

## **Please read and distribute the following reminders re: the American Recovery and Reinvestment Act (ARRA) and the Americans with Disabilities Act (ADA)**

The State's Americans with Disabilities Act (ADA) program would like to remind agencies and Recovery Act recipients about their obligations under the ADA, and to be familiar with applicable standards to avoid costs associated with non-compliance. Interested persons are welcome to consult the [ADA coordinator's office](#) to review the state's policy and to use the following ARRA implementation resources.

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State of Alaska ADA Coordinator

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<http://www.alaska.gov/ada>

## **The American Recovery and Reinvestment Act of 2009 and the ADA**

### **What You Need To Know**

As part of the economic stimulus package, Congress passed and President Obama signed into law the [American Recovery and Reinvestment Act of 2009](#). Funds are being distributed by Federal agencies to States and communities throughout the country to build, repair, and upgrade a wide range of facilities, systems, and programs.

The Department of Justice wants to take this opportunity to remind State and local government officials, business owners, and building professionals of their obligations under the Americans with Disabilities Act (ADA). Generally, agencies or companies that build new facilities or alter existing facilities must comply with the [ADA Standards for Accessible Design](#). The ADA also requires that all [State and local government programs and services](#) and all [goods and services offered to the public by businesses](#) be accessible to people with disabilities.

We at the Department of Justice can help you understand your responsibilities. If you have a question about what you are required to do, you can call our toll-free [ADA Information Line](#). All government and business callers will be able to speak confidentially to an ADA Specialist during normal business hours to discuss how the ADA applies to their specific situations and get answers to any ADA questions they might have. If you want to read or download the [ADA Standards for Accessible Design](#), you can go to our [ADA Website](#), where the Standards and a wealth of other ADA information are available to you, day or night. You can also contact sources in your area by calling the toll-free number of the National Network of ADA Centers.

### **ADA Information Line**

800-514-0301 (Voice)

800-514-0383 (TTY)

Mon-Wed, Fri 9:30 am to 5:30 pm (ET)

Thurs 12:30 pm to 5:30 pm (ET)

**ADA Website** [www.ada.gov](http://www.ada.gov)

**National Network of ADA Centers** 800-949-4232

# **American Reinvestment and Recovery Act**

## **Accessibility Resources**

### **State Agencies**

**Alaska.gov/recovery**

[http://omb.alaska.gov/10\\_omb/budget/IndexEconomicStimulus.htm](http://omb.alaska.gov/10_omb/budget/IndexEconomicStimulus.htm)

### **State ADA Compliance Program**

<http://www.labor.state.ak.us/ada/home.htm>

### **Department of Transportation – Civil Rights**

<http://www.dot.state.ak.us/cvlrts/index.shtml>

### **Alaska State Commission for Human Rights**

<http://gov.state.ak.us/aschr/>

### **State and Local Disability Resources**

<http://www.disabilityinfo.gov/digov-public/public/LoadSL.do?categoryId=null>

### **Federal Agencies**

**Recovery.gov**

<http://www.recovery.gov/>

**Accessibility:** <http://www.recovery.gov/?q=content/accessibility>

**U.S. Department of Justice**

<http://www.ada.gov/>

**U.S. Access Board**

<http://www.access-board.gov/recovery/>

**Equal Employment Opportunity Commission** (employment and hiring practices)  
[www.eeoc.gov](http://www.eeoc.gov) (800) 669-4000 (voice) or (800) 669-6820 (TTY)

**Federal Transit Administration ARRA and Civil Rights**

[http://www.fta.dot.gov/civilrights/civil\\_rights\\_9311.html](http://www.fta.dot.gov/civilrights/civil_rights_9311.html)

**U.S. Department of Transportation** (transportation access)

[www.fta.dot.gov](http://www.fta.dot.gov) (202) 366-4648 (voice)

**American Recovery and Reinvestment Act of 2009: IDEA Recovery Funds for Services to Children and Youths with Disabilities**

<http://www.ed.gov/policy/gen/leg/recovery/factsheet/idea.html>

**Recovery Act - American Recovery and Reinvestment Act (ARRA): Tribal Transit Program**

[http://www.raonline.org/funding/funding\\_details.php?funding\\_id=1291](http://www.raonline.org/funding/funding_details.php?funding_id=1291)

**HHS.Gov/Recovery**

<http://www.hhs.gov/recovery/>

**Rehabilitation Act (Section 504) Enforcement Contacts**

<http://www.access-board.gov/enforcement/504.htm>

**Technical Support - Assistance**

**Northwest Disability business Technical Assistance Center**

<http://www.dbtacnorthwest.org/>

**ADA Partners Project**

[http://www.accessalaska.org/access\\_alaska\\_services/ada\\_partners\\_project/](http://www.accessalaska.org/access_alaska_services/ada_partners_project/)

**Centers for Independent Living**

<http://www.alaskasilc.org/cil.cfm>

# Stimulus projects must meet federal access standards



Recovery Requires Accessibility

*Stimulus projects must meet federal access standards* **March 30, 2009**



[www.recovery.gov](http://www.recovery.gov)

The recent stimulus bill, also known as the “American Recovery and Reinvestment Act,” funds a wide array of projects and programs to jump start the economy and create jobs. The \$787 billion measure provides aid to cities and states, supports tax cuts, and funds initiatives to improve infrastructure, transportation, energy efficiency, education, and health care.

Various Federal agencies are responsible for spending and distributing stimulus funds. It is important that these agencies and funding recipients comply with all applicable laws, including those protecting the rights of people with disabilities. They include the:

- Americans with Disabilities Act (ADA), which bans discrimination on the basis of disability by state and local governments and private sector entities in employment, programs and services, transportation, and the built environment;
- Architectural Barriers Act (ABA), which requires access to facilities designed, built, altered or leased with federal funds; and the
- Rehabilitation Act, which covers access to federally funded programs, federal employment, and electronic and information technology in the federal sector.

Standards issued under these laws include ADA standards for facilities and transportation vehicles, ABA standards for federally funded facilities, and standards for electronic and information technology issued under Section 508 of the Rehabilitation Act.

The U.S. Access Board leads the development and upkeep of these standards and provides technical assistance and training on them to the public. The Board is available to provide further guidance on applying these standards to Recovery Act projects. The Board also offers

supplementary resources that explain how accessibility can be integrated into certain types of projects.

## **Accessibility Standards and Resources**

Accessibility standards apply according to the nature and scope of projects and the funding involved.

### *Facility Construction and Renovation*

The Recovery Act funds the construction and renovation of federal buildings, including U.S. courthouses, customs and border protection facilities, and other facilities operated by federal agencies. These and most other construction or renovation projects undertaken with federal dollars must meet the ABA accessibility standards. State and local government facilities, as well as places of public accommodation and commercial facilities, must comply with ADA standards in new construction and alterations (whether or not federal funds are used). See the Board's [guide](#) to the ADA and ABA standards for further details and related information.

### *Transportation Systems*

The Recovery Act supports projects to improve and expand public transportation throughout the nation. The ADA comprehensively covers access to public transportation. New and altered facilities, including rail stations, bus stops, and airports, are subject to [ADA standards](#) for transportation facilities. New or remanufactured buses, vans, rail cars, and other modes of public transit must meet [ADA vehicle standards](#). Issued by the Department of Transportation, these standards are based on Access Board guidelines.

The Rehabilitation Act (Section 504) requires access to transportation systems receiving federal funds. Compliance with ADA standards for transportation facilities and vehicles will help entities fulfill section 504 obligations.

### *Housing*

Housing that is federally funded is subject to the ABA or the Rehabilitation Act (Section 504). An earlier version of the standards, the [Uniform Federal Accessibility Standards](#) (UFAS), is in effect for housing under these laws. Housing owned or operated by state or local governments is covered by the ADA whether or not federal funds are involved. At this time, state and local governments can follow UFAS as well under the ADA. In addition, guidelines may apply under the [Fair Housing Act](#) which covers most multifamily housing.

### *Streets and Sidewalks*

Many types of infrastructure projects will impact or improve public streets and sidewalks. It is important that work involving streetscapes integrate accessibility. The Access Board is developing new guidelines for public rights-of-way as a supplement to the ADA and ABA standards. These guidelines will address street crossings, sidewalks, on-street parking, common constraints, and other topics. [Draft guidelines](#) released by the Board are widely being used as an interim resource until final guidelines are issued. Other [resources](#) on rights-of-way accessibility are also available from the Board.

### *Outdoor Environments and Recreation Facilities*

Recovery Act projects involving parks and other outdoor sites must also incorporate accessibility but, as with public rights-of-way, existing standards lack sufficient detail. The Access Board is

developing new guidelines for outdoor developed areas that will address trails, camp sites, picnic areas, and beach access routes. [Guidelines](#) proposed by the Board can be used as a reference at this time since final guidelines are pending. In addition, final guidelines are available that address access to [play areas](#) and other [recreation facilities](#).

### *Information Technology*

It is likely that Recovery Act money will be used to acquire or upgrade IT systems and infrastructure. Electronic and information technologies procured by federal agencies must be accessible under the Rehabilitation Act (Section 508) and meet the Board's [508 standards](#). These standards cover computer hardware and software, websites, phone systems, videos, copiers, and similar technologies. Non-federal entities can follow these standards voluntarily to make sure acquired technology is accessible. For more information on Section 508, visit [www.section508.gov](http://www.section508.gov).

### **Technical Assistance and Training**

Technical assistance on the standards and accessible design is available from the Board through its toll-free help line at (800) 872-2253 (voice) or (800) 993-2822 (TTY), or by email at [ta@access-board.gov](mailto:ta@access-board.gov). The Board also provides training upon request. Training requests should be directed to the Board's Training Coordinator, Peggy Greenwell, at [training@access-board.gov](mailto:training@access-board.gov), (202) 272-0017 (voice), or (202) 272-0082 (TTY).

A [notice](#) (Word file) on the standards and Board services is available for dissemination by other agencies and entities.

### **Other Resources**

#### *Americans with Disabilities Act*

Information on other requirements of the ADA is available from:

- Disability and Business Technical Assistance Centers (a national network of regional centers that provide information on all parts of the ADA)  
[www.adata.org](http://www.adata.org) (800) 949-4232 (voice or TTY)
- U.S. Department of Justice  
[www.ada.gov](http://www.ada.gov) (800) 514-0301 (voice) or (800) 514-0383 (TTY)
- U.S. Department of Transportation (transportation access)  
[www.fta.dot.gov](http://www.fta.dot.gov) (202) 366-4648 (voice)
- Equal Employment Opportunity Commission (employment and hiring practices)  
[www.eeoc.gov](http://www.eeoc.gov) (800) 669-4000 (voice) or (800) 669-6820 (TTY)

#### *The Rehabilitation Act (Section 504)*

Federally funded programs are required to be accessible under section 504 of the Rehabilitation Act. Federal agencies are responsible for ensuring that the programs they fund are compliant. For further information, see the Board's list of agency [504 contacts](#).