-105948

<sup>8</sup>United States Postal Service is an independent establishment of the executive branch but is referred to as a federal agency for the purposes of this report.

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## Leading Practices for Interagency Collaboration

In our prior work, we found that effective interagency collaboration benefits from certain leading practices such as bridging organizational cultures and having clarity of roles and responsibilities.<sup>8</sup> These practices raise issues for agency officials to consider when working collaboratively. For example, agency officials should consider the missions and cultures of the participating agencies, whether the agencies have agreed on common terminology and definitions, and whether the agencies have clarified roles and responsibilities (see fig. 2).

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<sup>8</sup>See [GAO-12-1022](#), [GAO-06-15](#), and [GAO-14-220](#). The leading collaboration practices listed in these reports were the most current practices at the time of our review. Therefore, we used these as the basis for evaluation in this report. These practices were updated in May 2023, and the updated practices generally align with and validate the practices used in this report. See GAO, *Government Performance Management: Leading Practices to Enhance Interagency Collaboration and Address Crosscutting Challenges*, [GAO-23-105520](#) (Washington, D.C.: May 24, 2023).

**Figure 2: Leading Interagency Collaboration Practices and Key Considerations**

Leading practice	Key considerations
 <b>Outcomes and accountability</b>	Have short-term and long-term outcomes been clearly defined? Is there a way to track and monitor their progress?
 <b>Bridging organizational cultures</b>	What are the missions and organizational cultures of the participating agencies? Have agencies agreed on common terminology and definitions?
 <b>Leadership</b>	How will leadership be sustained over the long-term? If leadership is shared, have roles and responsibilities been clearly identified and agreed upon?
 <b>Clarity of roles and responsibilities</b>	Have participating agencies clarified roles and responsibilities?
 <b>Participants</b>	Have all relevant participants been included? Do they have the ability to commit resources for their agency?
 <b>Resources</b>	How will the collaborative mechanism be funded and staffed? Have online collaboration tools been developed?
 <b>Written guidance and agreements</b>	If appropriate, have participating agencies documented their agreement regarding how they will be collaborating? Have they developed ways to continually update and monitor these agreements?

Source: GAO. | GAO-23-105948

**Text of Figure 2: Leading Interagency Collaboration Practices and Key Considerations**

Leading Practice	Key considerations
Outcomes and accountability	Have short-term and long-term outcomes been clearly defined? Is there a way to track and monitor their progress?
Bridging organizational cultures	What are the missions and organizational cultures of the participating agencies? Have agencies agreed on common terminology and definitions?
Leadership	How will leadership be sustained over the long-term? If leadership is shared, have roles and responsibilities been clearly identified and agreed upon?
Clarity of roles and responsibilities	Have participating agencies clarified roles and responsibilities?

Leading Practice	Key considerations
Participants	Have all relevant participants been included? Do they have the ability to commit resources for their agency?
Resources	How will the collaborative mechanism be funded and staffed? Have online collaboration tools been developed?
Written guidance and agreements	If appropriate, have participating agencies documented their agreement regarding how they will be collaborating? Have they developed ways to continually update and monitor these agreements?

Source: GAO. | GAO-23-105948

## The Access Board Collaborates With Federal Agencies to Develop Accessibility Guidelines, Provide Technical Expertise, and Enforce ABA Compliance

### Developing Accessibility Guidelines and Standards

The Access Board’s development of accessibility guidelines and standards, a key aspect of its mission, involves collaboration with other federal agencies through governing board procedures and the rulemaking process. For example, the governing board, which includes representatives from other agencies, votes to approve draft guidelines and standards. These guidelines and standards then go through a formal rulemaking process.<sup>9</sup> Access Board officials told us that an early experience with disagreement among agency members of its governing board led to officials’ current strategy of collaborating with members earlier in the process to address concerns. For example, in advance of governing board votes on recent guidelines or standards, such as on medical diagnostic equipment, Access Board officials provided advance drafts, status updates, and opportunities for the board to provide input.

Similarly, the Access Board also may collaborate with federal agencies to facilitate the process during which the Office of Management and Budget seeks comments from relevant agencies on a particular set of guidelines

<sup>9</sup>Relevant regulations require a simple majority approval during a vote. 36 C.F.R. § 1151.6(k).

or standards.<sup>10</sup> Access Board officials told us they choose to collaborate with relevant agencies in advance, such as those that have a role in issuing enforceable standards based on the Access Board's guidelines. For instance, when drafting guidelines based on the Americans with Disabilities Act of 1990, the Access Board has collaborated with DOJ and DOT to seek input, as these agencies are tasked with issuing implementing regulations under this law based on the Access Board's guidelines. Access Board officials told us that they have not had to revise guidelines or standards as a result of substantive comments from other agencies through this process.

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### Providing Technical Expertise and Education

To fulfill its mission, the Access Board provides technical expertise, develops educational resources, and participates in knowledge-sharing forums on accessibility issues, sometimes collaborating with other federal agencies on these efforts.

- **Technical Assistance:** The Access Board has provided assistance on technical design in response to requests by other federal agencies. For example, at the request of DOT, the Access Board developed a technical assistance document in 2022 on accessible electric vehicle charging stations that describes relevant federal disability standards, accessibility best practices, and design recommendations.<sup>11</sup> DOT requested this document to provide timely information to grantees of its National Electric Vehicle Infrastructure Formula Program, according to Access Board and DOT officials. Additionally, Access Board officials said that they sometimes will collaborate with other federal agencies when they receive technical assistance inquiries that are complex or require information outside of the Access Board's scope.
- **Education:** Access Board officials said they have collaborated on content with agencies that have subject matter expertise to provide specialized trainings on accessibility. For example, Access Board officials said they worked with staff from the National Park Service to plan and host a public webinar about accessibility in historic facilities in November 2022. According to the officials, developing the

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<sup>10</sup>Executive Order 12866 established the process in which the Office of Management and Budget reviews agencies' planned regulatory actions deemed significant before they take effect. Exec. Order No. 12866, 58 Fed. Reg. 51,735 (Sept. 30, 1993).

<sup>11</sup>See "Design Recommendations for Accessible Electric Vehicle Charging Stations," July 21, 2022, accessed October 26, 2022, <https://www.access-board.gov/tad/ev/>.

presentation content and materials involved several months of joint planning.<sup>12</sup>

- **Knowledge-Sharing Forums:** Access Board officials have participated in a range of interagency information-sharing forums and working groups led by other federal agencies, according to our review of Access Board documents and interviews with Access Board officials. Access Board officials said that, in these forums, they provide accessibility subject matter expertise, share information, and identify opportunities to promote accessibility in the federal sector. For example, Access Board officials participate in interagency monthly meetings that allow federal officials who work on accessibility issues to share information on best practices, resources, and relevant events.

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## Conducting Enforcement and Outreach

The Access Board generally relies on a collaborative approach for investigating ABA complaints, as the Access Board's regulations indicate that its policy is to maximize accessibility through "amicable means."<sup>13</sup> Although the Access Board could issue formal citations to agencies that have received complaints, officials said that this likely would prolong the time needed to close a case and require additional resources, such as the involvement of legal staff, without providing additional benefit. Accordingly, officials said that the agency has issued formal citations in fewer than 10 cases over 45 years of ABA enforcement, with the last instance occurring in the 1980s.

However, Access Board officials said they do consider using citations when needed. Access Board officials said that they recently considered issuing a formal citation for a complaint they received in 2019 when there was prolonged disagreement on whether the agency had a legal obligation to address the complaint. Officials said the disagreement ultimately was resolved without a citation when both agencies' leadership met and the agency agreed to take action. Access Board officials said they wanted to reach agreement without issuing a formal citation in order to preserve their long-term working relationship with the agency.

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<sup>12</sup>See "Accessing the Past: Accessibility in Historic Buildings and Facilities," November 3, 2022, accessed April 10, 2023, <https://www.accessibilityonline.org/ao/archives/111024>.

<sup>13</sup>The Access Board's regulations state, "The policy of the [Access Board] is to maximize the accessibility and usability of buildings, and facilities through amicable means. To this end, the [Access Board] encourages voluntary and informal resolution of all complaints." 36 C.F.R. § 1150.3.



The Access Board also conducts outreach to increase federal agencies' awareness of ABA accessibility standards. Given the number of federal facilities across the country, Access Board officials said they are not able to proactively monitor compliance, such as through site visits or other types of reviews. As a result, the Access Board relies on complaints from the public. Additionally, Access Board officials said they have taken steps to encourage agencies to self-assess their facilities for ABA compliance and accessibility considerations. Some of these outreach efforts have been in response to recent executive orders (see text box).

**Examples of U.S. Access Board's Collaboration with Other Agencies Related to Recent Executive Orders**

**Executive Order 14035 on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce (June 2021)** directed the U.S. Access Board to collaborate with the Office of Personnel Management, the Office of Management and Budget, and the General Services Administration to ensure federal buildings and leased facilities comply with the Architectural Barriers Act of 1968 (ABA), so that federal buildings and workplaces are accessible to employees with disabilities. Examples of the Access Board's collaborative efforts include:

- working with the Office of Personnel Management on a multi-day event in December 2022 on disability employment in the federal workforce;
- submitting a proposal to the Office of Management and Budget asking to partner on actions related to raising agencies' awareness and efforts toward improving accessibility in the federal workforce (as a small agency with limited name recognition, Access Board officials said that a partnership with the Office of Management and Budget could better extend its reach); and
- engaging in other outreach efforts to raise awareness of the Access Board's ability to serve as a resource among federal agencies and other entities.

**Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 2021)** directed the head of each federal agency to review certain agency programs and policies to assess whether underserved communities face barriers in accessing benefits and related opportunities, and to consult with the Office of Management and Budget to produce a plan to address these barriers. For its action plan, the Access Board identified improving the accessibility of federal buildings and facilities that provide in-person services to individuals in communities with high rates of disability (specifically, American Indian and Alaska Native communities) as needed. Accordingly, some of its actions also are related to **Executive Order 13175 on Consultation and Coordination with Indian Tribal Governments (November 2000 and affirmed by a 2021 Presidential Memorandum)** that directed federal agencies to engage with tribal officials in the development of federal policies that might affect their communities. Examples of the Access Board's collaborative efforts include:

- collaborating with the Department of Health and Human Services, which administers certain programs for tribal elders, to present on the Access Board's technical assistance services and enforcement role under the ABA; and
- discussing strategies for collaboration with Department of the Interior officials on the accessibility of in-person department facilities that serve American Indians and Alaska Natives.

Source: GAO analysis of interviews and information from the Access Board and relevant executive orders. | GAO-23-105948

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## In Three Selected Collaborative Efforts, the Access Board and Other Agencies Generally Followed Leading Collaboration Practices

Across three selected efforts, we found that the Access Board and the agencies it collaborated with generally followed the seven leading collaboration practices.<sup>14</sup> These three efforts were: (1) developing Public Rights-of-Way Accessibility Guidelines with DOT; (2) providing technical assistance on Section 508 with GSA; and (3) enforcing ABA compliance with USPS. (See relevant sections below for descriptions of each effort.)

For all three efforts, we found that the Access Board and other agencies followed the leading collaboration practices on outcomes and accountability, bridging organizational cultures, leadership, and clarity of roles and responsibilities. For two efforts, we found that the Access Board did not have complete written guidance and agreements. However, for one of these efforts (Public Rights-of-Way Accessibility Guidelines), the Access Board and DOT did not identify a need given the nature of the collaboration; for the other effort (ABA enforcement), the Access Board had begun developing additional written guidance. For a third effort (Section 508 technical assistance), the Access Board and GSA did not have all desired participants and resources, but were taking steps to try to obtain these.

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<sup>14</sup>See [GAO-12-1022](#) for additional information on leading collaboration practices.

## Developing Public Rights-of-Way Accessibility Guidelines with DOT



**Selected Effort on Developing Public Rights-of-Way Accessibility Guidelines:** Between summer 2021 and early 2023, the Access Board chose to collaborate with the Department of Justice and the Department of Transportation (DOT) as it developed language for the final Public Rights-of-Way Accessibility Guidelines. (Under the Americans with Disabilities Act of 1990, these two agencies are tasked with developing and issuing enforceable standards based on the guidelines set by the Access Board.) These guidelines addressed access to sidewalks, streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other infrastructure components, including shared-use paths designed primarily for use by bicyclists and pedestrians. For this effort, we focused on collaboration with DOT, which was completed by March 2023. Subsequent steps to implement the guidelines include the governing board's vote and review by the Office of Management and Budget.

Source: GAO analysis of information from the U.S. Access Board and Department of Transportation; image: xixinxing/stock.adobe.com. | GAO-23-105948

For this effort, the Access Board and DOT generally followed leading collaboration practices with the exception of the practice on written guidance and agreements. For this practice, Access Board officials had minimal written documents pertaining to the collaboration, but officials from both the Access Board and DOT indicated that additional documentation was not necessary to guide the collaborative effort given their frequent communication and common understanding of the process. Moreover, the collaborative effort with DOT that focused on drafting the final guidelines ended in March 2023, making additional written guidance and agreements of limited use.

### Outcomes and Accountability

**Key Considerations:**

Have short-term and long-term outcomes been clearly defined?

Is there a way to track and monitor progress toward the short-term and long-term outcomes?

Source: GAO. | GAO-23-105948

The agencies had short- and long-term goals related to facilitating the rulemaking processes for this collaborative effort. The Access Board's collaboration with DOJ and DOT enabled it to obtain early input from the agencies as it drafted its final accessibility guidelines for public rights-of-way. Accordingly, a short-term goal was to produce guidelines that reflected the expertise of all three agencies, according to Access Board and DOT officials, which could ease steps for the Access Board when issuing final guidelines. These steps include approval by the Access Board's governing board and review by the Office of Management and Budget, both of which require coordination with DOJ and DOT. A longer-

term goal of this collaboration was to facilitate DOJ and DOT subsequently developing and issuing enforceable standards based on the guidelines set by the Access Board.

In terms of monitoring progress toward their desired outcomes, Access Board officials said they tracked and communicated their progress for meeting target rulemaking steps. For instance, timeframes, including when delays occurred, were communicated to the governing board at public board meetings, according to our review of meeting minutes. They also tracked this information internally to plan workloads of their staff. Additionally, to facilitate a smooth approval process by the governing board, in October 2022, the Access Board shared draft guidelines with governing board members to address their questions and obtain their input months before an official vote.<sup>15</sup> However officials noted that some longer-term outcomes, such as the timeliness of the Office of Management and Budget's review or when DOT or DOJ begin their own related rulemaking efforts, would be out of their control.

### Bridging Organizational Cultures

**Key Considerations:**

What are the missions and organizational cultures of the participating agencies?

What are the commonalities between the participating agencies' missions and cultures and what are some potential challenges?

Have participating agencies developed ways for operating across agency boundaries?

Have participating agencies agreed on common terminology and definitions?

Source: GAO. | GAO-23-105948

Access Board and DOT officials bridged their distinct missions and organizational cultures by establishing agreed-upon tasks, long-term relationships, and common terminology. For instance, DOT officials were concerned that Access Board's draft accessibility guidelines for traffic roundabouts that required pedestrian-activated signals were too prescriptive and could create more cost and traffic flow challenges compared to other accessibility options. To help resolve this issue, DOT funded research on ways to make multilane roundabouts more accessible for those with vision impairments, which helped address each agency's goals as well as shared goals of the group.<sup>16</sup> Additionally, officials from both agencies said that staff have developed long-term working relationships from working on multiple rulemaking efforts. Our prior work on collaboration has identified positive working relationships as one way

<sup>15</sup>In March 2023, the governing board approved the guidelines (19 votes in favor, 3 abstentions) and the Access Board submitted the rulemaking package to the Office of Management and Budget. As of June 2023, the guidelines were pending review by the Office of Management and Budget.

<sup>16</sup> See Department of Transportation, *Accelerating Roundabouts in the United States: Volume I of VII -Evaluation of Rectangular Rapid-Flashing Beacons (RRFB) at Multilane Roundabouts*, FHWA-SA-15-069 (Washington, D.C., September 2015, updated July 2020).

to help build trust and bridge cultures across agencies.<sup>17</sup> As a result of these positive working relationships, officials from both agencies said that staff use similar terminology and understand each other's agency processes for conducting their work.

### Leadership and Clarity of Roles and Responsibilities

**Key Considerations:**

Has a lead agency or individual been identified?

If leadership will be shared between one or more agencies, have roles and responsibilities been clearly identified and agreed upon?

Have participating agencies clarified the roles and responsibilities of the participants?

Have participating agencies articulated and agreed to a process for making and enforcing decisions?

How will leadership be sustained over the long-term?

Source: GAO. | GAO-23-105948

Access Board and DOT officials said that leadership and other roles and responsibilities were clear, given that this collaborative effort was aimed at finalizing the Access Board's guidelines.<sup>18</sup> Officials agreed that the Access Board was the leader for this effort, and was responsible for initiating collaboration, communicating tasks, and setting timeframes. Additionally, while knowledgeable staff from the agencies involved tried to reach consensus on issues and draft language, as the leader, the Access Board made the final decisions. Officials told us that the roles would change when it comes time for DOJ and DOT, as the enforcing agencies, to adopt related standards based on Access Board's guidelines. For this effort focused on issuing the Access Board's guidelines, officials said it was clear that the Access Board would sustain leadership through subsequent steps, such as the governing board's vote and the Office of Management and Budget review.

### Participants

**Key Considerations:**

Have all relevant participants been included?

Do the participants have the ability to regularly attend activities of the collaborative mechanism?

Do the participants have the appropriate knowledge, skills, and abilities to contribute?

Source: GAO. | GAO-23-105948

Relevant participants involved in this effort attended meetings regularly and contributed appropriate expertise. Access Board and DOT officials said that the Access Board, DOJ, and DOT officials initiated collaboration in summer 2021, but engaged in the most intense collaboration during the spring and summer of 2022, when they met weekly.<sup>19</sup> Officials from both the Access Board and DOT said the collaboration went smoothly and all necessary individuals from agencies, as identified by DOT and Access Board leadership according to officials, were available to participate and progress the work in a timely way.

<sup>17</sup>See [GAO-12-1022](#).

<sup>18</sup>For the purposes of this report, we combined the leading practices of leadership and clarity of roles and responsibilities.

<sup>19</sup>Access Board and DOT officials said that while the Access Board initiated the collaboration in summer of 2021, the Access Board provided draft language to DOJ and DOT later that year. After DOJ and DOT provided comments, officials from all three agencies began meeting frequently starting in May 2022 about the specific language of the guidelines.

Access Board officials said participants brought appropriate expertise to the collaboration, including long-term institutional knowledge. Access Board officials said that their staff have technical expertise in drafting accessibility criteria for different types of environments, while DOT officials noted their technical expertise with transportation issues. For example, DOT officials said that, during the collaboration, they brought in technical experts to advise on balancing accessible parking with street maintenance and cleaning. Access Board officials also said that DOJ officials provided expertise with drafting language that would be enforceable, such as using specific measurements (e.g., number of feet from a curb) rather than a relative location (e.g., “adjacent” to a curb). Access Board and DOT officials also said that some participants from each agency have been involved with the public rights-of-way guidelines over the long-term, as the proposed guidelines were issued in 2011, and were able to provide institutional knowledge.<sup>20</sup>

### Resources

**Key Considerations:**

How will the collaborative mechanism be funded?

How will the collaborative mechanism be staffed?

Have participating agencies developed online tools or other resources that facilitate joint interactions?

Source: GAO. | GAO-23-105948

Because this collaborative effort revolved around the Access Board’s guidelines, the Access Board primarily funded activities to support the process. Specifically, the Access Board sponsored a cost-benefit analysis for the rulemaking, which DOT officials noted could be used by DOJ and DOT when these agencies undergo their own subsequent rulemaking processes. DOT officials also said they lent technical expertise and funded research aimed at improving the quality of the guidelines. In prior work, we noted that leveraging resources to broaden agency reach can be a helpful approach for interagency collaboration.<sup>21</sup>

This collaboration was staffed by officials from all three agencies, who frequently met online using videoconferencing software, according to Access Board and DOT officials. These officials said that using videoconferencing software, rather than emails and audio conference calls, promoted efficiency, as participants could share and edit documents in real time as they worked through specific elements contained in the

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<sup>20</sup>Access Board and DOT officials said that work on the final guidelines was put on pause due to Executive Order 13771, which was issued in January 2017 on reducing regulation and controlling regulatory costs. Among other requirements, this executive order required that when an agency proposes a new regulation, it must identify at least two existing regulations to be repealed. Access Board officials said that they restarted the rulemaking process for the public rights-of-way guidelines in 2021 after this executive order was rescinded.

<sup>21</sup>See [GAO-14-220](#).

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guidelines. Access Board officials said they also communicated via phone calls and emails as necessary.

In terms of how the effort was staffed, the number of Access Board's staff created both advantages and disadvantages for the effort, according to officials. For example, because of the agency's small size, Access Board officials said their top leadership participated in working meetings and could make key decisions without needing time for additional review or approval. On the other hand, both DOT and Access Board officials said that the Access Board's limited number of staff resulted in the agency needing more time with certain steps, such as reviewing public comments and drafting language for the guidelines, since key staff were simultaneously working on other initiatives. Similarly, Access Board officials said they have been deliberate in their timing and sequencing of rulemaking efforts including these guidelines, given limited numbers of staff with specific areas of expertise. For example, officials said they would not start a rulemaking process to update accessibility guidelines for rail vehicle access until the public rights-of-way guidelines were complete, when the attorney and engineer focused on transportation issues would become available.

### Written Guidance and Agreements

**Key Considerations:**

If appropriate, have the participating agencies documented their agreement regarding how they will be collaborating? A written document can incorporate agreements reached in any or all of the following areas: leadership, accountability, roles and responsibilities, and resources.

Have participating agencies developed ways to continually update or monitor written agreements?

Source: GAO. | GAO-23-105948

Agencies did not fully follow this leading practice through use of formal written guidance and agreements; however, Access Board and DOT officials stated that additional documentation was not necessary given their frequent communication. Access Board officials said they communicated projected dates for key steps in the rulemaking process to the other agencies.<sup>22</sup> More detailed timeframes and plans related to the Access Board's voluntary collaboration with DOJ and DOT were not laid out in formal written documents, but were communicated in meetings and emails on a frequent and ongoing basis, according to Access Board and DOT officials. Both Access Board and DOT officials stated that frequent ongoing communication and a common understanding of the process enabled them to move forward without the need for additional formal

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<sup>22</sup>Access Board officials said that some factors that could affect estimated timeframes include the guideline's scope, the number of public comments they receive, the complexity of the required regulatory impact analysis, time for optional collaboration with other agencies early in the rulemaking process, and the time required for the Office of Management and Budget to review.

written agreements.<sup>23</sup> Moreover, additional written guidance or agreements would be of limited use, given that the collaborative effort with DOT and DOJ that focused on drafting the guidelines ended in March 2023. (As described earlier, in March 2023, the guidelines were approved by the governing board and submitted to the Office of Management and Budget for review.)

## Providing Technical Assistance on Section 508 with GSA



Selected Effort on Providing Technical Assistance on Section 508 of the Rehabilitation Act of 1973: The Access Board and General Services Administration (GSA) collaborate on an ongoing basis to provide technical assistance to federal agencies about accessibility requirements for electronic and information technology per Section 508 of the Rehabilitation Act of 1973. Technical assistance is provided through trainings, webinars, and informational resources. One specific technical assistance effort the Access Board and GSA have collaborated on is the development of a baseline testing portfolio that provides guidance to help federal agencies assess their conformance with these standards.

Source: GAO analysis of information from the U.S. Access Board and General Services Administration; image: Jane/stock.adobe.com. | GAO-23-105948

The Access Board and GSA generally followed the leading collaboration practices for this selected effort. Officials from both agencies identified a need for both additional participants and resources; however, officials were taking steps to try to address these needs.

### Outcomes and Accountability

Access Board and GSA officials reported using and tracking several different outcome measures for the technical assistance they provide on Section 508. For example, the Access Board provides training to federal agencies through its bi-monthly Section 508 webinar series, and, accordingly, tracks attendance to ensure these webinars are well-attended. Access Board officials report these participation metrics during governing board meetings, in annual performance reports, and to the

<sup>23</sup>As noted in [GAO-12-1022](#), although a leading practice, not all collaborative arrangements need to be documented through written guidance and agreements (particularly those that are informal).



federal Accessibility Community of Practice's leadership.<sup>24</sup> GSA also has been analyzing whether the Section 508 resources meet users' needs, including by conducting focus groups with key users to provide input on Section 508 resources.<sup>25</sup> Additionally, based on information provided by the Access Board, the two agencies have set target timeframes for one of their key efforts—a baseline testing portfolio that aims to help agencies test their conformance to Section 508 standards.<sup>26</sup> Access Board officials said they monitor and discuss progress toward these timeframes during regular working group meetings, as well as during leadership and full membership meetings of the Accessibility Community of Practice.

### Bridging Organizational Cultures

The Access Board and GSA bridge organizational cultures in several ways. Access Board officials said they work with GSA to ensure a common understanding, interpretation, and application of the Section 508 standards when providing technical assistance and related information to other agencies. Officials from both agencies said they use the same terminology during meetings and when working collaboratively on documents and the baseline testing portfolio. Additionally, key officials from the Access Board and GSA who have been working on this effort have collaborated on these issues for a number of years, including prior to their current roles at their respective agencies, and, accordingly, have built trust over time.

### Leadership and Clarity of Roles and Responsibilities

The Access Board and GSA have a clear understanding of their roles and responsibilities, based in part on the Rehabilitation Act of 1973 and a related 2013 Office of Management and Budget memo. Specifically, as the Access Board was tasked with developing and updating the Section 508 standards, officials agreed that its purview includes interpreting the

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<sup>24</sup>The Accessibility Community of Practice is the principal interagency forum to support accessibility of information technology products and services in the federal government. It is affiliated with the Chief Information Officers Council.

<sup>25</sup>Access Board officials also said they evaluate their technical assistance inquiries to determine whether their guidance could use improvements and when an update to the Section 508 standards might be needed.

<sup>26</sup>According to information from the Access Board, the baseline testing portfolio identifies the minimum requirements needed to test Section 508 conformance across different mediums, such as Web content or electronic documents.

standards, as well as identifying best practices for web accessibility. GSA's purview is program management, procurement and acquisition, and implementation of the standards, according to officials from both agencies.

Additionally, in planning the work for the baseline testing portfolio, the two agencies jointly developed a governance proposal that outlined roles and responsibilities, including leadership roles for the Access Board and GSA.<sup>27</sup> Both agencies also conduct ongoing education and outreach to raise awareness of Section 508 compliance (although neither agency plays an enforcement role) and serve as leaders on subcommittees of the Accessibility Community of Practice. Leadership is sustained due in part to the fact that the Access Board's and GSA's roles and responsibilities are determined by statute and related guidance. Officials have tried to broaden and sustain commitment to existing efforts by continually adding tools and resources, updating the Section 508 strategic plan, and encouraging greater involvement from other agencies.

### Participants

Key participants from the Access Board and GSA are actively involved and have appropriate knowledge and skills; however, these officials identified a need for additional participants from other agencies and had taken steps to try to address this need. Specifically, the key participants for providing technical assistance on Section 508 include two dedicated staff from GSA and three from the Access Board, all of whom have long-term institutional knowledge. GSA and Access Board officials said that they meet on a weekly or more frequent basis to plan Section 508-related webinars and conferences or discuss and provide updates on other efforts, such as the baseline testing portfolio.

Some other federal agencies have contributed time and technical expertise, such as to help develop or test the baseline testing portfolio. However, GSA and Access Board officials said that it was challenging to recruit volunteers from other agencies to provide greater or ongoing involvement, which would be helpful given the breadth of the work. For instance, officials told us that other agencies have asked for

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<sup>27</sup>According to Access Board officials, as of March 2023, finalizing the governance proposal was on hold as Access Board and GSA officials focused on developing other elements of the baseline testing portfolio. Officials said they would resume efforts to finalize the proposal with the Accessibility Community of Practice once those elements were completed.

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individualized technical assistance on Section 508, but Access Board and GSA officials told us they are often unable to provide this, given limits to their staff capacities. Access Board and GSA officials told us that they continue to use the Accessibility Community of Practice and other forums to encourage other agencies to help create and share Section 508-related tools and materials. Officials also have sought other ways to obtain additional support (as described below).

### Resources

Both the Access Board and GSA provide continued funding and staff resources for this effort. The Access Board funds and hosts a bi-monthly Section 508 best practices webinar series on an ongoing basis. GSA hosts meetings for Section 508 program managers in alternating months, as well as an annual Interagency Accessibility Forum focused on federal accessibility policies.<sup>28</sup> For all of these educational events, Access Board and GSA staff said they coordinate on topics, planning, and presentation to avoid overlap and use resources efficiently. Officials also said that they use a number of online tools to meet and share documents. Additionally, GSA maintains [www.Section508.gov](http://www.Section508.gov), a website that serves as a central repository for Section 508 resources contributed by GSA, the Access Board, and other agencies. Access Board officials said they review all content posted to this website for accuracy.

The Access Board and GSA have sought to leverage each other's resources as well as those of other agencies, but Access Board and GSA officials said that the Section 508 work would benefit from additional resources. The two agencies coordinate resources by, for example, alternating monthly events so they can continually provide learning opportunities for individuals working on informational and communication technology accessibility issues. They also leverage resources from others, such as by enlisting staff from other agencies to assist with the development of the baseline testing portfolio, as mentioned earlier.

Additionally, to create greater awareness and use of the baseline testing portfolio among federal agencies, Access Board and GSA officials have

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<sup>28</sup>Section 508 program managers lead the agency's efforts to establish Section 508 compliance. A 2013 Office of Management and Budget memo directs agencies to provide the name and contact information of their Section 508 coordinator to GSA. GSA also has submitted an updated 508 strategic plan to the Office of Management and Budget, which the Access Board contributed to, that includes steps to formalize this career path, such as developing a certification program for Section 508 program managers.

worked with the government-wide Accessibility Community of Practice to elevate and advertise the baseline testing portfolio as a best practice. Still, given the breadth and technical aspects of the work, Access Board and GSA officials said that additional support would be useful. In addition to seeking additional volunteers from other agencies, officials have submitted funding proposals to the Chief Information Officers Council, such as to fund the development of a certification program for Section 508 program managers, and to obtain contract support on an effort to standardize federal acquisition practices for technology services.

### Written Guidance and Agreements

The Access Board and GSA rely on a number of written documents that outline roles and responsibilities. Specifically, Section 508 of the Rehabilitation Act of 1973 and a 2013 Office of Management and Budget memo outline the roles for each agency. GSA, with input from the Access Board, also has submitted a new Section 508 strategic plan, which details its and the Access Board's roles and responsibilities, to the Office of Management and Budget for review and subsequent dissemination. Additionally, officials developed a draft governance proposal for their work on the baseline testing portfolio that stipulates leadership and decision-making roles between the Access Board and GSA.

### Enforcing ABA Compliance with USPS



Selected Effort on Enforcing Architectural Barriers Act of 1968 (ABA) Compliance: To enforce the ABA, which generally requires that federal facilities be accessible, the Access Board investigates complaints submitted by the public. The Access Board generally relies on a collaborative approach with federal agencies to investigate complaints, such as regular communication with agency staff on the status of open complaints, in line with the Access Board's regulations. For this effort, our focus was how the Access Board collaborates with the United States Postal Service (USPS) to address complaints and resolve cases. USPS has over 31,000 facilities nationally, and, in the last 5 years, has received and closed the most ABA complaints each year based on information provided by the Access Board.

Source: GAO analysis of information from the U.S. Access Board and United States Postal Service; image: KariDesign/stock.adobe.com. | GAO-23-105948

The Access Board and USPS generally have followed leading collaboration practices in their ongoing collaborative effort to investigate and address ABA complaints regarding USPS facilities. For written guidance and agreements, some written guidance detailing the

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collaborative process for this effort exists, and the Access Board has started development of additional guidance.

### Outcomes and Accountability

The Access Board and USPS use and track clearly defined outcome measures and have a standardized process for monitoring progress toward closing complaints, according to our review of agencies' progress reports and officials from both agencies. The Access Board tracks open ABA complaints and resolutions, which the Access Board includes in its annual performance and accountability reports.<sup>29</sup> USPS also tracks, in its own system, metrics for ABA complaints it receives, and provides monthly progress reports on these to the Access Board. To close complaints that require corrective action, USPS officials notify the Access Board of the completed project status and provide proof of the completed corrective action, such as photographs. Once Access Board officials verify this information, they said they notify the complainant of the resolution and close the case.<sup>30</sup> We found that in fiscal year 2022, the Access Board closed 53 ABA complaints pertaining to USPS facilities, 31 of which required corrective action and were closed with corrective action.<sup>31</sup> The average number of days complaints remained open until the accessibility barrier was removed was 188 days.

### Bridging Organizational Cultures

The Access Board's and USPS' distinct missions can affect each agency's priorities in addressing ABA complaints; however, officials from each agency have developed working relationships that helped bridge cultures and promote collaboration. The Access Board's mission is focused on improving accessibility while USPS' mission is focused on providing reliable, affordable, universal mail service. Even with

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<sup>29</sup>For example, the Access Board's 2020 annual performance and accountability report includes information on the ABA complaints received over the year, including the number of pending and closed cases, the distribution of complaints across federal agencies, and a breakdown of the basis for ABA cases closed that year.

<sup>30</sup>Access Board officials said that an exception to this is if the Access Board receives contradictory information from the complainant within 15 days of sending the letter.

<sup>31</sup>For nine complaints the Access Board found that it lacked jurisdiction, and for 13 it found that the complaint did not allege violations of the standards, either because it found there was no requirement or because it found that USPS was in compliance with relevant requirements.

differences in organizational missions and cultures, however, Access Board and USPS officials said positive, long-term working relationships between relevant staff, their use of similar terminology, and consistent understanding of the ABA process have promoted collaboration. For example, according to Access Board officials and our review of their status reports, the Access Board has asked USPS to consider implementing best practices for each open case, such as installing automatic door openers. USPS has gone beyond ABA requirements to implement a best practice in 11 percent of its cases in the last five years, according to data from the Access Board.<sup>32</sup> Access Board officials said they understood USPS' concerns about the potential cost ramifications of going beyond ABA requirements, given the large number of USPS facilities.<sup>33</sup>

### Leadership and Clarity of Roles and Responsibilities

Roles, responsibilities, and leadership are clear for this effort. As the enforcing agency, the Access Board receives complaints, initiates investigations, and monitors the status of ABA complaint resolution. USPS works to address and update the Access Board on the status of complaints or provides information on why the accessibility requirement should not apply. The Rehabilitation Act of 1973 requires the Access Board to enforce compliance with the ABA. As mentioned previously, the Access Board's regulations state its policy is to maximize accessibility through "amicable means" by encouraging voluntary and informal resolution of complaints, and officials noted that the Access Board has had very few instances of formal citations over 45 years of enforcement. Accordingly, the Access Board has demonstrated sustained leadership of

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<sup>32</sup>According to information from the Access Board, the most common best practice implemented by USPS was the installation of exterior directional signage indicating locations of, and best approaches to, accessible entrances; however, other recent examples included installing an automatic door opener at a high-traffic postal facility in an urban area and making a simple stair repair at a facility. Access Board officials said these actions were not required by ABA standards created by USPS. According to data provided by the Access Board, other agencies went beyond ABA requirements to implement a best practice in their corrective actions in between 25 and 69 percent of cases in the last 5 years. Among other agencies, the most common best practice implemented was the installation of automatic door openers.

<sup>33</sup>USPS's financial viability has been designated a GAO High Risk issue due to challenges covering its operating and other costs and unfunded long-term liabilities. In April 2023, we reported that while USPS and Congress have taken significant actions, USPS still cannot fully fund its current level of services and financial obligations. See GAO, *High-Risk Series: Efforts Made to Achieve Progress Need to Be Maintained and Expanded to Fully Address All Areas*, [GAO-23-106203](#) (Washington D.C.: April 20, 2023).

this collaborative effort, given its role and general approach. As noted earlier, it has also taken steps to create greater awareness of ABA compliance among federal agencies and at-risk communities.

### Participants

Access Board and USPS officials each have one staff person dedicated to this effort, with additional help from other staff as needed. USPS officials said that they actively inform the Access Board of delays, and that Access Board officials have been cooperative and understanding when USPS has needed more time. Additionally, if staff cannot resolve an issue, the Access Board's executive director can meet with the USPS member of the governing board to reach agreement. Officials from both agencies agreed that relying on a collaborative process rather than a formal citation process has been effective and efficient.

### Resources

Access Board and USPS officials indicated that the staff resources dedicated to this effort are sufficient for the current workload. Specifically, Access Board officials said that one dedicated compliance officer was sufficient for the current workload of total ABA complaints including USPS and other agencies. For example, as of October 2022, according to our review of Access Board documents, there were 62 open ABA complaints for USPS. In an instance when the compliance officer was on extended leave, Access Board officials provided USPS with additional flexibility, such as increased time to respond to the complaints. From USPS, one staff member is focused on managing open ABA complaints and communicating the status of each to the Access Board, which USPS officials indicated was sufficient.

In terms of funding, if a corrective action is needed, USPS goes through its own internal process for securing resources, according to USPS and Access Board officials. Officials noted that when USPS has to hire a contractor, it can lengthen the time before it takes action. However, both agencies said that many cases are relatively simple, such as installing a door opener, which can take between two and three months.

### Written Guidance and Agreements

Access Board regulations provide some written information detailing the collaborative process for this effort, and the Access Board has started development of additional documentation. Access Board regulations

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describe the ABA enforcement process followed by the Access Board, and, to some extent, the agency that receives a complaint. As mentioned earlier, the Access Board and USPS also exchange monthly emails that provide updates on the status of open complaints.

Access Board officials told us that they recognized the need for additional written guidance and are developing an internal manual to better institutionalize the resolution process within the agency. According to the officials, this manual will include technical instructions to accompany the agency's new complaint tracking system and lay out procedural instructions, including the process of interagency collaboration to resolve ABA complaints. Officials told us that information on interagency collaboration in the forthcoming manual will describe regular interactions with agency counterparts, how disagreements are escalated and resolved, and strategies for persuading agencies to implement best practices. Although the manual is intended to be an internal document, Access Board officials said they will seek input from the ABA standard-setting agencies with whom they collaborate.<sup>34</sup> Officials said that they plan to complete an initial draft of this manual by summer 2023.

### Agency Comments

We provided a draft of this report to the Access Board, DOT, GSA, and USPS for review and comment. The Access Board and DOT provided technical comments, which we incorporated as appropriate. GSA and USPS told us that they had no comments on the draft report.

We are sending copies of this report to the appropriate congressional committees, the Executive Director of the U.S. Access Board, the Secretary of Transportation, the Administrator of the General Services Administration, the Postmaster General, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-7215 or [curdae@gao.gov](mailto:curdae@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last

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<sup>34</sup>The ABA standard-setting agencies are GSA, Department of Defense, Department of Housing and Urban Development, and USPS.



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page of this report. GAO staff who made key contributions to this report are listed in appendix I.

A handwritten signature in black ink, reading "Elizabeth H. Curda". The signature is written in a cursive style with a large initial "E" and a long, sweeping tail.

Elizabeth H. Curda  
Director  
Education, Workforce, and Income Security Issues

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# Appendix I: GAO Contact and Staff Acknowledgments

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## GAO Contact

Elizabeth Curda, (202) 512-7215, [curdae@gao.gov](mailto:curdae@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Theresa Lo (Assistant Director), Shilpa Grover (Analyst-in-Charge), and Cassandra Ardern made key contributions to this report. Also contributing to this report were Isabella Anderson, Peter Beck, Alex Galuten, Joanie Lofgren, Chris Morehouse, Tom Moscovitch, Kelly Rubin, Monica Savoy, Margaret Sommerfeld, Curtia Taylor, and Sarah Veale.

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## Strategic Planning and External Liaison

Stephen J. Sanford, Managing Director, [spel@gao.gov](mailto:spel@gao.gov), (202) 512-4707  
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