

THE ARCHITECTURAL BARRIERS ACT OF 1968

OFFICE OF
MANAGEMENT
AND BUDGET



Brief introduction of the act.

The Architectural Barrier Act (ABA) is a US law designed to ensure that buildings and facilities designed, built, altered, or leased with federal funds are accessible to people with disabilities.

ABA represents one of the earliest efforts by the federal government to address accessibility issues in the built environment. The ABA was a pioneering law in the effort to promote accessibility for people with disabilities. It set the stage for subsequent legislation, such as the Americans with Disabilities Act (ADA), by establishing the principle that **federally funded buildings and facilities must be accessible**. By requiring that buildings and facilities be accessible, the ABA ensures that people with disabilities have equal access to public services, employment opportunities, and other activities conducted in or by federal buildings.



WHO is the act applicable to?

The ABA applies to all buildings and facilities that are designed, constructed, altered, or leased by the federal government. The law also covers buildings and facilities that are constructed or altered **using federal grants, loans, or other federal financial assistance**.

WHEN is the act applicable?

Any new building or facility that is designed and constructed by, on behalf of, or for the use of the federal government must comply with the accessibility standards set by the ABA. Also, when existing federal buildings or facilities are altered, the areas being modified must be made accessible to individuals with disabilities. This includes renovations that affect the usability of the building.

Compliance with ABA ensures that federally funded buildings are accessible to individuals with disabilities, promoting inclusivity and equal access in the built environment.

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HOW is the act implemented?

The **ABA** requires that these buildings and facilities comply with standards set forth in the

Architectural Barriers Act Accessibility Standards (ABAAS)

which specify the technical requirements for accessibility, to ensure they are usable by individuals with disabilities.

The **U.S. Access Board**, an independent federal agency, is responsible for developing and maintaining the ABAAS. The Access Board also provides technical assistance and training on accessibility issues.

Federal agencies are responsible for ensuring compliance with the ABA. Individuals who believe that a building or facility covered by the ABA is not accessible can file a complaint with the Access Board, which will investigate and, if necessary, require corrective actions.



How is the bill relevant for Governmental entities in Puerto Rico receiving federal funding?

- **Governmental entities in Puerto Rico must comply with the ABA as a condition for receiving federal funding.** This means that any new construction, alterations, or leased facilities funded by federal dollars must meet ABA accessibility standards. It should be noted that compliance with the ABA ensures that buildings and facilities are accessible to individuals with disabilities, which is a critical aspect of adhering to federal requirements.
- Governmental entities in Puerto Rico are required to design and implement programs that use federal funding in a manner that **ensures equal access for people with disabilities.** This includes making sure that any physical spaces used in these programs are accessible. Regarding the delivery of services, federal programs often require that services be delivered in accessible facilities. Thus, compliance with the ABA ensures that all individuals, including those with disabilities, can benefit from federally funded services.

Adhering to ABA standards aligns with broader goals of promoting equity, inclusion, and social responsibility. By ensuring that buildings and facilities are accessible, governmental entities contribute to creating a more inclusive society.