



Office of Compliance

Office of the General Counsel

Peter Ames Eveleth
General Counsel

April 2006

The Honorable Ted Stevens
President Pro Tempore of the Senate
S-240 Capitol Building
Washington D.C. 20510

The Honorable T. Dennis Hastert
Speaker of the House
Office of the Speaker of the House of
Representatives
H-232 Capitol Building
Washington, D.C. 20515

Dear Speaker Hastert and Senator Stevens:

Enclosed please find a copy of the public version of the General Counsel's Report on Americans with Disabilities Act inspections conducted during the 108th Congress. It has been reviewed by the United States Capitol Police and all security sensitive information has been redacted. The unredacted version of this Report was previously submitted to you in December 2005.

As you know, the Congressional Accountability Act requires the General Counsel of the Office of Compliance to inspect covered Legislative Branch entities, at least once each Congress, for compliance with the public services and accommodations provisions of the Americans with Disabilities Act. 2 U.S.C. §1331. The General Counsel must issue a Report containing, among other items, the results of the inspection, a description of steps necessary to correct violations, and an assessment of limitations in accessibility to and usability by individuals with disabilities associated with each violation. 2 U.S.C. §1331(f)(2)(B). You will observe from the accompanying Report that the Office of the General Counsel thoroughly inspected most Capitol Hill facilities and programs during the 108th Congress, including many areas that had not been inspected since the 105th Congress. The Report also describes potential barriers to a safe emergency evacuation program for visitors with disabilities.

If you have questions or comments regarding this Report, or wish this office to provide you with a briefing, please contact me at 202-724-9249 or peveleth@loc.gov.

Very truly yours,

A handwritten signature in black ink that reads "Peter Ames Eveleth". The signature is written in a cursive, flowing style.

Peter Ames Eveleth
General Counsel

Enclosure

HIGHLIGHTS

Equal Access Problem Which Must Have The Highest Priority for Correction

Visitors to the Legislative Branch who have disabilities must have equal access to a safe and prompt evacuation from the buildings as do visitors who are not disabled. During the inspection conducted by the Office of the General Counsel (OGC or General Counsel) for the 108th Congress, we found that in most buildings¹ on Capitol Hill this was not the case. Only the first floor of the Capitol Building, the Botanic Garden Conservatory and the Ford House Office building provide equal opportunity for visitors with disabilities to participate in the evacuation. All Capitol Hill entities covered by the CAA must ensure that visitors with disabilities have equal opportunity to safely evacuate from the building or relocate to another floor during an evacuation drill or actual emergency. Based on the 2004 inspections, the specific problems regarding accessible emergency egress that need to be rectified are summarized below and detailed in Section IV.B and in the Individual Building Charts attached to this Report.

- All buildings lack wall maps or other signage that direct visitors with disabilities to accessible exit routes, staging areas and accessible discharge points to be used in the event of emergency evacuations. Illuminated exit signs direct people to exits that might not be usable by a person in a wheelchair. Therefore, the installation of maps or signage showing the alternate accessible exit routes and discharge points for individuals with disabilities is essential.
- All buildings lack accessible signage at the building exits. Accessible signage is brailled and in raised and high contrast letters. Such signage is required at permanent building exits, including exit stairwells and discharge points. It is essential for visitors who are blind or vision-impaired and do not know how to get out of the building.
- Staging Areas, where individuals with mobility impairment await assistance during an emergency, are an integral part of the plan to evacuate these buildings.² Many staging areas, including those in the Longworth House Office Building and the upper floors of the Capitol Building, are in hazardous locations. The Office of Compliance (OOC) has suggested alternate sites that offer more protection for those who are awaiting evacuation assistance.³
- In many buildings there was inadequate or non-existent signage indicating the location of the Staging Areas. Thus, visitors who are mobility-impaired would not know where to wait for assistance.

¹ The buildings inspected for this Report include the Capitol Building, the Botanic Garden Conservatory, and the Cannon, Dirksen, Ford, Hart, Longworth, Rayburn and Russell Office Buildings.

² This Report concerns equal access of visitors with disabilities to the Legislative Branch. The evacuation issues reported herein are also relevant for employees with disabilities.

³ These recommendations are set forth in the Individual Building Charts section of this Report. This information was initially provided to the USCP and the Architect of the Capitol (AOC) in November 2004.

- None of the Staging Areas had a two-way communication system that would allow individuals waiting in Staging Areas to contact the United States Capitol Police (USCP) or other rescuers during an emergency.
- USCP officers evacuate mobility impaired individuals from Staging Areas except when the Staging Area is situated within the zone of danger.⁴ (Members of the D.C. Fire Department evacuate only those individuals who are in the immediate zone of danger.) The USCP reported that it plans to conduct additional training of its officers to assure that they are able to effect a prompt evacuation in all buildings of any sizable number of visitors with mobility impairments waiting for assistance in the designated Staging Areas.⁵
- Buildings must have at least two accessible emergency exit discharge points. If one exit is blocked or unusable, individuals in wheelchairs would be directed to the other exit. Currently the Rayburn House Office Building has only one accessible exit. At least one more is required. Further, the secondary accessible exit for the Dirksen and Hart Senate Office Buildings is through adjacent buildings. Exit discharge directly to the outdoors is preferred.
- Visual alarms have been installed in many, but not all, of the public areas in the buildings on Capitol Hill. Visual alarms are essential for a prompt evacuation alert to visitors with hearing impairments. At the time of the inspection, there were no visual alarms in the Hart Senate Office Building, on the 3rd or 4th floor of the Rayburn House Office Building, in some Committee hearing rooms and the public restrooms of a number of buildings including the Capitol Building.
- A significant number of Member and Committee offices in the Rayburn, Longworth and Cannon House Office Buildings reported in response to a questionnaire prepared by the OGC that they were not aware of how to assist or direct visitors with disabilities during

⁴ During the inspection, there was no common understanding among employing offices as to which entities were responsible for evacuating disabled visitors from Staging Areas. Office staff of some Member and Committee offices stated that they direct employees and visitors who are disabled to the nearest Staging Area and that USCP officers would evacuate them from there. The USCP has indicated that while its officers “assist” and “facilitate” evacuations, they were not necessarily responsible for evacuating individuals with disabilities from the building. During the 109th Congress ADA inspection, the General Counsel will seek further clarification of the respective roles of these entities in effecting evacuations of individuals who are disabled during emergencies.

⁵ Subsequent to the biennial inspection, the USCP informed the General Counsel that officers in the Senate Office Buildings had been trained to perform disability evacuations and the officers in the House Office Buildings are scheduled to be trained regarding evacuation procedures. Some officers expressed concern during the inspection about the adequacy of the training they had received. The General Counsel will continue its inquiry concerning the evacuation of disabled individuals, including the extent and adequacy of training, during the 109th Congress biennial ADA inspection.

an evacuation drill or actual emergency.⁶

⁶ Regarding the questionnaire, see Section II.C, below. Of the 545 Member and Committee offices in the House that were surveyed by the OGC, 122 responded; of these, more than half indicated that they were not aware of how to assist visitors with disabilities during a drill or emergency.

I INTRODUCTION

The Congressional Accountability Act of 1995 (CAA) requires the General Counsel of the Office of Compliance (OOC) to conduct periodic inspections of all covered Legislative Branch facilities at least once each Congress to assure compliance with Title II and Title III of the Americans with Disabilities Act (ADA). 2 U.S.C. §1331(f). Title II of the ADA prohibits exclusion of individuals with disabilities from benefits of the services, programs, or activities of public entities. Title III seeks to ensure that individuals with disabilities are not discriminated against in places of public accommodation. The CAA makes the Title II and Title III of the ADA applicable to each office of the Senate (including each office of a Senator), each office of the House (including each office of a Representative), each committee, each joint committee, the Capitol Guide Service, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician and the Office of Compliance. 2 U.S.C. §1331(a). The General Counsel enforces Title II and Title III disability access regulations promulgated by the Attorney General and published at 28 C.F.R. Parts 35 and 36.⁷ 2 U.S.C. §1331(e)(2).

The CAA further provides that the General Counsel shall prepare and submit a report containing the results of the General Counsel's periodic inspection, describing any steps necessary to correct any violation of Titles II and III, as incorporated by the CAA, and assessing any limitations in accessibility to and usability by individuals with disabilities associated with each violation, and the estimated cost and time needed for abatement.⁸ The body of the Report constitutes a summary of the findings contained in the Individual Building Reports section of the Report, and reflects conditions at the time of the 2004 biennial inspection. Unless otherwise indicated, it does not include subsequent changes.

II. HOW THE INFORMATION IN THIS REPORT WAS GATHERED

A. Physical Inspections

The inspections for the 108th Congress were conducted between May and December, 2004 with the assistance of the Architectural and Transportation Barriers Compliance Board and

⁷ Both the AOC and the USCP question the General Counsel's reliance upon these provisions of the Code of Federal Regulations. When the CAA was enacted, the Board of Directors of the OOC adopted regulations that would have permitted the General Counsel to additionally enforce certain other disability access standards. Cong. Rec. H117 (Jan. 9, 1997); Cong. Rec. S43 (Jan. 7, 1997). However, Congress did not approve the regulations adopted by the OOC Board. Accordingly, in the absence of substantive regulations approved by Congress, the General Counsel enforces the "default regulations" as mandated by statute: namely, those that are "the same as the substantive regulations promulgated by the Attorney General." 2 U.S.C. §1331(e)(2).

⁸ The Report does not include estimates of the time and costs needed for abatement because this information, although requested, was not provided to the General Counsel by the entities responsible for correcting the violations identified during the OGC inspections. The General Counsel intends to pursue this inquiry during the 109th Congress ADA inspection.

the U.S. Department of Justice (DOJ). The physical inspections covered areas within the House and Senate Office Buildings, the Capitol Building and the Botanic Garden Conservatory. The inspectors looked at Committee hearing rooms, public restrooms, food service areas, accessible entrances and exits, paths of travel, Staging Areas, elevators, and public telephones.

Public areas in the USCP building and the offices of Committees and elected representatives were not inspected during the 108th Congress due to insufficient resources; these areas will be inspected during the 109th Congress. Areas that are used only by employees are not covered by the public access provisions of the ADA and were not inspected for purposes of this report.⁹

B. Comments From Disability Rights Groups

In preparation for this report, the General Counsel met with representatives of disability rights groups to obtain information about the barriers to equal access encountered by individuals with disabilities who visit Capitol Hill, or who otherwise seek access to the business of the Legislative Branch.¹⁰ Comments of individuals from these organizations were particularly helpful in providing focus for this year's report.

C. Questionnaires

The General Counsel distributed a questionnaire to the office of each Senator, Representative and Committee on Capitol Hill. A copy of the questionnaire is attached in Appendix A, hereto. The questionnaire asked about the existence of physical barriers to and within offices, knowledge of resources for communicating with disabled constituents and other members of the public, and emergency evacuation procedures for individuals with disabilities who might be visiting the Capitol Hill office during an evacuation drill or actual emergency. More than twenty percent of the surveyed offices responded to the questionnaire. Though the questionnaire was not designed to provide statistically significant results, it did provide useful information including pointing out areas where increased training and coordination is needed.

III. REQUIREMENTS OF THE PUBLIC ACCESS PROVISIONS OF THE ADA

A. Title II - Access to Public Programs, Services, and Activities

⁹Employees with disabilities are covered by other provisions of the CAA. *See* 2 U.S.C. §1311(a)(3). Legislative Branch employees are given the rights and protections of Title I of the ADA and the Rehabilitation Act of 1973. Evacuation alarms and exit routes for employees who are disabled are covered by the regulations of the Occupational Safety and Health Act. *See* 29 C.F.R. §1910.38(c) and 29 C.F.R. §1910.165(b). OSHA regulations also require that employing offices provide all employees with access to drinking water, toilets, and lavatories. 29 C.F.R. §1910.141(b, c, and d).

¹⁰ The General Counsel is grateful for information provided by representatives from the American Foundation for the Blind, the American Association of People with Disabilities, the National Council on Disability, Paralyzed Veterans of America, as well as comments from a number of other individuals with disabilities who reported to the OGC that they have encountered barriers to access when visiting the buildings on Capitol Hill.

Title II of the ADA prohibits a public entity, which here includes each “employing authority,” from excluding qualified members of the public with disabilities from participating in its programs, or denying them the benefits of its services or activities.¹¹ A public entity or “employing authority” must make reasonable modifications to its practices and procedures to avoid discriminating on the basis of disability. Compliance is mandatory unless the public entity can demonstrate that such modifications would be an “undue burden” or would fundamentally alter the nature of the service, program or activity.¹² The program accessibility requirements of Title II apply to public entities in existing buildings as well as in newly constructed buildings. A public entity or “employing authority” is not necessarily required to make structural changes in the building it occupies where other methods exist that make its programs, services and activities readily accessible to and usable by individuals with disabilities.¹³ Thus, for example, if a Committee hearing room has a double-leafed door, in which a single leaf is too narrow to permit passage of an individual in a wheelchair, the Committee must continue staffing the doors during all public hearings until the passageway is made accessible, either by widening one of the doors to permit unassisted passage by an individual in a wheelchair or by equipping the doors with an automatic opening device.

1. Effective Communication

A public entity, including all Committee and Member offices, must take appropriate steps to ensure that communication with members of the public with disabilities is “as effective as” communications with others.¹⁴ “Primary consideration” must be given to the request of the individual with disabilities in determining what type of auxiliary aids and services it will provide.¹⁵ Auxiliary aids and services for individuals with hearing impairments include sign language interpreters, assistive listening systems, real time captioning, and open or closed captioning. Auxiliary aids and services for individuals with visual impairments include audio recordings, Brailled materials, and large print materials. Thus, for example, if a member of the public who is hearing-impaired wishes to attend a Committee hearing and requests a sign language interpreter or other auxiliary aid and service, the Committee should provide the particular form of service requested¹⁶ so long as it is given reasonable time to honor the request. Further, any public entity or “employing authority” that communicates with members of the public by telephone must have the capability to use a telecommunication device for the deaf (TDD) or other equally effective telecommunication system.¹⁷

2. Prompt and Safe Evacuation

¹¹42 U.S.C. §12132 and 28 C.F.R. §35.130

¹²28 C.F.R. §35.130(b)(7); 29 C.F.R. §35.150(a)(3)

¹³28 C.F.R. §35.150(b)

¹⁴28 C.F.R. §35.160(a)

¹⁵28 C.F.R. §35.160(b)(2)

¹⁶28 C.F.R. §35.160(b)(1)

¹⁷28 C.F.R. §35.161

_____A public entity must conduct all of its programs and services, including evacuation drills,¹⁸ so that the program or service, “when viewed in its entirety, is readily accessible to and usable by” members of the public with disabilities.¹⁹ This is a mandatory requirement, unless the public entity can demonstrate that it would be an “undue financial and administrative burden” to comply.²⁰ In every building inspected for this Report evacuation drills are conducted to ensure that employees and visitors can promptly and safely evacuate the buildings in the event of an actual emergency. Visitors who are disabled must similarly have ready access to a safe and prompt evacuation. Much of this Report addresses the General Counsel’s findings that, at the time of the inspections, members of the public who are disabled did not appear to have ready access to a safe and prompt evacuation in most of the inspected buildings. This Report, and the attached Individual Building Charts, include the General Counsel’s recommendations for modifications to resolve the evacuation problems that were observed by the OGC inspection team.

B. Title III - Removal of Barriers to Access

Under Title III there are different levels of compliance for existing facilities, alterations and new construction. All of the currently occupied buildings on Capitol Hill are “existing facilities” and, therefore, are governed by the “readily achievable” barrier removal requirement for existing facilities.²¹ Any alterations made to the existing facilities must comply with the ADA standards unless to do so would be technically infeasible.²² All new construction must strictly comply with the accessibility standards.²³

1. Existing Facilities

In existing facilities, the removal of structural barriers to access is required under Title III of the ADA when their removal is “readily achievable.”²⁴ Whether barrier removal is “readily achievable” is determined on a case-by-case basis by considering factors such as the cost to remove the barrier and the overall financial resources of the entity responsible for abating the

¹⁸ The Civil Rights Division of the Department of Justice interprets the program access requirements of Title II to include programs and services such as evacuation drills, programs and procedures. *See also* DOJ Disability Rights Section Technical Assistance Guide *Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities* (Sept. 30, 2004) published at www.usdoj.gov/crt/ada/emergencyprep.htm

¹⁹28 C.F.R. §35.150(a)

²⁰28 C.F.R.-§35.150(a)(3)

²¹28 C.F.R. §36.304

²²28 C.F.R. §36.402(c)

²³28 C.F.R. §36.401

²⁴28 C.F.R. §36.304(a)

violation.²⁵ Examples of barrier removal that are considered readily achievable include installing signage, making compliant curb cuts at sidewalks and entrances, installing ramps, widening doors, installing accessible door hardware, repositioning telephones, installing visual alarms and creating accessible restrooms.²⁶

2. Priorities for Barrier Removal in Existing Facilities

Because a shortage of resources may not permit an entity to remove existing barriers all at one time,²⁷ the Title III regulations set forth priorities for barrier removal.²⁸ There is, however, a continuing obligation to “engage in readily achievable barrier removal.”²⁹ Thus, even if removal of certain barriers was not initially readily achievable, changed circumstances may make the removal readily achievable at a later date.

The highest priority set forth in the regulations is removing barriers that would prevent individuals with disabilities from physically entering a building on their own.³⁰ This goal has been generally achieved for all buildings on Capitol Hill. The exceptions are the location of the taxi drop off at the Rayburn House Office Building, the steep curb cuts at the Dirksen Senate Office Building accessible entrance, and the design of the ramp for the Longworth House Office Building.³¹

The second priority in the ADA regulations is the removal of barriers that prevent access to the “services made available to the public.”³² In the House and Senate Office Buildings the “services made available to the public” include attending Committee hearings, visiting elected officials and eating in the cafeterias and restaurants. Because evacuation drills are now conducted on a frequent basis in all Capitol Hill buildings these evacuations are also considered “services made available to the public.” The second priority regulations also include provision for visual alarms and Brailled and raised character signage.

There has been significant progress in achieving these second priority goals. For

²⁵DOJ *ADA Title III Technical Assistance Manual* §III-4.4200.

²⁶28 C.F.R. §36.304(b)(1-20)

²⁷DOJ *ADA Title III Technical Assistance Manual* §III-4.4500

²⁸28 C.F.R. §36.304(c)

²⁹DOJ *ADA Title III Technical Assistance Manual* §III-4.4400

³⁰28 C.F.R. §36.304(c)(1)

³¹ Details are given in the Individual Building Charts section of this Report. The Hart Senate Office building has two entrances that are indicated as accessible. This signage is incorrect because the ramp at the Constitution Avenue entrance is not currently accessible. The Second Street, N.E. entrance to the Hart Building is accessible.

³²28 C.F.R. §36.304(c)(2). Many of these “services made available to the public” are covered by both Title III “readily achievable” barrier removal standards and under Title II mandatory program access standards. See, e.g., Sec. III.A.2 above.

example, visual alarms have been installed in the majority of the buildings; when the CAA was adopted ten years ago there were virtually no visual alarms. Additionally, restaurants and cafeterias have been made accessible and Committee offices report that they comply with their obligation to keep double-leaf doors open during hearings. However, there is much still to be done to reach the second priority goals. Accessible wall maps and signage must be installed,³³ appropriate evacuation procedures must be established including designating accessible routes and creating safer Staging Areas with accessible two-way communication systems, and visual alarms must be installed in all public areas of each building.

The third priority established by Title III of the ADA is to provide access to restroom facilities.³⁴ There has been steady progress in renovating and installing accessible restrooms in the past ten years throughout the Capitol Hill buildings. Currently, there are designated accessible restrooms in each building³⁵ with the exception of the fourth floor of Rayburn, the fifth floor of Cannon and the gallery floor of the Capitol Building. However, many doors to the restrooms require too much force for someone in a wheelchair to open. This makes a designated accessible restroom inaccessible.

IV. IMPROVEMENTS

A. Recent Improvements

Since the enactment of the CAA in 1995, there has been significant progress in improving access to and within the buildings on Capitol Hill.³⁶ Since the General Counsel's last ADA report was issued in 2002³⁷ some additional progress has been made. In particular, visual alarms have been installed throughout the Cannon and Longworth House Office Buildings. Restrooms have been upgraded in the Dirksen Senate Office Building and made accessible. Assistive

³³ Although substantial monies were appropriated to fund the Wayfinding and ADA Compliant Signage Program for fiscal year September 30, 2004, no accessible building maps or signage had been installed at the time of the inspection. A spot-check of the new maps installed after the inspection found that they did not provide any information about accessible exits.

³⁴ 28 C.F.R. §36.304(c)(3)

³⁵ However, many of the restrooms have minor compliance issues. Details are set forth in the Individual Building Charts section of this Report.

³⁶ For example, ten years ago many employing offices were unaware of their statutory obligations to visitors with disabilities; this is no longer true. Previously, there were virtually no visual alarms; now there are visual alarms in virtually all public areas of most buildings. Restaurants and many restrooms have been made ADA compliant. Assistive listening systems have been installed in many hearing rooms. Compare current conditions described in this Report with those delineated in the *General Counsel's 1996 Report on Initial Inspection of Facilities for Compliance with ADA Standards*, *General Counsel's 1998 Report on Inspections for Compliance with the ADA*, and *General Counsel's 2000 Report on Inspections for Compliance with the ADA*. These Reports can be found on the OOC's website www.compliance.gov.

³⁷ See General Counsel's 2002 Report on Inspections for Compliance with the Public Access Provisions of the ADA.

listening systems have been installed in most Committee hearing rooms in the Rayburn House Office Building. Additional elevator banks have been made accessible in the Cannon, Rayburn, Hart and Russell Buildings.

1. Maintenance of Accessible Features During Construction³⁸

During the past two years, since the last ADA report was issued, there has been considerable construction involving perimeter security. The construction apparently did not block access to the buildings for visitors with disabilities although it did cause some inconvenience. Some visitors reported to the OGC that the inconvenience could have been alleviated if more USCP officers were aware of accessible routes to bypass the construction, and then could properly direct visitors. Further, they indicated that AOC and USCP vehicles temporarily parked on sidewalks created access problems. Vehicles idling or standing on sidewalks or near curb cuts should leave at least 36 inches clear space to accommodate individuals in wheelchairs.³⁹

2. ADA Public Access Coordinator

Any public entity or “employing authority” that employs fifty or more people is required to designate at least one employee to coordinate its efforts to comply with the public access provisions of the ADA.⁴⁰ Based on the answers to the questionnaire distributed by the General Counsel it appears that all offices required to do so have such an ADA coordinator. Further, many offices with fewer than fifty employees also have a designated ADA coordinator.

B. Recommendations for Future Improvements

1. Accessible Evacuations

As noted above, the program access provisions of the ADA require that evacuations from all buildings covered in this report be as prompt and safe for visitors with disabilities as for others. What follows are the General Counsel’s recommendations for satisfying this requirement. In those instances when removal of a barrier to safe and prompt evacuation is “readily achievable,” or modification of procedures does not present an “undue burden,” abatement is mandatory.

- a. *Accurate and accessible wall maps or signage providing information about accessible egress must be installed in all buildings open to the public.* The AOC reports⁴¹ that it is installing wall maps that will provide ADA information. However, wall maps and signage installed in the House Office Buildings since the General Counsel’s 2004 inspection

³⁸ 28 C.F.R. §36.211

³⁹28 C.F.R.Pt. 36 App. A §4.3.3

⁴⁰28 C.F.R. §35.107(a)

⁴¹See Individual Building Reports section.

provide no information about accessible egress. Illuminated exit signs and the newly installed wall maps do not distinguish between accessible and non-accessible exits and thus may direct a visitor in a wheelchair in the wrong direction. Accurate and accessible information and directions should be provided in all buildings regarding accessible exit routes, accessible discharge points from the building, and location of Staging Areas.⁴² The General Counsel has repeatedly highlighted this problem in every ADA Report since 1996. The AOC was allocated substantial monies for fiscal year ending September 2004 to fund the Wayfinding and ADA Compliant Signage Program; the OGC inspection revealed that, to date, there are no wall maps or signs giving visitors who are disabled any information about accessible emergency egress.

- b. *Accessible exit signage must be installed at all building exits including exit stairwells and exit discharge points.*⁴³ Currently, there are no accessible signs at building exits in any of the buildings open to the public. Without accessible signage visitors who are blind or vision-impaired are unable to exit the building without assistance or direction.
- c. *Signage should be provided for all Staging Areas.* Staging areas are an integral part of the plan in these buildings to evacuate individuals who are mobility-impaired. Staging areas are locations where these individuals can await the arrival of rescuers who will assist them to safely and promptly evacuate the building in an emergency. In all buildings there is inadequate signage directing visitors to the Staging Areas. In the House Office buildings there is also no signage at the location of the Staging Areas. Thus visitors who are mobility-impaired do not know where to go for assistance unless directed to those areas by informed employees or rescuers.
- d. *Additional accessible emergency discharge points should be provided in a number of buildings.* In the Rayburn House Office Building there is only one accessible exit discharge point. This is a violation of the Life Safety Code⁴⁴ and should be remedied as quickly as possible. In the Dirksen and Hart Senate Office Buildings the secondary accessible exit route is through an adjacent building; direct exit discharge to the outdoors is

⁴²28 C.F.R. Pt. 36 App. A §4.30. *See also* NFPA 101-2000 Life Safety Code §7.10.1.4. The AOC and the OOC disagree on the requirements regarding accessible maps and signage. Representatives of the AOC and the OOC will meet for further discussions following issuance of this Report.

⁴³28 C.F.R. Pt. 36 App. A-§§4.1.3(16); 4.30.4; 4.30.5; 4.30.6. Exit stairwells, discharge floors, and discharge points are all “permanent spaces” and therefore raised and Brailled character signage is required.

⁴⁴NFPA 101-2000 Life Safety Code §7.5.4.1.

preferred.⁴⁵ The installation of small ramps at certain building exits would create additional accessible emergency exit discharge points in most instances. Once additional accessible exits have been created, the alternate accessible exit routes should be added to the building wall maps or indicated with other signage. The attached Individual Building Charts provide details of the General Counsel's suggestions for inexpensive modifications that would create additional accessible discharge points.

- e. *The Staging Areas in the Longworth House Office Building, the Hart Senate Office Building, and the second and third floors of the Capitol Building should be moved to less hazardous locations.*⁴⁶ The Staging Areas in the Longworth House Office Buildings and in the Capitol Building are at the top of open stairwells. This can expose waiting individuals to the "chimney effect" of heat and toxic gases rising from floors below.⁴⁷ This location could also impede the egress of individuals using the stairwells as their emergency exit. The Staging Areas in the Hart Building are located at an elevator bank that does not serve all floors. The General Counsel's suggestions for safer Staging Areas in these buildings are set forth in the Individual Building Charts section of this Report.
- f. *Individuals waiting rescue in Staging Areas must have an accessible means of communication to contact rescuers.* At the present time, such individuals have no way to communicate with rescuers. A two-way communication system would enable individuals located in Staging Area to contact rescuers stationed at the main fire panel. In most of the designated Staging Areas there are existing fire-fighter telephones which could easily be modified to become compliant two-way communication systems. These existing telephones do not currently meet the requirements for accessible two-way communication because many of them are locked and/or are located above the reach-range of an individual in a wheelchair. Further, the location of the telephone is not currently indicated on the fire panel monitored by rescuers and therefore rescuers might not know the location of an individual using the telephone who is unable to speak.⁴⁸ The existing fire-fighter telephones, if modified, could be used by individuals awaiting assistance in the Staging Areas as well as by fire-fighters.⁴⁹ Until a

⁴⁵NFPA 101-2000 Life Safety Code §§3.3.63, 7.7.1 and 7.7.4; 29 C.F.R. §§1910.36(c)(1) and 1910.34(c)

⁴⁶None of the Staging Areas in the buildings covered by this Report meet the safety requirements for newly constructed buildings. 28 C.F.R. Pt. 36 App. A §§4.1.3 (9) and 4.3.11. Nevertheless, these Staging Areas are an integral part of a prompt and safe evacuation of individuals with disabilities and therefore should be as safe as possible.

⁴⁷NFPA 101-2000 Life Safety Code §7.2.2.5.1. *See also* 29 C.F.R. §1910.36(a)(2).

⁴⁸*See* 28 C.F.R. Pt. 36, App. A §§ 4.3.11.4 and A.4.3.11.4.

⁴⁹*See* NFPA 72-1999 National Fire Alarm Code §3-8.4.1.3.7.2

compliant two-way communication system is activated, the Staging Areas must be continuously monitored by rescue personnel during all drills and emergencies to ensure that no one is left behind during an evacuation. Whether this would prove to be a realistic alternative in a true emergency evacuation is questionable.

- g. *The USCP should provide additional training to its officers, particularly officers stationed in the House Office Buildings, to assure that they are able to effect a prompt and safe evacuation of a sizable number of individuals with mobility impairments.* Committee hearings and other events bring many visitors in wheelchairs to the buildings on Capitol Hill. Despite requests, the General Counsel was unable to obtain sufficiently detailed information to evaluate building-wide evacuation plans in time for this Report. The General Counsel intends to pursue this assessment during the 109th ADA inspection. Based on the 2004 inspection of buildings and comments received from individual USCP officers and other employees, the General Counsel cannot verify that the USCP is currently able to conduct a prompt and safe evacuation in each of the covered buildings of any sizable number of visitors with mobility impairments.
- h. *Additional efforts at training and retraining of staff regarding evacuations of visitors with disabilities appears to be necessary.* The House Office of Emergency Planning and Preparedness Operations and the Senate Office of Security and Emergency Preparedness provide informational literature and training to Member and Committee offices regarding the evacuation of individuals with disabilities.⁵⁰ Many Member and Committee offices have indicated a desire to receive further training on how to assist visitors with disabilities in the event of an evacuation drill or actual emergency. Of the offices that responded to the General Counsel's questionnaire, a large number reported that the USCP had instructed them to contact the USCP during an evacuation if they had visitors who needed assistance in evacuating the building. However, in order to assure safe and prompt evacuation of individuals during an emergency, it is imperative that staff be familiar with the plan for evacuating visitors with disabilities from their respective buildings and know the location of the Staging Areas on their floors *before* the evacuation drill or emergency occurs. Training should also include information about accessible egress routes and discharge points, the proper method of helping blind individuals with canes or service dogs, and the proper method of transporting individuals with mobility-impairments down exit stairwells.

2. Accessible Communications

- a. *Additional efforts to notify staff of the services provided by the*

⁵⁰ The results of our questionnaires indicate that, despite the outreach and training efforts of these organizations, many staff were unaware of the services offered and have not been trained. The high rate of staff turnover may be one reason.

Congressional Special Services Office (CSSO) should be considered. The CSSO provides sign language interpreters and auxiliary aids and services, upon request, for individuals with hearing impairments who are official visitors to Members of Congress or for witnesses at Committee hearings. Although CSSO expends considerable effort on outreach and training, many offices that responded to a questionnaire issued by the General Counsel indicated that they were not aware of the services offered by CSSO. As previously noted, the high rate of staff turnover presents a particular challenge to educating all staff regarding this essential information. During the 109th Congress, the OOC intends to work with the CSSO and other employing offices to explore ways to increase staff awareness of disability issues.

- b. *Consideration should be given to supplying additional assistance to Committees in providing auxiliary aids for audience members during Committee hearings.* Individual Committees are responsible for providing qualified sign language interpreters or other auxiliary aids for members of the audience at Committee hearings. “Primary consideration” must be given to the aid or service requested by the individual with disabilities who wishes to attend the hearing. This differs from, and is in some respects a higher standard than the “reasonable accommodation” standard applicable to employment situations.⁵¹ CSSO provides vendor names, upon request, to assist Committees in procuring the requested services for audience members. Because this process can be confusing to Committee staff who do not often receive such requests and are unfamiliar with the technical aspects of auxiliary devices, it might be more expeditious for CSSO to directly arrange for these services on behalf of the Committees.⁵²
- c. *The General Counsel supports the efforts of the AOC and the CAO to continue to upgrade Committee hearing rooms to provide permanent assistive listening systems.* Assistive listening systems augment a standard audio system by providing signals which can be received by individuals

⁵¹Compare 28 C.F.R. 35.160(b)(2) with 29 C.F.R. §1630.9(a).

⁵²During the 108th Congress, the General Counsel received several informal complaints from visitors about the lack of sign-language interpreters and real time captioning at Committee hearings, and about the unfamiliarity of Committee staff members with internal procedures for arranging for the provision of interpreting services. When these matters are timely brought to the attention of the OGC, this office seeks to inform the responsible employing office so that any issues can be resolved informally and expeditiously. In 2004, a formal charge was filed with the General Counsel alleging that a requested auxiliary aid and service was not provided for an individual who wanted to attend a Committee hearing. Although the Committee offered certain auxiliary aids and services, the charge alleged that the offered services would not enable the individual with the hearing disability to hear the proceedings. The charge was informally resolved and withdrawn following negotiations between the charging party, the Committee and CSSO.

using hearing aids or special receivers.⁵³

- d. *Individual offices are encouraged to ensure that their websites are accessible to individuals who are visually impaired.* Section 508 of the Rehabilitation Act of 1973,⁵⁴ which is applicable to Executive Branch agencies, requires electronic information to be equally accessible by individuals with disabilities as by individuals without disabilities. While the OOC does not have jurisdiction to enforce Section 508, the OOC encourages each individual office to ensure that its website is accessible.⁵⁵

3. Modification of Practices and Procedures and Removal of Other Barriers to Access

- a. *Training should be provided to USCP officers regarding access to Capitol Hill buildings by visitors with disabilities.* The General Counsel has received reports from visitors that getting through the security entrances of the Capitol Hill buildings has sometimes been difficult for visitors who are in wheelchairs or who are blind. Representatives from disability rights organizations have recommended that USCP officers receive specialized training on assisting individuals with disabilities through the security entrances. They explained that officers should not touch the cane or the service-dog of an individual who is blind or low-vision, but rather to let the individual be guided by the hand or arm of the officer. Officers should also be taught that individuals in wheelchairs may need help getting their belongings onto the security belt at the building entrance.
- b. *Training should be provided to USCP officers and AOC construction crews regarding keeping vehicles clear of sidewalk curb cuts.* The General Counsel has received reports from individuals that temporarily parked vehicles sometimes block access on sidewalks. USCP officers and AOC construction crews should be made aware to keep at least 36 inches of clear space on side walks and near curb cuts to enable clear passage for individuals in wheelchairs.
- c. *The ongoing restroom upgrade project should continue.* Designated accessible restrooms are now available throughout all buildings with the

⁵³28 C.F.R. Pt. 36 App A §§4.33.7 and A4.33.7.

⁵⁴29 U.S.C. §794d

⁵⁵See description of requirements for web-design at <http://www.access-board.gov/sec508/guide/1194.22.htm> and an online training at <http://www.section508.gov/index.cfm?FuseAction+Content&ID=5>. House Information Resources (202-225-6002) and Senate Sergeant-at-Arms Information Office (202-224-8313) can provide assistance in creating web pages that are compliant with the requirements of Section 508.

exception of the fifth floor of Cannon, the fourth floor of Rayburn and the gallery floor of the Capitol.⁵⁶ However, many restrooms that are designated accessible are made inaccessible by heavy doors that cannot be opened by a person in a wheelchair. To become compliant, door hinges for all of these restrooms must be adjusted to decrease the force required to open the door. Additionally there are toggle switches for the automatic door openers inside the accessible restrooms in the Capitol Building. These switches should be relocated because they are outside the reach range of an individual in a wheelchair. Other accessibility problems with individual restrooms are delineated in the Individual Building Charts section of this Report.

- d. A few individual offices reported that they have encountered disability access problems during staff-led tours of the Capitol Building because some ramps are too steep. The AOC reports that this problem will be resolved once the new Capitol Visitors Center is operational.

⁵⁶The AOC reports that additional accessible restroom are scheduled for construction in the Capitol Building.

V. INDIVIDUAL BUILDING CHARTS

Detailed results and analysis of the OGC ADA public access inspections of the 108th Congress are set forth in building charts below. The General Counsel requested comment and response from the entities responsible for abatement of violations. The responses of the responsible employing offices, including plans for removal of barriers and modification of practices and procedures, are included on the charts in this Section and in the Appendix to this Report.

A. Cannon House Office Building (Size 671,921 square feet)

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Comments or Plans to Remedy Access Issues
New Jersey Entrance	Accessible ⁵⁷	
Signage for Accessible Entrance	Accessible	
Sidewalks and Curb Ramps	Accessible	

Emergency Procedures: Does a visitor with a disability have equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor, if appropriate), in the event of a drill or an actual emergency?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Accessible Emergency Exit Routes	<ul style="list-style-type: none"> • There are two accessible emergency discharge points from the building as required by the National Fire Protection Association (NFPA).⁵⁸ 	

⁵⁷ Accessible means that the feature complies with the ADA standards for Non-Discrimination on the Basis of Disability promulgated by the U.S. Department of Justice. The applicable standards are published at 28 CFR Parts 35 and 36.

⁵⁸ See NFPA 101-2000 Life Safety Code § 39.2.4.2. See also 29 CFR 1910.36(b)(1).

Exit Door/Exit Route Signs	<ul style="list-style-type: none"> • There are no signs or wall maps indicating the accessible exit routes or discharge points.⁵⁹ Wall maps must indicate the accessible exit routes, accessible discharge points, location of Staging Area on each floor, and location of accessible building features. • Exit signage at all the building exits does not meet the requirements for accessibility.⁶⁰ 	<p><u>AOC</u> - <i>Wayfinding & Signage Project currently in progress in the RHOB. Installation will move to the CHOB once the LHOB and the RHOB are complete.</i></p> <p><u>USCP</u> - <i>This item does not fall within USCP responsibility.</i></p> <p><u>OOO response to AOC comment:</u> The newly installed wall maps do not show accessible egress routes, accessible discharge points or the location of Staging Areas. Nor are there any signs giving directions to these accessible egress features. Additionally, there is no signage in Braille indicating the exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.</p>
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⁵⁹ The NFPA requires that all exit routes, including accessible exit routes, be clearly indicated. NFPA 101-2000 Life Safety Code § 7.10.1.4. The AOC has stated in prior ADA Biennial Reports that it plans to install wall maps to indicate the accessible exit routes along with other features of the building, but to date has not done so. The wall maps must comply with ADA Signage requirements. 28 CFR Pt 36 App A §4.30. Non-existent or inaccurate information about accessible exit routes is also a violation of OSH standards protecting employees. 29 CFR 1910.37(b)(4). The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$407,000 was appropriated for the House Office Buildings for the Wayfinding and ADA Compliant Signage Program.

⁶⁰ 28 CFR Pt 36 App A §4.30 requires the signage to be in raised and Braille characters, have letters that contrast with the background, and be mounted at a height of 60 inches.

<p>Areas of Rescue Assistance</p>	<ul style="list-style-type: none"> • Staging areas⁶¹ are properly located in partially enclosed stairwells. ***** ***** ***** ***** ***** ***** ***** ***** ***** • There are no accessible two-way communication systems located in the Staging Areas.⁶² • There is no signage indicating the location of the Staging Areas. 	<p><u>AOC</u> - Fire Doors - Part of Egress Study/ Project (Project #010029) with an ECD of FY11. Referenced sections describe the provisions of an area of refuge, NFPA 101-2000:7.2.12 establishes when required. NFPA 101-2000:1.2.12.1 & IBC Section 1007 exempts areas of refuge in bldgs protected thru-out by an auto sprinkler system. Therefore, we do not interpret the applicable codes to require areas of refuge or the associated 2 way communication & signage.</p> <p><u>USCP</u> - The installation of fire-doors, two way communication systems in the stairwells and signage are not within the responsibility of the USCP. The OOC representation in footnote 5 regarding DC Fire and USCP responsibilities is incorrect and recommend striking. OOC does not direct the USCP responsibilities. USCP personnel are available to assist in the safe evacuation of all occupants.</p> <p><u>OOO response to AOC comment:</u> While the AOC takes the position that Staging Areas are not required in the building, plans from Member and Committee offices indicate that</p>
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⁶¹ If disabled individuals cannot immediately evacuate it is permitted to temporarily postpone their evacuation while the emergency is assessed, so long as they are waiting in a protected area. See NFPA 101-2000 Life Safety Code §A.3.3.14. There are no such protected areas in the building that meet the fire safety requirements for Areas of Rescue Assistance (28 CFR Pt 36 App A §4.3.11) or Areas of Refuge (NFPA 101-2000 Life Safety Code §3.3.14). Instead, office evacuation plans call for disabled individuals to gather at specified Staging Areas to await assistance in leaving the building. Visitors are to be directed to these areas by staff from employing offices in the building. Minimal safety features, including accessible signage and two-way communications systems must be provided in these Staging Areas even though these areas do not otherwise meet fire safety requirements. 28 CFR Pt 36 App A §§ 4.3.11.4 and 4.3.11.5. Some people with mobility impairments can move at only very slow speeds and there must be a way for them to communicate with rescuers in case they get left behind in the Staging Area after it has been checked. See 28 CFR Pt 36 App A §A4.3.1. District of Columbia Fire Department fire-fighters will rescue only those individuals from the Staging Areas that are in the immediate danger zone. Evacuation of other individuals who are awaiting assistance must be provided by properly trained employees, such as USCP officers. See also 29 CFR 1910.38(c).

⁶² If the existing fire-fighter phones are to be used as the two-way communication system, the telephone cabinets must be unlocked, their height modified, and appropriate signage provided. When the telephones are in use their location should be indicated at the fire alarm panel or police command center because the person using the telephone may be unable to speak. See 28 CFR Pt 36 App A §A4.3.11.4. Most of the telephones do not currently have any of these properties.

		<p>individuals who are mobility impaired are to be directed to the nearest Staging Area. Visitors who are in the hallways at the time of the alarm must also be able to find the Staging Areas. These locations are not currently shown on the new wall maps or on other signage. Further, there is no way for persons with disabilities in the Staging Areas to contact rescuers. Thus, individuals may be left behind in the Staging Areas unless there is a plan to conduct multiple “sweeps” of these areas, or to create a two-way communication system by, for example, modifying the existing fire-fighter phones.</p> <p><u>OOO response to USCP comment:</u> The OOO has confirmed that the D.C. Fire Department will only evacuate individuals from Staging Areas that are in the immediate zone of danger. If USCP is not responsible for evacuating individuals from other Staging Areas, it is unclear what other entity has this responsibility. Without a designation of responsibilities, individuals who are mobility-impaired may simply be left in the Staging Areas to wait out the evacuation.</p>
Visual Alarms	<p>Visual alarms have been installed in most areas of the building open to the public.⁶³ ***** ***** ***** ***** *****.</p>	<p><u>AOC</u> - Strobes will be added to rooms. To be completed in FY05.</p> <p><u>Committees</u> - Structural changes to hearing rooms are within the purview of the AOC. Therefore the Committees defer to the response of the AOC.</p>

⁶³ The ADA requires that visual alarms be installed in, at minimum, restrooms, meeting rooms hallways, lobbies and any other common use areas. 28 CFR Pt 36 App A §4.28.1. Requirements for individual offices where deaf or hard of hearing employees may work are covered by the Occupational Safety and Health Act (OSHA). See 29 CFR 1910.165(b)(2) and NFPA 101-2000 Life Safety Code §9.6.3.6.

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<ul style="list-style-type: none"> • Each office has an evacuation plan. The USCP is responsible for coordinating the plans and facilitating the evacuation from the building. Citing security concerns the USCP declined to provide the OOC with sufficiently detailed information for the OOC to evaluate the plan for evacuating mobility impaired visitors and employees from the building. Nevertheless, based on the information available, the OOC is concerned that the building-wide evacuation does not properly provide for prompt evacuation of disabled visitors. • Many of the Member and Committee offices in Cannon that responded to an OOC questionnaire⁶⁴ reported that they do not know where to direct,⁶⁵ or how to assist, a disabled visitor in the event of an evacuation drill or emergency. Other offices reported that they would direct disabled visitors to the nearest Staging Area. • Most of the employing offices in Cannon that responded to the OOC questionnaire stated that they would like training in how to assist disabled visitors during an evacuation. 	<p><u>USCP</u> - <i>The USCP evacuation plan is available for review and evaluation by the OOC upon completion of Memorandum of Understanding (MOU). However, information pertaining to the evacuation of Members of Congress may be withheld for security reasons consistent with law. The USCP is not responsible for coordinating plans. USCP personnel are available to assist in the safe evacuation consistent with workplace safety requirements and to facilitate communications. There is no evidence that USCP officer assistance may contribute to the problem of providing prompt evacuation of disabled visitors. USCP personnel may be positioned at staging areas consistent with workplace safety requirements and are able to assist in the safe evacuation and to facilitate communication. In an evacuation, USCP personnel are available to assist in the safe evacuation and to facilitate communications. Previously, before September 11, 2001 (9/11), USCP officers provided information to employing offices in Cannon regarding the safe evacuation of occupants.</i></p> <p><u>OOO response to USCP response:</u> Coordination of evacuation routes and plans is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p>
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⁶⁴ Forty employing offices in Cannon responded to an OOC questionnaire regarding ADA public access.

⁶⁵ There are no wall maps showing the Staging Areas. *See also* footnote 59, above.

Communications Access to Programs, Services and Activities: Does a qualified individual with a disability have equal communications access to the programs and activities of each of the public entities in the building.

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Effective Communication: Information and Signage	There are no wall maps or other signage to indicate accessible features of the building including restrooms, restaurants, Staging Areas, egress routes and exit discharge points. ⁶⁶	<p><u>AOC</u> - <i>Current Wayfinding/Signage Program. Signs in the process of being installed.</i></p> <p><u>OOC comment on AOC response:</u> The newly installed wall maps do not show accessible egress routes, accessible exit discharge points or Staging Areas; there is also no other signage indicating the location of these accessible egress features. The new maps do show the location of accessible restrooms.</p>

⁶⁶ The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$407,000 was appropriated for the House Office Buildings for the Wayfinding and ADA Compliant signage program.

<p>Effective Communication: Offices and individual requests</p>	<ul style="list-style-type: none"> • Many Member and Committee offices in Cannon that responded to an OOC questionnaire reported⁶⁷ that they do not have access to TDD or a telephone-relay system.⁶⁸ • A few of the Member and Committee offices in Cannon that responded to an OOC questionnaire reported that they had received at least one request for auxiliary aids and services⁶⁹ from a constituent or visitor with a hearing or vision impairment. • A number of the Member and Committee offices in Cannon that responded to an OOC questionnaire reported that they did not know how to respond to a request for a sign language interpreter or other auxiliary aid and service from a constituent or other member of the public with a hearing impairment. 	<p><u>USCP</u> - This item does not fall within USCP responsibility. However, to the extent that access to TDD or a telephone-relay system involves interconnectivity with the USCP emergency number, USCP will help to facilitate the connection.</p> <p><u>CAO</u> - As the employee population of the House is constantly turning over, training and outreach are constant challenges. It should be noted that the House provides 'HouseSmart' which is a comprehensive reference guide to all services offered. Included in 'HouseSmart' is a section relating to services for persons with disabilities (pgs 30-34). The services listed include, but are not limited to, information regarding the House relay system, public TTY phones, systems for the hearing impaired to use in Committee Hearing Rooms, and sign language interpreters. Also included in 'HouseSmart' is information on Congressional Special Services Office which provides certain services for visitors with disabilities. The latest edition of 'HouseSmart' was distributed to all Member, Committee and support offices of the House in January 2005. Since the last edition of 'HouseSmart,' the CAO has published an article on the TTY system in the House Services Bulletin - a bi-weekly CAO publication that highlights services available throughout the House Campus. An upcoming article and brochure will feature the House Relay System and its availability to Member and Committee Offices. Like 'HouseSmart', the House Services Bulletin is distributed to all Member, Committee and support offices of the House. Also, Member and Committee offices are permitted to purchase their own accessible equipment. CAO House Support Services and House Information Resources can assist offices in obtaining this equipment.</p>
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⁶⁷ See footnote 65.

⁶⁸ A public entity, or here an “employing authority,” that communicates with the public via telephone must also have a TDD or equally effective telecommunication system, such as a telephone relay system, for communicating with individuals who have hearing or speech impairments. 28 CFR §35.161.

⁶⁹ A public entity, or “employing authority,” is required to provide appropriate auxiliary aids and services to ensure that communications with individuals with disabilities are as effective as communications with others. In determining what type of auxiliary aid and service is necessary, the public entity must give primary consideration to the request of the individual with the disability. 28 CFR §35.160.

<p>Effective Communication: Hearing Rooms</p>	<p>There is no assistive listening system⁷⁰ in committee rooms 340, 210 and 304</p> <p>Assistive listening system available, but no signage⁷¹ in committee room 334.</p>	<p><u>AOC</u> - To be addressed during Committee Hearing Room Renovations. Signs part of Wayfinding Project currently in progress.</p> <p><u>CAO</u> - Presently, there is an accommodation to this issue. Congressional Special Services Offices (CSSO) has portable induction loops to assist those members of the public that require assistance. In addition, upon reasonable notice from committee staff, the CAO in conjunction with CSSO will assist in making arrangement for reasonable accommodations. The 2002 OOC ADA Report accepted the use of portable induction devices as an accommodation to assist those members of the public with hearing impairments. In addition, the CAO is moving forward on a permanent solution to this. Primary committee hearing rooms are undergoing renovation. Included in this renovation as a base installation are infrared assistive hearing systems with a minimum of 10 headsets. At the present time, subcommittee hearing rooms are not scheduled for renovations. The two hearing rooms listed are subcommittee hearing rooms.</p> <p><u>Committees</u> - Committees are dedicated to making their hearing accessible to persons with disabilities. When given reasonable notice of the need for an accommodation, the Committees will work with appropriate entities to provide reasonable accommodations to witnesses and/or audience members. Installation of assistive listening systems is within the purview of the CAO and the Committees defer to the CAO response to address the issue further. Signage has been provided for Room 334.</p>
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Access to Offices and Hearing Rooms: Do individuals who have a mobility impairment have

⁷⁰Assistive listening systems are required in assembly areas where audible communications are integral to the use of the space. 28 CFR Pt 36 App A §4.1.3(19)(b).

⁷¹Signage must indicate that an assistive listening system is provided. 28 CFR Pt 36 App A §4.30.7(4).

equal access to the public areas in each office and hearing room?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Path of travel from accessible main entrance to offices and hearing rooms	<ul style="list-style-type: none"> • Water fountains act as “protruding objects”⁷² and are a hazard to individuals who are blind and use a cane. • A Member’s office on the 5th floor reported that not all elevators go to that floor and there were no signs to direct visitors to the appropriate elevators. 	<p><u>AOC</u> - Will be included in building upgrades.</p> <p><u>AOC</u> - Signs will be posted at elevators that do not serve the 5th floor.</p>
Offices	To be inspected in 109 th Congress	
Elevators	Accessible	
Doors to each committee hearing room	<p>Non-compliant door hardware⁷³ makes a hearing room non-accessible.</p> <p>*****</p> <p>*****</p> <p>*****</p> <p>*****.</p>	<p><u>AOC</u> - To be addressed during Committee Hearing Room Renovations. Will defer to employing office occupants for interim.</p> <p><u>Committees</u> - The Committees have staffers posted at the doors to assist those with mobility impairments in entering and exiting hearing rooms. As the Committees are not responsible for structural changes to the hearing rooms, the Committees defer to the AOC response regarding alterations to the doors and/or door hardware.</p>

⁷²Objects which can not be detected at floor level by a blind person using a cane are considered protruding objects. For detailed specifications of protruding objects see 28 CFR Pt 36 App A §4.4.1.

⁷³Door handles must be easy to grasp with one hand and not require tight grasping, pinching or twisting of the wrist. 28 CFR Pt 36 App A §4.13.9.

Witness Tables	Non-accessible table height ⁷⁴ in committee room 340.	<p><u>CAO</u> - Generally, for Committee Rooms that do not have witness tables that meet the requisite height, the CAO upon notice from committee staff either raise the existing witness table to the proper height to allow for wheelchair accessibility; provide an accessible extension to the table or permanently modify the structure of the table to allow for wheelchair access depending upon the direction of the committee staff.</p> <p><u>Committees</u> - In the event that a witness in a wheelchair or other assistive mobility device is attending a hearing, the Committees will work with the CAO's office to ensure compliance with ADA requirements through alteration of existing witness tables. The Committees defer to the CAO response regarding procedures for altering witness tables in hearing rooms.</p>
Path of travel within hearing rooms	All accessible ⁷⁵	

Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
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⁷⁴Sufficient knee clearance must be provided for a witness who is in a wheelchair. The knee space must be at least 27 inches high, 30 inches wide and 19 inches deep. 28 CFR Pt 36 App A §4.32.3.

⁷⁵Minimum clear width of an accessible route is 36 inches except at doorways where the minimum is 32 inches. 28 CFR Pt 36 App A §§4.3.3, 4.13.4 and 4.13.5.

Accessible restrooms	<ul style="list-style-type: none"> • There are no accessible restrooms⁷⁶ on the 5th floor. • Door weight is too heavy.⁷⁷ Therefore, otherwise accessible restrooms are considered to be non-accessible for C1AB1, C1D1, C2AD7, C4AB1 and C4AD1. • Faucet handles in accessible restrooms C1AB1 and C1D1 are not compliant.⁷⁸ 	<p><u>AOC</u> - All HOB Restrooms slated for renovations. Renovations to include auto operators.</p> <p>Work orders have been written to correct faucet handles. ECD: 7/1/05.</p>
Signage and maps	<ul style="list-style-type: none"> • There are no maps or signs in hallways indicating locations of accessible restrooms.⁷⁹ • Signage at restrooms not accessible because too high and not in Braille.⁸⁰ 	<p><u>AOC</u> - Included in Wayfinding and Signage Project currently in progress.</p>

Building Features: Are other facilities and features in the building readily accessible and usable by individuals with disabilities such as mobility impaired, vision impaired or hearing impaired?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Public Telephones	Accessible	
Drinking fountains	There is at least one drinking fountain per floor that can be used by a person in a wheelchair. However, the controls are not compliant with the requirements of the ADA. ⁸¹	<u>AOC</u> - To be included in building upgrades. No known completion date.
Health Unit Room 110	Accessible	

⁷⁶ Accessible restrooms are restrooms which can be used by an individual who uses a wheelchair. The specific requirements are set forth at 28 CFR Pt 36 App A §§4.13, 4.16, 4.17, 4.18, 4.19, 4.22, 4.23, 4.24, 4.26 and 4.27. There must be at least one accessible men's room and one accessible women's room on each floor. 28 CFR Pt 36 App A 4.1.6(3)(e)(i). Accessible restrooms are also required for employees who use wheelchairs. 29 CFR 1910.141(c).

⁷⁷ The maximum door opening force permitted for interior doors is 5 lbs. 28 CFR Pt 36 AppA 4.13.11(2)(b).

⁷⁸ Faucet handles cannot require tight grasping, pinching, or twisting of the wrist to be operable. 28 CFR Pt 36 App A §4.27.4.

⁷⁹ The accessible restrooms must be identified when not all restrooms are accessible. 28 CFR Pt 36 App A 4.1.2 (7)(d). See also footnote 67.

⁸⁰ See footnote 60.

⁸¹ See footnote 79.

Restaurant - Cannon Carry-Out	Accessible	
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B. Longworth House Office Building (Size 2,256,100 square feet)

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Comments or Plans to Remedy Access Issues
Independence Ave Entrance	Not accessible because landing area on ramp is too small where the direction changes. ⁸²	<u>AOC</u> - Project #000144 slated to begin 8/05 to modify ramp.
Signage for Accessible Entrance	Accessible ⁸³	
Sidewalks and Curb Ramps	Accessible	

Emergency Procedures: Does a visitor with a disability have equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor if appropriate), in the event of a drill or an actual emergency?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Accessible Emergency Exit Routes	<ul style="list-style-type: none"> • Accessible exit discharge to New Jersey and C is not clearly marked. • Ramp is too steep at accessible exit discharge onto South Capitol Street.⁸⁴ 	<u>AOC</u> - Wayfinding/ Signage program currently in progress. Ramp design done. Funding needed.

⁸² In 2002 the AOC reported that it had completed the design for a new ramp.

⁸³ See footnote 57.

⁸⁴ The ramp incline is 11%. The maximum ramp incline for new construction is 8.33% and ramp inclines of between 6.25% and 5% are preferred. 28 CFR Pt 36 App A §4.8.2 and A4.8.2.

<p>Exit Door/Exit Route Signs</p>	<ul style="list-style-type: none"> • There are no wall maps.⁸⁵ Wall maps must indicate the accessible exit routes, accessible discharge points, location of Staging Area on each floor, and location of accessible building features. • Exit signage at all building exits is not accessible.⁸⁶ 	<p><u>AOC - Wayfinding / Signage program in progress.</u></p> <p><u>OOC response to AOC comment:</u> The newly installed wall maps do not show accessible egress routes, accessible discharge points or the location of Staging Areas. Nor are there any signs giving directions to these accessible egress features. Additionally, there is no signage in Braille indicating the exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.</p>
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⁸⁵ See footnote 59.

⁸⁶ See footnote 60.

Visual Alarms	<p>Visual alarms⁸⁸ have been installed throughout most of the building except:</p> <p>***** ***** ***** *****.</p>	<p><u>AOC</u> - Strobes to be added as part of an existing strobe upgrade project. Estimated completion date by FY06.</p> <p><u>Committees</u> - Structural changes to hearing rooms are within the purview of the AOC. Therefore, the Committees defer to the response of the AOC.</p>
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⁸⁸See footnote 64.

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<ul style="list-style-type: none"> • Each office has an evacuation plan. The USCP is responsible for coordinating evacuation plans and facilitating the evacuation from the building. Citing security concerns the USCP declined to provide the OOC with sufficiently detailed information for the OOC to evaluate the plan for evacuating mobility impaired visitors and employees from the building. Nevertheless, based on the information available, the OOC is concerned that the building wide evacuation does not properly provide for prompt evacuation of disabled visitors. <ul style="list-style-type: none"> • There are locations on each floor that, with minor modifications, could be much safer Staging Areas than the current locations.⁸⁹ • Most of the employing offices in Longworth that responded to an OOC questionnaire⁹⁰ reported that they did not know where to direct⁹¹ or how to assist a visitor with disabilities in the event of an evacuation drill or emergency. Other offices reported that they have been advised to call USCP for instructions if they have a disabled visitor during an evacuation. <p>***** ***** ***** ***** *****.</p> • Most of the employing offices in Longworth that responded to 	<p><u>USCP</u> - <i>The USCP evacuation plan is available for review and evaluation by the OOC upon completion of the MOU. However, information pertaining to the evacuation of Members of Congress may be withheld for security reasons consistent with law. The USCP is not responsible for coordinating plans. There is no evidence that USCP officer assistance during an evacuation may contribute to the problem of providing prompt evacuation of disabled visitors.</i></p> <p><u>OOC response to USCP response:</u> Coordination of evacuation routes and plans is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p> <p><u>USCP</u> - <i>This item does not fall within USCP responsibility.</i></p> <p><u>USCP</u> - <i>In an evacuation, USCP personnel are able to assist in the safe evacuation and to facilitate communications. Previously, before September 11, 2001 (9/11), USCP provided information to employing offices in Longworth regarding the safe evacuation of occupants.</i></p>
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⁸⁹ See previous section on “Areas of Rescue Assistance.”

⁹⁰ Forty-one of the employing offices in Longworth responded to an OOC questionnaire on ADA public access.

⁹¹There are no wall maps indicating the location of the Staging Areas or the accessible exit routes. *See also* footnote 59.

	that they would like training in how to assist disabled visitors during an evacuation.	<u>USCP</u> - Additional training can be arranged.
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Communications Access to Programs, Services and Activities: Does a qualified individual with a disability have equal communications access to the programs and activities of each of the public entities in the building.

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Effective Communication: Information and Signage	There are no wall maps or other signage to indicate accessible features of the building including restrooms, restaurants, Staging Areas, egress routes and discharge points. ⁹²	<u>AOC</u> - Wayfinding/ Signage program in progress. <u>OOO comment on AOC response:</u> The newly installed wall maps do not show accessible egress routes, accessible exit discharge points or Staging Areas; there is also no other signage indicating the location of these accessible egress features. The new maps do show the location of accessible restrooms.

⁹² The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$407,000 was appropriated for the House Office Buildings for the Wayfinding and ADA Compliant Signage Program.

<p>Effective Communication: Offices and individual requests⁹³</p>	<ul style="list-style-type: none"> • A small number of the Member and Committee offices in Longworth that responded to an OOC questionnaire reported that they had received at least one request for auxiliary aids and services from a hearing-impaired or low-vision constituent or visitor. • Most of the Member and Committee offices in Longworth that responded to an OOC questionnaire reported that they do not have access to TDD or a telephone-relay system. • Many of the Member and Committee offices in Longworth that responded to an OOC questionnaire reported that they did not know how to respond to a request for a sign language interpreter or other auxiliary aid from a deaf or hard-of-hearing constituent or member of the public. 	<p><u>CAO</u> - <i>As the employee population of the House is constantly turning over, training and outreach are constant challenges. It should be noted that the House provides 'HouseSmart' which is a comprehensive reference guide to all services offered. Included in 'HouseSmart' is a section relating to services for persons with disabilities (pgs 30-34). The services listed include, but are not limited to, information regarding the House relay system, public TTY phones, systems for the hearing impaired to use in Committee Hearing Rooms, and sign language interpreters. Also included in 'HouseSmart' is information on Congressional Special Services Office which provides certain services for visitors with disabilities. The latest edition of 'HouseSmart' was distributed to all Member, Committee and support offices of the House in January 2005. Since the last edition of 'HouseSmart', the CAO has published an article on the TTY system in the House Services Bulletin - a bi-weekly CAO publication that highlights services available throughout the House Campus. An upcoming article and brochure will feature the House Relay System and its availability to Member and Committee Offices. Like 'HouseSmart', the House Services Bulletin is distributed to all Member, Committee and support offices of the House. Also, Member and Committee offices are permitted to purchase their own accessible equipment. CAO House Support Services and House Information Resources can assist offices in obtaining this equipment.</i></p> <p><u>USCP</u> - <i>These items do not fall within USCP responsibility. However, to the extent that access to TDD or a telephone-relay system involves interconnectivity with the USCP emergency number, USCP will help to facilitate the connection.</i></p>
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⁹³See footnotes 69-70.

<p>Effective Communication: Hearing Rooms⁹⁴</p>	<p>There is no assistive listening system in committee room 1334.</p> <p>Assistive listening system available, but no signage in committee rooms 1300, 1302 and 1324.</p>	<p><u>AOC</u> - To be addressed during Committee Hearing Room Renovations. Signs indicating information on assistive listening devices part of Wayfinding /Signage program.</p> <p><u>CAO</u> - Presently, there is an accommodation to this issue. Congressional Special Services Office (CSSO) has portable induction loops to assist those members of the public that require assistance. Also, upon reasonable notice from committee staff, the CAO in conjunction with CSSO will assist in making arrangements for reasonable accommodation. The 2002 OOC ADA Report accepted the use of portable induction devices as an accommodation to assist those members of the public with hearing impairments. In addition, the CAO is moving forward on a permanent solution to this. Primary committee hearing rooms are undergoing renovation. Included in this renovation as a base installation are infrared assistive hearing systems with a minimum of 10 headsets. At the present time, subcommittee hearing rooms are not scheduled for renovations. The hearing rooms listed are subcommittee hearing rooms.</p> <p><u>Committees</u> - Committees are dedicated to making their hearings and/or information generated by the hearings accessible to persons with disabilities. When given reasonable notice of the need for an accommodation, the Committees will work with appropriate entities to provide reasonable accommodations to witnesses and/or audience members. Installation of assistive listening systems is within the purview of the CAO and the Committees defer to the CAO response to address the issue further. Signage has been provided for Rooms 1300, 1302 and 1324.</p>
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Access to Offices and Hearing Rooms: Do individuals who have a mobility impairment have equal access to the public areas in each office and hearing room?

⁹⁴See footnotes 71-72.

Feature	Description of Current Barriers to Accessibility ⁹⁵	Comments or Plans to Remedy Access Issues
Path of travel from accessible main entrance to offices and hearing rooms	Accessible	
Offices	To be inspected in 109 th Congress	
Elevators	Accessible	
Doors to each committee hearing room	<p>Non-accessible width of one door leaf makes a hearing room non-accessible. Therefore, doors must be staffed</p> <p>*****</p> <p>*****</p> <p>*****</p>	<p><u>AOC</u> - To be addressed during Committee Hearing Room Renovations. Will defer to employing office occupants for interim.</p> <p><u>Committees</u> - The Committees have staffers posted at the doors to assist those with mobility impairments in entering and exiting hearing rooms. As the Committees are not responsible for structural changes to the hearing rooms, the Committees defer to the AOC response regarding alterations to the doors and/or door hardware.</p>

⁹⁵See footnotes 73-75.

Witness Table	Non-accessible table height in committee rooms 1334 and 1324.	<p><u>CAO</u> - Generally for Committee Rooms that do not have witness tables that meet the requisite height, the CAO upon notice from committee staff either raise the existing witness table to the proper height to allow for wheelchair accessibility; provide an accessible extension to the table or permanently modify the structure of the table to allow for wheelchair access depending upon the direction of the committee staff.</p> <p><u>Committees</u> - In the event that a witness in a wheelchair or other assistive mobility device is attending a hearing, the Committees will work with the CAO's office to ensure compliance with ADA requirements through alteration of existing witness tables. The Committees defer to the CAO response regarding procedures for altering witness tables in hearing rooms.</p>
Path of travel within committee hearing rooms	All accessible	

Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Accessible restrooms ⁹⁶	<ul style="list-style-type: none"> • Door weight is too heavy and therefore makes otherwise accessible restroom non-accessible in restrooms LDA2 and L1B5. • Flush control in L1B5 is incorrectly mounted. • Grab bar in men's restroom near B204 is too short and needs to be modified.⁹⁷ 	<p><u>AOC</u> - Door weight -all HOB restrooms to be slated for renovations.</p> <p>Work orders have been written for individual issues - ECD: 7/05.</p>

⁹⁶See footnotes 77 - 81.

⁹⁷Side grab bar must at least 42 inches long. See 28 CFR Pt 36 App A Figure 30(d).

Signage and maps	<ul style="list-style-type: none"> • No signs or maps in hallways indicating location of accessible restrooms.⁹⁸ • Non-accessible signage on LDA2, LDA3 and L607. 	<u>AOC</u> - Wayfinding /Signage Project in progress.
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Other Building Features: Are other facilities and features in the building readily accessible and usable by individuals with disabilities such as mobility impaired, vision impaired or hearing impaired?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Public Telephones	There is no signage indicating the location of the accessible public telephone. ⁹⁹	<u>AOC</u> - Wayfinding /Signage Project. <u>CAO</u> - AOC signage program will include proper signage.
Health Unit Room 1204	Restroom is accessible except piping beneath sink is not configured or insulated correctly. ¹⁰⁰	<u>AOC</u> - Work order has been written- ECD: 7/05
Dining Facilities - Longworth Food Court	<ul style="list-style-type: none"> • The Food Court is fully accessible except one self-service soda machine which is non-compliant with reach range standards¹⁰¹ and requires minor modification. 	<u>CAO</u> - The contractor has moved the machine in question so that the soda machine is compliant.

⁹⁸ See footnote 93.

⁹⁹ See footnote 93.

¹⁰⁰ Hot water and drain pipes should be insulated or otherwise configured to protect against contact on the legs of an individual who is in a wheelchair. 28 CFR Pt 36 App A §4.19.4.

¹⁰¹ If floor space allows a parallel approach by a person in a wheelchair, the maximum high side reach is 54 inches. If the floor space allows only a forward approach, the maximum high forward reach is 48 inches. See 28 CFR Pt 36 App A §§4.2.5 and 4.2.6.

C. Rayburn House Office Building (Size 2,256,100 square feet)

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Comments or Plans to Remedy Access Issues
South Capitol Street entrance	Sidewalk ramp on left side is too steep and therefore not accessible, however ramp on right side is accessible. ¹⁰²	<u>AOC</u> - Only one accessible ramp is required, however we have initiated a project to study the feasibility to modify the left ramp for accessibility.
Signage for Accessible Entrance	Signage must be changed to indicate the one accessible sidewalk ramp leading to the entrance. ¹⁰³	<u>AOC</u> - Wayfinding / Signage program in progress.
Passenger Loading or Drop off	<ul style="list-style-type: none"> The designated taxi drop off is located on a steep hill and difficult to use for a visitor in a wheelchair. This drop-off area is also quite a distance from the accessible entrance. Drop-off is not presently permitted at the intersection of South Capitol St. and Independence Ave., a location that would be more accommodating to visitors who use wheelchairs. 	<p><u>AOC</u> -AOC will take into consideration providing an ADA accessible entrance elsewhere at a building entrance if future plans offer that opportunity.</p> <p><u>USCP</u> - No response from USCP.</p>
Sidewalks and Curb Ramps	Curb ramp at corner of South Capitol St. and Independence Ave. is not accessible; it is too steep and does not connect with the marked crosswalk. ¹⁰⁴	<u>AOC</u> - AOC will correct. Schedule will be established.

Emergency Procedures: Does a visitor with a disability have an equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor if appropriate), in the event of a drill or an actual emergency?

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
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¹⁰²See footnote 57.

¹⁰³Directional signage indicating accessible entrance must be provided at all non-accessible entrances. 28 CFR 4.1.3(8)(d)

¹⁰⁴See 28 CFR Pt 36 App A §4.7.9.

<p>Accessible Emergency Exit Routes</p>	<ul style="list-style-type: none"> • There is only one accessible exit discharge from the building. The lack of a second accessible exit discharge violates the NFPA Life Safety Code.¹⁰⁵ 	<p><u>AOC</u> - AOC is working with USCP to establish a second accessible egress point in the building.</p>
<p>Exit Door/Exit Route Signs</p>	<ul style="list-style-type: none"> • Existing wall maps do not indicate the Staging Areas, accessible exit routes or exit discharge points.¹⁰⁶ • Exit signage at all the building exits does not meet the requirements for accessibility.¹⁰⁷ 	<p><u>AOC</u> - Wayfinding /Signage program in progress.</p> <p><u>OOC response to AOC comment:</u> The newly installed wall maps do not show accessible egress routes, accessible discharge points or the location of Staging Areas. Nor are there any signs giving directions to these accessible egress features. Additionally, there is no signage in Braille indicating the exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.</p>

¹⁰⁵ NFPA 101-2000 §39.2.4.2. This lack of two accessible exits also violates OSHA standards protecting employees. It is given the highest risk rating in the 108th Congress OSHA Biennial Report. See also 29 CFR 1910.36(b)(1).

¹⁰⁶ See footnote 59.

¹⁰⁷ See footnote 60.

<p>Areas of Rescue Assistance</p>	<ul style="list-style-type: none"> •The location of the Staging Areas¹⁰⁸ is acceptable. •There are no accessible two-way communication systems located in the Staging Areas and such communication systems must be provided.¹⁰⁹ 	<p><u>AOC</u> - Referenced sections describe the provisions of an area of refuge, NFPA 101-2000: 7.2.12 establishes when such areas are required. NFPA 101-2000:1.2.12.1 & IBC Section 1007 exempts areas of refuge in bldgs protected thru-out by an auto sprinkler system. Therefore, the applicable codes do not require areas of refuge or the associated 2 way communication system in this building.</p> <p><u>USCP</u> - No action required regarding the Staging Areas. Two-way communications systems located in the Staging Areas do not fall within USCP responsibility.</p> <p><u>OOO response to AOC comment:</u> While the AOC takes the position that Staging Areas are not required in the building, plans from Member and Committee offices indicate that individuals who are mobility impaired are to be directed to the nearest Staging Area. Visitors who are in the hallways at the time of the alarm must also be able to find the Staging Areas. These locations are not currently shown on the new wall maps or on other signage. Further, there is no way for persons with disabilities in the Staging Areas to contact rescuers. Thus, individuals may be left behind in the Staging Areas unless there is a plan to conduct multiple “sweeps” of these areas, or to create a two-way communication system by, for example, modifying the existing fire-fighter phones.</p>
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¹⁰⁸ See footnotes 61 and 63.

¹⁰⁹ See footnote 63.

<p>Visual Alarms</p>	<ul style="list-style-type: none"> • ***** ***** ***** *****¹¹⁰ 	<p><u>AOC</u> -</p> <p>*****</p> <p>*****</p> <p>*****</p> <p>*****</p> <p>*****</p> <p>*****<i>completion by</i></p> <p><i>FY06.</i></p> <p><u>Committee</u> - <i>Structural changes to hearing rooms are within the purview of the AOC. Therefore, the Committee defers to the response of the AOC.</i></p>
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¹¹⁰See footnote 64.

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<ul style="list-style-type: none"> • Each office has an evacuation plan. The USCP is responsible for coordinating the plans and facilitating evacuation from the building. Citing security concerns the USCP declined to provide the OOC with sufficiently detailed information for the OOC to evaluate the plan for evacuating mobility impaired visitors and employees from the building. Nevertheless, based on the information available, the OOC is concerned that the building wide evacuation does not properly provide for prompt evacuation of disabled visitors. Our inspection found many impediments to a safe evacuation. Relatively inexpensive modifications could increase the number of accessible exit discharge points and make the evacuation safer. It also would not be expensive to provide two-way communications in the Staging Areas. (See previous Areas of Rescue Assistance section.)¹¹¹ • The majority of the employing offices in Rayburn that responded to an OOC questionnaire¹¹² reported that they do not know where to direct¹¹³ or how to assist a disabled visitor in the event of an evacuation drill or emergency. Other offices reported that they have been advised to call USCP for instructions if they have a disabled visitor during an evacuation. ***** ***** ***** ***** ***** ***** ***** ***** ***** ***** *****individual offices. 	<p><u>USCP</u> - The USCP evacuation plan is available for review and evaluation by the OOC upon completion of the MOU. However, information pertaining to the evacuation of Members of Congress may be withheld for security reasons consistent with law. The USCP is not responsible for coordinating plans. USCP personnel are available to assist in the safe evacuation consistent with workplace safety requirements and to facilitate communications. There is no evidence that USCP officer assistance may contribute to the problem of providing prompt evacuation of disabled visitors. The inexpensive modifications needed to increase the number of accessible exit discharge points does not fall within the USCP's responsibility. USCP personnel may be positioned at staging areas and are able to assist in the safe evacuation consistent with workplace safety requirements and to facilitate communication.</p> <p>In an evacuation, USCP personnel are available to assist in the safe evacuation and to facilitate communications.</p> <p><u>OOO response to USCP comment:</u> The OOC has confirmed that the D.C. Fire Department will only evacuate individuals from Staging Areas that are in the immediate zone of danger. If USCP is not responsible for evacuating individuals from other Staging Areas, it is unclear what other</p>
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¹¹¹ See footnote 61.

¹¹² Forty-one employing offices in Rayburn responded to an OOC questionnaire regarding ADA public access.

¹¹³ The wall maps do not show the Staging Areas or accessible egress routes and discharge points. See also footnote 59.

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<ul style="list-style-type: none"> • All of the employing offices in Rayburn that responded to the OOC questionnaire stated that they would like training in how to assist disabled visitors during an evacuation. One respondent in Rayburn stated that such “training should be mandatory.” 	<p>entity has this responsibility. Without a designation of responsibilities, individuals who are mobility-impaired may simply be left in the Staging Areas to wait out the evacuation. Furthermore, coordination of evacuation routes is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p> <p><i>USCP Previously, before September 11, 2001 (9/11), USCP officers provided information to employing offices in Rayburn regarding the safe evacuation of occupants.</i></p>
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Communications Access to Programs, Services and Activities: Does a qualified individual with a disability have equal communications access to the programs and activities of each of the public entities in the building.

Feature	Description of Current Barriers to Accessibility	Comments or Plans to Remedy Access Issues
Effective Communication: Information and Signage	Existing wall maps do not accurately indicate accessible features of the building including restrooms, restaurants, Staging Areas, egress routes and discharge points. ¹¹⁴	<p><i>AOC - Wayfinding/Signage program in progress. As noted above, staging areas are provided, but are not considered a "permanent" room designation" given that their locations may change as conditions change. See ADA Technical Assistance Manual III-7.5165, citing ADAAG 4.1.3(16); 4.30.7. Thus, they will not be shown on the wall maps that will be mounted as part of the signage program scheduled to be completed in FY2007.</i></p> <p><u>OOO comment on AOC response:</u> The newly installed wall maps do not show accessible egress routes, accessible exit discharge points or Staging Areas; there is also no other signage indicating the location of these accessible egress features. The new maps do show the location of accessible restrooms.</p>

¹¹⁴ The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$407,000 was appropriated for the House Office Buildings for the Wayfinding and ADA Compliant Signage Program.

<p>Effective Communication: Offices and individual requests¹¹⁵</p>	<ul style="list-style-type: none"> • Most of the Member and Committee offices in Rayburn that responded to an OOC questionnaire reported¹¹⁶ that they do not have access to TDD or a telephone-relay system. • Some of the Member and Committee offices in Rayburn that responded to an OOC questionnaire reported that they had received at least one request for auxiliary aids and services from a hearing-impaired or low-vision constituent or visitor. • Many of the Member and Committee offices in Rayburn that responded to an OOC questionnaire reported that they did not know how to respond to a request for a sign language interpreter or other auxiliary aid from a deaf or hard-of-hearing constituent or member of the public. 	<p><u>USCP</u> - This item does not fall within USCP responsibility. However, to the extent that access to TDD or a telephone-relay system involves interconnectivity with the USCP emergency number, USCP will help to facilitate the connection.</p> <p><u>CAO</u> - As the employee population of the House is constantly turning over, training and outreach are constant challenges. It should be noted that the House provides 'HouseSmart' which is a comprehensive reference guide to all services offered. Included in 'HouseSmart' is a section relating to services for persons with disabilities (pgs 30-34). The services listed include, but are not limited to, information regarding the House relay system, public TTY phones, systems for the hearing impaired to use in Committee Hearing Rooms, and sign language interpreters. Also included in 'HouseSmart' is information on Congressional Special Services Office which provides certain services for visitors with disabilities. The latest edition of 'HouseSmart' was distributed to all Member, Committee and support offices of the House in January 2005. Since the last edition of 'HouseSmart', the CAO has published an article on the TTY system in the House Services Bulletin - a bi-weekly CAO publication that highlights services available throughout the House Campus. An upcoming article and brochure will feature the House Relay System and its availability to Member and Committee Offices. Like 'HouseSmart', the House Services Bulletin is distributed to all Member, Committee and support offices of the House. Also, Member and Committee offices are permitted to purchase their own accessible equipment. CAO House Support Services and House Information Resources can assist offices in obtaining this equipment.</p>
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¹¹⁵See footnotes 69 - 70.

¹¹⁶See footnote 113.

<p>Effective Communication: Hearing Rooms¹¹⁷</p>	<p>Assistive listening system provided in most committee hearing rooms in Rayburn. However it is not provided in committee hearing rooms 2220, 2128, 2361, B318 and 2257.</p>	<p><u>AOC</u> - To be addressed during Committee Hearing Room Renovations.</p> <p><u>CAO</u> - Presently, there is an accommodation to this issue. Congressional Special Services Office (CSSO) has portable induction loops to assist those members of the public that require assistance. In additions, upon reasonable notice from committee staff, the CAO in conjunction with CSSO will assist in making arrangements for reasonable accommodations. The 2002 OOC ADA Report accepted the use of portable induction devices as an accommodation to assist those members of the public with hearing impairments. In addition, the CAO is moving forward on a permanent solution to this. Primary committee hearing rooms are undergoing renovation. Included in this renovation as a base installation are infrared assistive hearing systems with a minimum of 10 headsets. At the present time, subcommittee hearing rooms are not scheduled for renovations. The hearing rooms listed are subcommittee hearing rooms.</p> <p><u>Committees</u> - Committees are dedicated to making their hearings and/or information generated by the hearings accessible to persons with disabilities. When given reasonable notice of the need for an accommodation, the Committees will work with appropriate entities to provide reasonable accommodations to witnesses and/or audience members. Installation of assistive listening systems is within the purview of the CAO and the Committees defer to the CAO response to address the issue further.</p>
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¹¹⁷See footnote 71 - 72.

Access to Offices and Hearing Rooms: Do individuals who have a mobility impairment have equal access to the public areas in each office and hearing room?

Feature	Description of Current Barriers to Accessibility ¹¹⁸	Plans to Remedy Access Issues
Path of travel from accessible main entrance to offices and hearing rooms	Water fountains and some public telephones in the hallways act as “protruding objects” and are a hazard to a blind or low vision individual who uses a cane.	<u>AOC</u> - Included in building upgrades. No known completion date.
Offices	To be inspected in 109 th Congress	
Elevators	<ul style="list-style-type: none"> • Placement of waste cans below the elevator call button obstructs access to the call buttons for a person who uses a wheelchair. • Elevator Banks 1, 2, 3, 4, 5 and 6 are not accessible because audible signals are non-compliant. • Accessible elevator sign missing for Elevator Banks 2 (4th floor), Bank 3 (2nd & 4th floors) and Bank 6. 	<p><u>AOC</u> - Trash cans will be addressed thru Administrative procedures.</p> <p>Elevators currently being renovated and will be fully accessible. Estimated completion - FY06.</p> <p>Work orders have been written to correct missing elevator signs. To be complete by 8/05.</p>

¹¹⁸See footnotes 73 - 76.

<p>Doors to committee hearing rooms</p>	<p>Door width and door hardware are not accessible in most of the committee hearing rooms in Rayburn except where automatic door openers have been installed. Thus, the following hearing rooms are not accessible unless doors are staffed</p> <p>***** ***** ***** ***** *****</p>	<p><u>AOC</u> - To be addressed during Committee Hearing Room Renovations. <u>Committees</u> - The Committees have staffers posted at the doors to assist those with mobility impairments in entering and exiting hearing rooms. As the Committees are not responsible for structural changes to the hearing rooms, the Committees defer to the AOC response regarding alterations to the doors and/or door hardware. The Committee on Education & Workforce reports that since the OOC inspection the AOC has installed an automatic door opener on Hearing Room 2257.</p>
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Witness tables	Witness tables are not an accessible height in committee hearing rooms 2203, 2247, 2220, 2128, 2318, 2218, 2322, 2123, 2125, 2255, 2167, 2216, 2212, 2118, 2226, 2361, B318 and 2257.	<p><u>CAO</u> - Generally, for Committee Rooms that do not have witness tables that meet the requisite height, the CAO upon notice from committee staff either raise the existing witness table to the proper height to allow for wheelchair accessibility; provide an accessible extension to the table or permanently modify the structure of the table to allow for wheelchair access depending upon the direction of the committee staff.</p> <p><u>Committees</u> - In the event that a witness in a wheelchair or other assistive mobility device is attending a hearing, the Committees will work with the CAO's office to ensure compliance with ADA requirements through alteration of existing witness tables. The Committees defer to the CAO response regarding procedures for altering witness tables in hearing rooms.</p> <p>Witness tables in Rooms 2118 and 2226 have been modified since the time of the OOC inspection.</p>
Path of travel within hearing rooms	All accessible.	

Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

Feature	Description of Current Barriers to Accessibility¹¹⁹	Plans to Remedy Access Issues
Accessible restrooms	<ul style="list-style-type: none"> • There is at least one otherwise accessible men’s restroom and women’s restroom on each floor with the exception of the fourth floor. However, the door weight is non-accessible for each restroom. • Grab bars need to be modified in restrooms near B349 and 2470. 	<i>AOC - All HOB restrooms slated for renovations. Work orders have been written for specific issues with estimated completion of 7/05.</i>
Signage and maps	Maps and signage provide inaccurate information about the location of fully accessible restrooms. ¹²⁰	<i>AOC - Wayfinding/ Signage program in progress.</i>
Health Unit	There is not an accessible restroom in the Health Unit.	<i>AOC A project has been initiated to investigate correction.</i>

Other Building Features: Are other facilities and features in the building readily accessible and usable by individuals with disabilities such as mobility impairment, vision impairment or hearing impairment?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Public Telephones	<ul style="list-style-type: none"> • There are accessible public telephones on basement and first floor level. However some of the telephones are “protruding objects” and pose a hazard to blind or low vision individuals who use a cane.¹²¹ 	<i>CAO - The CAO Safety Coordinator is working in conjunction with CAO HIR Telecommunications to correct the protrusion issue.</i>
Drinking fountains	The drinking fountains in the halls are not accessible.	<i>AOC - To be added with building upgrades. No known completion date.</i>

¹¹⁹See footnotes 60, 77 - 80 and 93.

¹²⁰ The inaccuracy of these maps has also been noted in prior ADA biennial reports. *See also* footnote 115.

¹²¹See footnote 73.

Dining Facilities	The Rayburn Deli is fully accessible.	
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D. Dirksen Senate Office Building (Size 661,000 square feet)

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Plans to Remedy Access Issues
1 st and C Street Entrance	Accessible ¹²²	
Signage for Accessible Entrance	Accessible	
Sidewalks and Curb Ramps	All curb cuts at accessible entrance non-accessible because too steep. ¹²³	<u>AOC</u> - Curb ramps to be repaired in FY2006.

Emergency Procedures: Does a visitor with a disability have equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor if appropriate), in the event of a drill or an actual emergency?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible Emergency Exit Routes	There are two accessible emergency discharge points from the building as required by the National Fire Protection Association (NFPA). ¹²⁴ The secondary accessible emergency exit route is through the Hart Building.	

¹²² Accessible means that the feature complies with the ADA standards for Non-Discrimination on the Basis of Disability promulgated by the U.S. Department of Justice. The applicable standards are published at 28 CFR Parts 35 and 36.

¹²³ Curb cuts must have a maximum slope of 8.33%. A slope of between 6.25% and 5% is preferred. 28 CFR Pt 36 App A §§4.8.2 and A4.8.2.

¹²⁴ See NFPA 101-2000 Life Safety Code § 39.2.4.2. See also 29 CFR 1910.36(b)(1).

<p>Exit Door/Exit Route Signs</p>	<ul style="list-style-type: none"> • Accessible exit routes and discharge points are not indicated on building wall maps.¹²⁵ Wall maps must indicate the accessible exit routes, discharge points, location of Staging Areas on each floor, and location of accessible building features. • Exit signage at all the building exits does not meet the requirements for accessibility.¹²⁶ 	<p><u>AOC</u> - Interior Wayfinding signage project will be completed in FY2007. As noted above, staging areas are provided, but are not considered a “permanent room designation,” “given that their locations may change as conditions change. See ADA Technical Assistance Manual III-7.5165, citing ADAAG 4.1.3(16); 4.30.7 Thus, they will not be shown on the wall maps that will be mounted as part of the signage program scheduled to be completed FY2007.</p> <p><u>USCP</u> - This item does not fall within USCP responsibility.</p> <p><u>OOO response to AOC comment:</u> Wall maps or signage must show accessible egress routes, accessible exit discharge points and Staging Areas. Signage in Braille must be provided at all exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.</p>
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¹²⁵ The NFPA requires that all exit routes, including accessible exit routes, be clearly indicated. NFPA 101-2000 Life Safety Code § 7.10.1.4. The AOC has in past ADA Biennial Reports that it plans to install wall maps to indicate the accessible exit routes along with other features of the building, but to date has not done so. The wall maps must comply with ADA Signage requirements. 28 CFR Pt 36 App A §4.30. Non-existent or inaccurate information about accessible exit routes is also a violation of OSH standards protecting employees. 29 CFR 1910.37(b)(4). The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$1,133,000 was appropriated for the Senate Office Buildings for the Wayfinding and ADA Compliant Signage Program.

¹²⁶ 28 CFR Pt 36 App A §4.30 requires the signage to be in raised and Braille characters, have letters that contrast with the background, and be mounted at a height of 60 inches.

<p>Areas of Rescue Assistance</p>	<ul style="list-style-type: none"> • Staging Areas ¹²⁷ are properly located. • There are no two-way communication systems in these areas that are compliant with the requirements of the ADA.¹²⁸ • Wall maps and signage must indicate the location of the Staging Areas. 	<p><u>AOC</u> - Two-way communication is only required for areas of rescue assistance. The exception to 28 CFR Pt 36 App. A §4.1.3(9) does not require areas of rescue assistance for buildings that have a supervised automatic sprinkler system. The Dirksen Bldg. is currently 95% sprinklered with completion scheduled by FY 2007. As noted above, staging areas are provided, but but are not considered a “permanent room designation,” given that their locations may change as conditions change. See ADA Technical Assistance Manual III-7.5165, citing ADAAG 4.1.3(16); 4.30.7. Thus they will not be shown on the wall maps that will be mounted as part of the signage program scheduled to be completed in FY 2007.</p> <p><u>USCP</u> - The OOC representation in footnote 72 regarding DC Fire and USCP responsibilities is incorrect and should be stricken as OOC does not direct the USCP responsibilities. USCP personnel are available to assist in the safe evacuation of all occupants.</p> <p><u>OOO response to AOC comment:</u> While the AOC takes the position that Staging Areas are not required in the building, plans from Member and Committee offices indicate that individuals who are (continued next page)</p>
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¹²⁷ If disabled individuals cannot immediately evacuate it is permitted to temporarily postpone their evacuation while the emergency is assessed, so long as they are waiting in a protected area. See NFPA 101-2000 Life Safety Code §A.3.3.14. There are no such protected areas in the building that meet the fire safety requirements for Areas of Rescue Assistance (28 CFR Pt 36 App A §4.3.11) or Areas of Refuge (NFPA 101-2000 Life Safety Code §3.3.14). Instead, office evacuation plans call for disabled individuals to gather at specified Staging Areas to await assistance in leaving the building. Disabled visitors will be directed to these areas by staff from employing offices in the building. Minimal safety features, including accessible signage and two-way communications systems must be provided in these Staging Areas even though these areas do not otherwise meet fire safety requirements. 28 CFR Pt 36 App A §§ 4.3.11.4 and 4.3.11.5. Some people with mobility impairments can move at only very slow speeds and there must be a way for them to communicate with rescuers in case they get left behind in the Staging Area after it has been checked. See 28 CFR Pt 36 App A §A4.3.1. District of Columbia Fire Department fire-fighters will rescue only those individuals from the Staging Areas that are in the immediate danger zone. Evacuation of other individuals who are awaiting assistance must be provided by properly trained employees such as USCP officers. See also 29 CFR 1910.38(c).

¹²⁸If the existing fire-fighter phones are to be used as the two-way communication system, the telephone cabinets must be unlocked, their height modified, and appropriate signage provided. When the telephones are in use their location should be indicated at the fire alarm panel or police command center because the person using the telephone may be unable to speak. See 28 CFR Pt 36 App A §A4.3.11.4. Most of the telephones that are now present do not have these features.

		<p>mobility impaired are to be directed to the nearest Staging Area. Visitors who are in the hallways at the time of the alarm must also be able to find the Staging Areas. These locations are not currently shown on the wall maps or on other signage. Further, there is no way for persons with disabilities in the Staging Areas to contact rescuers. Thus, individuals may be left behind in the Staging Areas unless there is a plan to conduct multiple “sweeps” of these areas, or to create a two-way communication system by, for example, modifying the existing fire-fighter phones.</p> <p><u>OOC response to USCP comment:</u> The OOC has confirmed that the D.C. Fire Department will only evacuate individuals from Staging Areas that are in the immediate zone of danger. If USCP is not responsible for evacuating individuals from other Staging Areas, it is unclear what other entity has this responsibility. Without a designation of responsibilities, individuals who are mobility-impaired may simply be left in the Staging Areas to wait out the evacuation.</p>
Visual Alarms	<p>There are visual alarms in most areas of the building open to the public.¹²⁹ However, there are ***** ***** ***** *****.</p>	<p><u>AOC</u> - Areas noted will be provided visual alarms under the Dirksen Fire Alarm Replacement Project scheduled for FY2006 design and FY2009 construction.</p> <p><u>Committees</u> - Structural changes to the committee rooms fall under the responsibility of the AOC. The committee understands that the AOC will correct the deficiencies, if any exist, and defers to the AOC’s response to this item.</p>

¹²⁹The ADA requires that visual alarms be installed in, at minimum, restrooms, meeting rooms hallways, lobbies and any other common use areas. 28 CFR Pt 36 App A §4.28.1. Requirements for individual offices where deaf or hard of hearing employees may work are covered by the Occupational Safety and Health Act (OSHA). See 29 CFR 1910.165(b)(2) and NFPA 101-2000 Life Safety Code §9.6.3.6.

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<ul style="list-style-type: none"> • Each office has an evacuation plan. The USCP is responsible for coordinating the plans and facilitating the evacuation from the building. Citing security concerns the USCP declined to provide the OOC with sufficiently detailed information for the OOC to evaluate the plan for evacuating mobility impaired visitors and employees from the building. It does appear that USCP has reviewed its plan with employing offices in the Dirksen building. • Virtually all of the employing offices responding to an OOC questionnaire¹³⁰ know that they should escort disabled visitors and employees to the nearest Staging Area in the event of an emergency, and await USCP for further assistance. • The plan to evacuate individuals with mobility impairments appears to rely on the elevators. There is sufficient backup power to run one elevator per bank. However none of the elevators have smoke detectors as required by the NFPA.¹³¹ • All of the employing offices in Dirksen that responded to an OOC questionnaire stated that they would like training in how to assist disabled visitors during an evacuation. 	<p><u>USCP</u> - The USCP evacuation plan is available for review and evaluation by the OOC upon completion of the MOU. However, information pertaining to the evacuation of Members of Congress may be withheld for security reasons consistent with law. The USCP is not responsible for coordinating plans.</p> <p>The installation of smoke detectors in elevators is not a USCP responsibility.</p> <p>In an evacuation, USCP personnel are available to assist in the safe evacuation consistent with workplace safety requirements and to facilitate communications.</p> <p>Previously, before September 11, 2001(9/11), USCP officers provided information to employing offices in Dirksen regarding the safe evacuation of occupants. Post 9/11, the USCP coordinates with the Senate Office of Emergency Preparedness to ensure the safe evacuation of all occupants.</p> <p><u>OOO response to USCP response:</u></p> <p>Coordination of evacuation routes and plans is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p> <p><u>AOC</u> - Smoke detectors are provided in elevator lobbies per NFPA 72. Smoke detectors will be installed in elevator machine rooms FY2006.</p> <p><u>OSEP</u> - The Senate Office of Security and Emergency Preparedness (OSEP) offers a wide range of ongoing training and outreach activities to instruct Senate staff on the evacuation procedures for both the general population and employees and visitors with mobility impairments. OSEP also provides individuals training for staff members with mobility impairments to familiarize such employees with the procedures for elevator evacuation and evacuation chair use. In addition, OSEP has distributed brochures on "Senate Office Building Evacuation Procedures (Continued next page)</p>
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¹³⁰ Eleven employing offices in Dirksen responded to an OOC questionnaire on ADA public access.

¹³¹ NFPA 101-2000 Life Safety Code §9.4. See also NFPA 101-2000 Life Safety Code §9.6.3.2.

		<p><i>for Those with Mobility Impairments” throughout the Senate complex, and has contributed articles to various Senate publications, including one entitled “Wheelchairs for Staff with Temporary Mobility Impairments.” Finally, OSEP assists USCP in conducting and monitoring the Senate’s quarterly evacuation drills, ensuring that the appropriate procedures for the evacuation of individuals with mobility impairments are being followed.</i></p>
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Communications Access to Programs, Services and Activities: Does a qualified individual with a disability have equal communications access to the programs and activities of each of the public entities in the building.

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Effective Communication: Information and Signage	Existing wall maps do not indicate accessible features of building including restrooms, telephones, exit routes, Staging Areas, cafeterias, and water fountains. ¹³²	<p><u>AOC</u> - <i>Directional signs and maps provided comply with visual characteristics required by ADA. Directional signs are not required to comply with raised letter braille or mounting height criteria per 28 CFR Pt 36 App A §4.1.2(7). As noted above, staging areas are provided, but are not considered a “permanent room designation,” given that their locations may change as conditions change. See ADA Technical Assistance Manual III-7.5165, citing ADAAG 4.1.3(16); 4.30.7. Thus they will not be shown on the wall maps that will be mounted as part of the signage program scheduled to be completed in FY2007.</i></p> <p><u>OOO response to AOC comment:</u> Wall maps or signage must show accessible egress routes, accessible exit discharge points and Staging Areas. Signage in Braille must be provided at all exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.</p>

¹³² The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$1,133,000 was appropriated for the Senate Office Buildings for the Wayfinding and ADA Compliant Signage Program.

<p>Effective Communication: Individual offices and requests</p>	<ul style="list-style-type: none"> • Many of the employing offices in Dirksen that responded to an OOC questionnaire reported¹³³ that they had received at least one request for auxiliary aids and services¹³⁴ from a hearing-impaired or low-vision individual. • A few of the offices that responded to an OOC questionnaire reported that they do not know how to respond to a request for a sign language interpreter or other auxiliary aid from a deaf or hard-of-hearing constituent or member of the public. • A few of the offices that responded to an OOC questionnaire reported that they do not have access to TDD or a telephone relay system.¹³⁵ 	<p><u>AOC</u> - <i>These items do not fall within USCP responsibility. However, to the extent that access to TDD or a telephone-relay system involves interconnectivity with the USCP emergency number, USCP will help to facilitate the connection.</i></p> <p><u>CSSO</u> - <i>The Congressional Special Services Office (CSSO) offers a variety of services to assist staff and official visitors with disabilities. Descriptions of CSSO's services are published in several places, including the U.S. Senate Handbook and on Webster, the Senate intranet, as well as brochures issued by the office. CSSO offers seminars to staff throughout the year on communicating with constituents with disabilities and the use of Telecommunication Devices for the Deaf/Teletypewriters (TDD/TTY). CSSO also participates in ADA seminars presented to congressional offices, and is available for individualized training on TDD/TTY use and other issues involving communications with individuals with disabilities. In addition CSSO provides information on sign language interpreting services.</i></p>
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¹³³ See footnote 131.

¹³⁴ A public entity, or here an “employing authority,” is required to provide appropriate auxiliary aids and services to ensure that communications with individuals with disabilities are as effective as communications with others. In determining what type of auxiliary aid and service is necessary, the public entity must give primary consideration to the request of the individual with the disability. 28 CFR §35.160.

¹³⁵ A public entity, or “employing authority,” that communicates with the public via telephone must also have a TDD or equally effective telecommunication system for communicating with individuals who have hearing or speech impairments. 28 CFR §35.161.

Effective Communication: Hearing Rooms	<p>There is no assistive listening system¹³⁶ in committee rooms 116 and G50.</p> <p>Assistive listening system is available, but no signage¹³⁷ in committee rooms 138 and G11.</p>	<p><u>AOC</u> - A committee room renovation program began in FY2004. Renovations include the provision of infrared assistive listening systems. Committee Room 215 is being completed during FY2005. The remainder are scheduled for completion prior to FY2010. Compliant signage will be provided.</p> <p><u>Committees</u> - Structural changes to the committee rooms fall under the responsibility of the AOC. These committees understand that the AOC will correct the deficiencies, if any exist, and defer to the AOC's response to these items.</p>
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Access to Offices and Hearing Rooms: Do individuals who have a mobility impairment have equal access to the public areas in each office and hearing room?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Path of travel from accessible main entrance to offices and hearing rooms	Accessible	
Offices	To be inspected in 109 th Congress	
Elevators	Generally accessible except the audible signals for elevators 8 & 9 are non-compliant.	<u>AOC</u> - Audible signals for elevators 8 & 9 were tested and are compliant.

¹³⁶Assistive listening systems are required in assembly areas where audible communications are integral to the use of the space. 28 CFR Pt 36 App A §4.1.3(19)(b).

¹³⁷Signage must indicate that an assistive listening system is provided. 28 CFR Pt 36 App A §4.30.7(4).

Doors to each committee hearing room ¹³⁸	Non-accessible door hardware ¹³⁹ and door weight ¹⁴⁰ in committee rooms 415, 116, 124, 215, 342, 430, 406, G11, 562, 138, 192, 226, and 628. Non-accessible door hardware, door weight and clear width ¹⁴¹ of one door leaf in committee rooms 406, 366, 538 and G50.	<u>AOC</u> - Equivalent facilitation per 28 CFR Pt 36 App A §2.2 is provided as indicated in footnote 139. <u>Committees</u> - These doors are manned and therefore are ADA-compliant. Per conversation with OOC, there are no deficiencies here.
Witness Tables	Non-accessible table height ¹⁴² in committee rooms 116 and G50.	<u>AOC</u> - Tables will be modified to comply. <u>Committees</u> - Structural changes to the committee rooms fall under the responsibility of the AOC. These committees understand that the AOC will correct the deficiencies, if any exist, and defer to the AOC's response to these items.
Path of travel within hearing rooms	All accessible ¹⁴³	

¹³⁸Staff members from each committee indicated that the committee rooms are kept accessible during hearings *****posting a staff member at the doors.

¹³⁹Door handles must be easy to grasp with one hand and not require tight grasping, pinching or twisting of the wrist. 28 CFR Pt 36 App A §4.13.9.

¹⁴⁰The maximum door opening force permitted for interior doors is 5 lbs. 28 CFR Pt 36 App A 4.13.11(2)(b).

¹⁴¹The minimum clear width of door openings, including openings of double-leaf doors, is 32 inches. 28 CFR Pt 36 App A §§4.13.4 and 4.13.5.

¹⁴²Sufficient knee clearance must be provided for a witness who is in a wheelchair. The knee space must be at least 27 inches high, 30 inches wide and 19 inches deep. 28 CFR Pt 36 App A §4.32.3.

¹⁴³Minimum clear width of an accessible route is 36 inches except at doorways where the minimum is 32 inches. 28 CFR Pt 36 App A §§4.3.3, 4.13.4 and 4.13.5.

Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible restrooms	<p>All public restrooms in Dirksen are now generally accessible.¹⁴⁴ However some of the restrooms are not fully compliant with the requirements of the ADA for the following reasons:</p> <ul style="list-style-type: none"> • Door hardware non-compliant on accessible restrooms SD1BM2A and SDBW2A • Non-compliant mirror in accessible restrooms SD1BW2A, SD2M2, SD3W1, SD3W3, SD3M1, SD3M3, SD4M1, SD4W1, SD5W1 and SD5M1. • Coat-hook out of accessible reach range in accessible restrooms SD1BW2A,SDBW2A, SD2W2, SD2M1, SD2M2, SD2W2, SD3W1, SD3M2, SD3M3, SD4W3, SD4M3 and SD6M2. • Insufficient maneuvering space in DGM1. 	<p><u>AOC</u> - Will be modified to comply, except for DGM1 (last bullet item). DGM1 is not designated or required as an accessible bathroom.</p>
Signage and maps	<ul style="list-style-type: none"> •Wall maps do not indicate accessible restrooms.¹⁴⁵ • Non-compliant signage¹⁴⁶ for accessible restrooms SDGW3, SDGM3, SDGW1, SDGM1, SD1W2, SD1M2, SD3W1, SD3M1, SD5W1 and SD6W2 	<p><u>AOC</u> - Interior Wayfinding signage project will be completed in FY2007.</p>

¹⁴⁴ Accessible restrooms are restrooms which can be used by an individual who uses a wheelchair. The specific requirements are set forth at 28 CFR Pt 36 App A §§4.13, 4.16, 4.17, 4.18, 4.19, 4.22, 4.23, 4.24, 4.26 and 4.27. There must be at least one accessible men’s room and one accessible women’s room on each floor. 28 CFR Pt 36 App A 4.1.6(3)(e)(i). Accessible restrooms are also required for employees who use wheelchairs. 29 CFR 1910.141(c).

¹⁴⁵ The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$1,133,000 was appropriated for the Senate Office Buildings for the Wayfinding and ADA Compliant Signage Program.

¹⁴⁶ See footnote 127.

Appendix A -Individual Building Reports
Dirksen Building

Building Features: Are other facilities and features in the building readily accessible and usable by individuals with disabilities such as mobility impaired, vision impaired or hearing impaired?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Public Telephones	<ul style="list-style-type: none"> • Maps and signage do not indicate location of public telephone.¹⁴⁷ • Public telephone (on ground floor) non-accessible for wheelchair users. 	<p><u>AOC</u> - Internal signage program will be implemented in FY2007. Wall maps are not required to show all accessible features.</p> <p><u>SSA</u> - The Office of the Senate Sergeant at Arms and the AOC have plans to address the public telephone accessibility issue.</p>
Drinking fountains	<ul style="list-style-type: none"> • Water fountain on ground floor non-accessible because spout height is too high. • Water fountains on other floors generally accessible except that the controls are non-compliant because they need to be tightly grasped and require too much force to operate.¹⁴⁸ 	<p><u>AOC</u> - Two accessible drinking fountains are provided on the Ground Level. The spout of each is less than 36" above the ground surface and thereby compliant. Dirksen drinking fountains are not the graspable type; they are compliant push button fountains.</p>
Restaurants	<ul style="list-style-type: none"> • North Server is fully accessible except Salad Bar tray slide is several inches too high. • Chef Café is fully accessible. 	<p><u>AOC</u> - This comment will be considered if new equipment is purchased.</p>

¹⁴⁷ See footnote 133.

¹⁴⁸ 28 CFR Pt 36 App A §§4.15.4 and 4.27.4.

E. Hart Senate Office Building (Size 1,020,000 square feet)

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Plans to Remedy Access Issues
2 nd Street Entrance	Fully accessible ¹⁴⁹ except signage.	<u>AOC</u> - Will comply. Interior Wayfinding project will be completed in FY2007.
Constitution Ave. Entrance	<ul style="list-style-type: none"> Non-accessible because slope of outdoor ramps is slightly too steep¹⁵⁰ and handrails are not accessible.¹⁵¹ Until this has been fixed, this entrance cannot be used as an emergency exit discharge. 	<p><u>AOC</u> - Handrails will be retrofitted in FY2006. In terms of the ramp slope, 28CFR Pt 36 App A§4.1.(1) clearly indicates that the application of the accessible element requirements being stated as non-compliant by the OOC are only applicable to newly designed and newly constructed facilities, or altered portions of existing facilities. Since the ramp being cited is neither, the application of the new ramp criteria is not justified. To determine compliance of the existing ramp, refer to section 7.2.5.2.(2) of NFPA 101. (2003 editions) which states existing ramps shall be permitted to remain in use provided that they have a slope less than 12.5%, width greater than 30in. and 144 inches max. height between landings. The existing ramps cited meet the criteria in NFPA, Furthermore, each ramp consists of two sections separated by an intermediate landing, and only one of those sections is not compliant with the 8.33% slope slated for new ramp criteria. The section that does not comply with the new ramp criteria has a slope of 8.73% which is less than a ½ % from meeting the new ramp criteria. Because the ramps meet the existing ramp criteria they will remain in service as allowed by NFPA 101, section 7.2.5.2, and 28 CFR Part 36 App (continued next page)</p>

¹⁴⁹See footnote 123.

¹⁵⁰The ramp incline should be a maximum of 8.33% and an incline of between 6.25% and 5% is preferred. 28 CFR Pt 36 App A §§4.8.2 and A4.8.2. See also NFPA Life Safety Code Handbook 2000 at 163.

¹⁵¹There must be handrails on both sides of the ramp. When they are installed, the handrails must meet the measurement specifications set forth at 28 CFR Pt 37 App A §4.8.5.

		<p><i>A § 4.1.1.(1). Additionally, the removal of this ramp from service would reduce the level of safety allowed by NFPA 101 which is currently provided.</i></p> <p><u>OOO response to AOC comment:</u> The OOC is evaluating AOC's comment and will respond directly to AOC.</p>
Signage for Accessible Entrance	Signage at the accessible 2 nd Street entrance was knocked down and has not been replaced.	<u>AOC</u> - Will comply
Sidewalks and Curb Ramps	Accessible	

Emergency Procedures: Does a visitor with a disability have equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor if appropriate), in the event of a drill or an actual emergency?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible Emergency Exit Routes	<p>***** *****¹⁵² ***** ***** ***** *****</p>	<u>AOC</u> - See response above for the Constitution Ave. Entrance, above.

¹⁵²See footnote 125.

<p>Exit Door/Exit Route Signs</p>	<ul style="list-style-type: none"> • Wall maps do not indicate the accessible exit routes or Staging Areas.¹⁵³ • Exit signage at all the building exits does not meet the requirements for accessibility.¹⁵⁴ 	<p><u>AOC</u> - Wall maps are not required to comply with ADA criteria per 28 CFR. Pt 36 App A § 4.1.2(7). Additional support is provided by the new ADA-ABA Accessibility Guidelines developed in July 2004 to update the requirements of ADAAG and to harmonize the guideline with model building codes and industry standards. See Section 216.1 which states that building directories do not need to comply with accessibility criteria.</p> <p><u>OOC response to AOC comment:</u> Wall maps or signage must show accessible egress routes, accessible exit discharge points and Staging Areas. Signage in Braille must be provided at all exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.</p>
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¹⁵³See footnote 126.

¹⁵⁴See footnote 127.

<p>Areas of Rescue Assistance</p>	<ul style="list-style-type: none"> • Location of Staging Area¹⁵⁵ on each floor near the freight elevator is not acceptable because the designated elevator does not go to the 9th floor. Other areas (now designated as secondary Staging Areas) are more appropriate locations for the primary Staging Areas. • Two-way communication systems must be installed, or existing fire-fighter phones modified, in all Staging Areas.¹⁵⁶ • Wall maps and signage must indicate the location of the Staging Areas. 	<p><u>USCP</u> - <i>This item does not fall within USCP responsibility.</i></p> <p><u>AOC</u> - <i>Two-way communication is only required for areas of rescue assistance. The exception to 28 CFR Pt 36 App. A § 4.1.3(9) does not require areas of rescue assistance for buildings that have a supervised automatic sprinkler system. The Hart Building is currently 80% sprinklered with completion scheduled by FY2007. Interior Wayfinding signage project will be completed n FY2007. As noted above, staging areas are provided, but are not considered a “permanent room designation,” given that their locations may change as conditions change.</i></p> <p><u>OOO response to AOC comment:</u> While the AOC takes the position that Staging Areas are not required in the building, plans from Member and Committee offices indicate that individuals who are mobility impaired are to be directed to the nearest Staging Area. Visitors who are in the hallways at the time of the alarm must also be able to find the Staging Areas. These locations are not currently shown on the wall maps or on other signage. Further, there is no way for persons with disabilities in the Staging Areas to contact rescuers. Thus, individuals may be left behind in the Staging Areas unless there is a plan to conduct multiple “sweeps” of these areas, or to create a two-way communication system by, for example, modifying the existing fire-fighter phones.</p>
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¹⁵⁵ See footnote 128.

¹⁵⁶ See footnote 129.

Visual Alarms	There are no visual alarms in the public areas of the Hart Building.	<p><u>AOC</u> - Areas noted will be provided visual alarms under the Hart Fire Alarm Replacement Project scheduled for FY2007 construction.</p> <p><u>Committees</u> - Structural changes to the committee rooms fall under the responsibility of the AOC. The committee understands that the AOC will correct the deficiencies, if any exist, and defers to the AOC's response to this item.</p>
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<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<ul style="list-style-type: none"> • Each office has an evacuation plan. The USCP is responsible for coordinating evacuation plans and facilitating the evacuation from the building. Citing security concerns the USCP declined to provide the OOC with sufficiently detailed information for the OOC to evaluate the plan for evacuating mobility impaired visitors or employees. It does appear that USCP has reviewed the plan with employing offices in the Hart building. The OOC believes that the location of the Staging Areas should be changed. (See previous Areas of Rescue Assistance section.) • Most of the employing offices responding to an OOC questionnaire¹⁵⁷ know to escort disabled visitors to the nearest Staging Area in the event of an emergency, and await USCP for further assistance. • Nearly all of the employing offices in Hart that responded to an OOC questionnaire stated that they would like training in how to assist disabled visitors during an evacuation. 	<p><u>USCP</u> - <i>The USCP evacuation plan is available for review and evaluation by the OOC upon completion of the MOU. However, information pertaining to the evacuation of Members of Congress may be withheld for security reasons consistent with law. The USCP is not responsible for coordinating plans. In an evacuation, USCP personnel are available to assist in the safe evacuation consistent with workplace safety requirements and to facilitate communications. Previously, before September 11, 2001 (9/11), USCP officers provided information to employing offices in Hart regarding the safe evacuation of occupants. Post-9/11, the USCP coordinates with the Senate Office of Emergency Preparedness to ensure the safe evacuation of all occupants.</i></p> <p><u>OOC response to USCP response:</u> Coordination of evacuation routes and plans is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p> <p><u>OSEP</u> - <i>The Senate Office of Security and Emergency Preparedness (OSEP) offers a wide range of ongoing training and outreach activities to instruct Senate staff on the evacuation procedures for both the general population and employees and visitors with mobility impairments. OSEP also provides individuals training for staff members with mobility impairments to familiarize such employees with the procedures for elevator evacuation and evacuation chair use. In addition, OSEP has distributed brochures on "Senate Office Building Evacuation</i></p>
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¹⁵⁷ Sixteen employing offices in Hart responded to an OOC questionnaire on ADA public access.

		<i>impairments” throughout the Senate complex, and has contributed articles to various Senate publications, including one entitled “Wheelchairs for Staff with Temporary Mobility Impairments.” Finally, OSEP assists USCP in conducting and monitoring the Senate’s quarterly evacuation drills, ensuring that the appropriate procedures for the evacuation of individuals with mobility impairments are being followed.</i>
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Communications Access to Programs, Services and Activities: Does a qualified individual with a disability have equal communications access to the programs and activities of each of the public entities in the building.

<i>Feature</i>	<i>Description of Current Barriers to Accessibility</i>	<i>Plans to Remedy Access Issues</i>
Effective Communication: Information and Signage	Existing wall maps do not indicate accessible features of building including restrooms, telephones, Staging Areas, and accessible exit routes and discharge points. ¹⁵⁸	<i>AOC - Internal signage program will be implemented in FY2007. Wall maps are not required to show all accessible features.</i>

¹⁵⁸ The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$1,133,000 was appropriated for the Senate Office Buildings for the Wayfinding and ADA Compliant Signage Program.

<p>Effective Communication: Individual offices and requests¹⁵⁹</p>	<ul style="list-style-type: none"> • Many of the Senator and Committee offices in Hart that responded to an OOC questionnaire reported that they had received at least one request for auxiliary aids and services from a hearing-impaired or low-vision individual. • Some of the offices reported that they do not know how to respond to a request for a sign language interpreter or other auxiliary aid from a deaf or hard-of-hearing constituent or member of the public. • Some of the offices reported that they do not have access to TDD or a telephone relay system. 	<p><i>USCP - This item does not fall within USCP responsibility. However, to the extent that access to TDD or a telephone-relay system involves interconnectivity with the USCP emergency number, USCP will help to facilitate the connection.</i></p> <p><i>CSSO - The Congressional Special Services Office (CSSO) offers a variety of services to assist staff and official visitors with disabilities. Descriptions of CSSO's services are published in several places, including the U.S. Senate Handbook and on Webster, the Senate intranet, as well as brochures issued by the office. CSSO offers seminars to staff throughout the year on communicating with constituents with disabilities and the use of Telecommunication Devices for the Deaf/Teletypewriters (TDD/TTY). CSSO also participates in ADA seminars presented to congressional offices, and is available for individualized training on TDD/TTY use and other issues involving communications with individuals with disabilities. In addition CSSO provides information on sign language interpreting services.</i></p>
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¹⁵⁹See footnotes 135 - 136.

Effective Communication: Hearing Rooms ¹⁶⁰	There is no assistive listening system in committee room 216. Assistive listening system is available, but no signage in committee room 902.	<u>AOC</u> - A committee room renovation program began in FY2004. Renovations include the provision of infrared assistive listening systems. Completion of the renovations is scheduled for FY2010. Compliant signage will be provided. <u>Committees</u> - Structural changes to the committee rooms fall under the responsibility of the AOC. These committees understand that the AOC will correct the deficiencies, if any exist, and defer to the AOC's response to these items.
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Access to Offices and Hearing Rooms: Do individuals who have a mobility impairment have equal access to the public areas in each office and hearing room?

Feature	Description of Current Barriers to Accessibility ¹⁶¹	Plans to Remedy Access Issues
Path of travel from accessible main entrance to offices and hearing rooms	Accessible	
Offices	To be inspected in 109 th Congress.	
Elevators	<ul style="list-style-type: none"> • Elevators 1 - 6 were being renovated at the time of the inspection and were not evaluated. • Elevators 7 - 11 were fully accessible. • Elevator 12 does not have audible signals as car passes or stops on floors. 	<u>AOC</u> - All elevators have been tested and are compliant.
Doors to each committee hearing room	Accessible	

¹⁶⁰ See footnotes 137 - 138.

¹⁶¹ See footnotes 139 - 144.

Witness Tables	Non-accessible table height in committee hearing room 216.	<i>AOC - Will comply. Committees - Structural changes to the committee rooms fall under the responsibility of the AOC. The committee understands that the AOC will correct the deficiencies, if any exist, and defers to the AOC's response to this item.</i>
Path of travel within hearing rooms	All accessible	

Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

<i>Feature</i>	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible restrooms ¹⁶²	<p>There is at least one partially accessible men's restroom and women's restroom on each floor. However, some restrooms are not fully compliant with the requirements of the ADA for the following reasons:</p> <ul style="list-style-type: none"> • Doors too heavy on SH1CM, SH1CW, SH2CW, SH2CM, SH4CM, SH4CW, SH5CW, SH6CW, SH7CM, SH7CW, SH8CW, SH9CW and SH9CM. • No signage indicating accessibility on the 9th floor restrooms. • Paper towel dispensers out of reach range¹⁶³ in SH1CM, SH1CW, SH2CW, SH2CM, SH3CM, SH3CW, SH3CW, SH4CW, SH5CW, SH7CM, SH7CW, SH9CW and SH9CM. • Hot water pipes under sink not properly insulated in SH9CW and SH9CM. 	<i>AOC - Will comply.</i>

¹⁶²See footnotes 78 - 79, and 145.

¹⁶³If floor space allows a parallel approach by a person in a wheelchair, the maximum high reach range is 54 inches. If the floor space allows only a forward approach by a person in a wheelchair, the maximum high reach range is 48 inches. 28 CFR Pt 36 App A §§4.2.5 and 4.2.6.

Signage and Maps	Existing wall maps do not indicate accessible features of building including restrooms. ¹⁶⁴	<u>AOC</u> - Internal signage program will be implemented in FY2007. Wall maps are not required to show all accessible features.
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Other Building Features: Are other facilities and features in the building readily accessible and usable by individuals with disabilities such as mobility impaired, vision impaired or hearing impaired?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Public Telephones	Accessible public telephone near SH1A5. However there is no directional signage at entrance to building indicating location of the telephone. ¹⁶⁵	<u>AOC</u> - Internal signage program will be implemented in FY2007. Wall maps are not required to show all accessible features.
Drinking fountains	No accessible drinking fountains.	<u>AOC</u> - Will comply. A design project to provide compliant drinking fountains will be requested in the FY2007 budget request.

¹⁶⁴The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2005, \$1,133,000 was appropriated for the Senate Office Buildings for the Wayfinding and ADA Compliant Signage Program.

¹⁶⁵ See footnote 165.

F. Russell Senate Office Building (Size 735,783 square feet)

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Plans to Remedy Access Issues
Delaware Ave. entrance	Accessible ¹⁶⁶	
Signage for accessible entrance	Accessible	
Sidewalks and Curb Ramps	Accessible	

Emergency Procedures: Does a visitor with a disability have equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor if appropriate), in the event of an drill or an actual emergency?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible Emergency Exit Routes	<p>• There are two accessible emergency exits from the building as required by the NFPA.¹⁶⁷ However, there is only one accessible emergency exit discharge to the outdoors.</p> <p>***** ***** ***** *****</p> <p>If minor modifications were made at the Carriage entrance and at the loading dock there could be at least two additional accessible exit discharge points directly to the outdoors.</p>	<p><u>AOC</u> - The Russell Loading Dock (Carriage entrance) will be evaluated when construction of that space is finished.</p> <p><u>USCP</u> - The minor modifications to the Carriage entrance, as recommended, do not fall within USCP responsibility.</p>

¹⁶⁶ See footnote 123.

¹⁶⁷ See footnote 125.

<p>Exit Door/Exit Route Signs</p>	<ul style="list-style-type: none"> • Wall maps do not indicate the secondary accessible exit route or the location of the Staging Areas.¹⁶⁸ • Exit signage at the building exits does not meet the requirements for accessibility. 	<p><i>AOC - Building directories are not required to comply with ADA criteria per 28 CFR.Pt 36 App A§ 4.1.2(7). Additional support is provided by the new ADA-ABA Accessibility Guidelines developed in July 2004 to update the requirements of ADAAG and to harmonize the guidelines with model building codes and industry standards. See section 216.1 which states that building directories do not need to comply with accessibility criteria.</i></p> <p><u>OOC response to AOC comment:</u> Wall maps or signage must show accessible egress routes, accessible exit discharge points and Staging Areas. Signage in Braille must be provided at all exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.</p>
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¹⁶⁸ See footnote 126.

<p>Areas of Rescue Assistance</p>	<ul style="list-style-type: none"> • Staging Areas¹⁶⁹ are properly located. • Two-way communication systems must be installed, or existing fire-fighter phones modified, in all Staging Areas. When these phones are in use their location should be indicated on the main control panel.¹⁷⁰ • Wall maps and signage must indicate the location of the Staging Areas.¹⁷¹ 	<p><i>AOC - Two-way communication is only required for areas of rescue assistance. The exception to 28 CFR Pt 36 App. A §4.1.3(9) does not require areas of rescue assistance for buildings that have a supervised automatic sprinkler system.</i> ***** ***** <i>Building directories are not required to comply with ADA criteria.</i> <i>USCP - The installation of two-way communication systems in the Staging Areas, maps and signage do not fall within USCP responsibility.</i></p> <p><u>OOC response to AOC comment:</u> While the AOC takes the position that Staging Areas are not required in the building, plans from Member and Committee offices indicate that individuals who are mobility impaired are to be directed to the nearest Staging Area. Visitors who are in the hallways at the time of the alarm must also be able to find the Staging Areas. These locations are not currently shown on the new wall maps or on other signage. Further, there is no way for persons with disabilities in the Staging Areas to contact rescuers. Thus, individuals may be left behind in the Staging Areas unless there is a plan to conduct multiple “sweeps” of these areas, or to create a two-way communication system by, for example, modifying the existing fire-fighter phones.</p>
<p>Visual Alarms</p>	<p>Visual alarms have been installed in most public areas throughout the building.¹⁷² However, there are no visual alarms in the following committee hearing rooms that are open to the public: 325, 336, 485, 428A, 222 and 189.</p>	<p><i>AOC - Areas noted will be provided visual alarms under the Russell Fire Alarm Replacement Project scheduled for FY2006 design and FY2009 construction.</i> <i>Committees - Structural changes to the committee rooms fall under the responsibility of the AOC. These committees understand that the AOC will correct the deficiencies, if any exist, and defer to the AOC’s response to these items.</i></p>

¹⁶⁹ See footnote 128.

¹⁷⁰ See footnote 129.

¹⁷¹ See footnote 126.

¹⁷² See footnote 130.

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<ul style="list-style-type: none"> • Each office has an evacuation plan. The USCP is responsible for coordinating the plans and facilitating the evacuation from the building. Citing security concerns the USCP declined to provide the OOC with sufficiently detailed information for the OOC to evaluate the plan for evacuating mobility impaired visitors and employees from the building. It does appear that USCP has reviewed the plan with employing offices in the Russell building. • Evacuating disabled individuals from the Staging Areas appears to rely on the elevators. Building backup power is insufficient to power the elevators during an electrical outage. • Most of the employing offices responding to an OOC questionnaire¹⁷³ reported that they will escort disabled visitors to the nearest Staging Area in the event of an emergency, and await USCP for further assistance. • Most of the employing offices in Russell that responded to an OOC questionnaire stated that they would like training in how to assist disabled visitors during an evacuation. 	<p><u>USCP</u> - <i>The USCP evacuation plan is available for review and evaluation by the OOC upon completion of the MOU with the OOC. However, information pertaining to the evacuation of Members of Congress may be withheld for security reasons consistent with law. The USCP is not responsible for coordinating plans. Providing building back-up power for elevators located in the Russell emergency staging areas is not within the responsibility of the USCP. USCP personnel are available to assist in the safe evacuation consistent with workplace safety requirements and to facilitate communications. Previously, before September 11, 2001(9/11), USCP officers provided information to employing offices in Russell regarding the safe evacuation of occupants. Post-9/11, the USCP coordinates with the Senate Office of Emergency Preparedness to ensure the safe evacuation of all occupants.</i></p> <p><u>OOO response to USCP response:</u> Coordination of evacuation routes and plans is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p> <p><u>AOC</u> - <i>Emergency power is provided for the Staging Area elevator.</i></p> <p><u>OSEP</u> - <i>The Senate Office of Security and Emergency Preparedness (OSEP) offers a wide range of ongoing training and outreach activities to instruct Senate staff on the evacuation procedures for both the general population and employees and visitors with mobility impairments. OSEP also provides individuals training for staff members with mobility impairments to familiarize such employees with the procedures for elevator evacuation and evacuation chair use. In addition, OSEP has distributed brochures on "Senate Office Building Evacuation Procedures for Those with Mobility Impairments" throughout the Senate complex, and has contributed articles to various Senate publications, including one entitled "Wheelchairs for Staff with Temporary Mobility Impairments." Finally, OSEP assists USCP in conducting and monitoring the Senate's quarterly evacuation drills, ensuring that the appropriate</i></p>
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¹⁷³Ten employing offices in Russell responded to an OOC questionnaire on ADA public access.

		<i>mobility impairments are being followed.</i>
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Communications Access to Programs, Services and Activities: Does a qualified individual with a disability have equal communications access to the programs and activities of each of the public entities in the building.

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Effective Communication: Information and Signage	Existing wall maps do not indicate accessible features of building including restrooms, telephones, exit routes and accessible discharge points, Staging Areas, cafeterias, and water fountains. ¹⁷⁴	<u>AOC</u> - Internal signage program will be implemented in FY2007. Wall maps are not required to show all accessible features. <u>OOO response to AOC comment:</u> Wall maps or signage must show accessible egress routes, accessible exit discharge points and Staging Areas. Signage in braille must be provided at all exit stairwells and exit discharge points. Without appropriate maps, signage or directions, unescorted visitors who are disabled may be unable to find their way out of the building during an evacuation.

¹⁷⁴ The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$1,133,000 was appropriated for the Senate Office Buildings for the Wayfinding and ADA Compliant Signage Program.

<p>Effective Communication: Individual requests¹⁷⁵</p>	<ul style="list-style-type: none"> • A few of the Senator and Committee offices in Russell that responded to an OOC questionnaire reported that they had received at least one request for auxiliary aids and services from a hearing-impaired or low-vision individual. • Many of the offices in Russell that responded to an OOC questionnaire reported that they do not know how to respond to a request for a sign language interpreter or other auxiliary aid from a deaf or hard-of-hearing constituent or member of the public. • Some of the offices in Russell that responded to an OOC questionnaire reported that they do not have access to TDD or a telephone relay system. 	<p><i>USCP - These items do not fall within USCP responsibility. To the extent that access to TDD or a telephone-relay system involves interconnectivity with the USCP emergency number, USCP will help to facilitate the connection.</i></p> <p><i>CSSO - The Congressional Special Services Office (CSSO) offers a variety of services to assist staff and official visitors with disabilities. Descriptions of CSSO's services are published in several places, including the U.S. Senate Handbook and on Webster, the Senate intranet, as well as brochures issued by the office. CSSO offers seminars to staff throughout the year on communicating with constituents with disabilities and the use of Telecommunication Devices for the Deaf/Teletypewriters (TDD/TTY). CSSO also participates in ADA seminars presented to congressional offices, and is available for individualized training on TDD/TTY use and other issues involving communications with individuals with disabilities. In addition CSSO provides information on sign language interpreting services.</i></p>
<p>Effective Communication: Hearing Rooms¹⁷⁶</p>	<p>There is no assistive listening system in committee rooms 485 and 428A.</p> <p>Assistive listening system is available, but no signage in committee rooms 325, 189, 188 and 336.</p>	<p><i>AOC - A committee room renovation program began in FY2004. Renovations include the provision of infrared assistive listening systems. Completion of the renovations is scheduled for FY2010. Complaint signage will be provided.</i></p>

¹⁷⁵See footnotes 135 - 136 and 174.

¹⁷⁶See footnotes 137 - 138.

Access to Offices and Hearing Rooms: Do individuals who have a mobility impairment have equal access to the public areas in each office and hearing room?

Feature	Description of Current Barriers to Accessibility ¹⁷⁷	Plans to Remedy Access Issues
Path of travel from accessible main entrance to offices and hearing rooms	Fully accessible	
Offices	To be inspected during 109 th Congress	
Elevators	<ul style="list-style-type: none"> • The elevators are generally compliant except that Elevator 12 does not have audible signals. • Elevators 1 - 9, although small, meet the minimum size requirements for existing elevators. 	<u>AOC</u> - All elevators have been tested and are compliant.
Doors to each committee hearing room	Non-accessible door hardware and weight in committee rooms 336, 222, 236, 253, 485, 325, 189, 188, 428A and 418.	<p><u>AOC</u> - Equivalent facilitation per 28 CFR Pt 36 App A §2.2 is provided as indicated in footnote 139.</p> <p><u>Committees</u> - These doors are manned and therefore are ADA-compliant. Per the conversation with the OOC, there are no deficiencies here.</p>
Witness Tables	Non-accessible height of witness table in committee hearing rooms C3, 188, 418 and 428A.	<p><u>AOC</u> - Will comply.</p> <p><u>Committees</u> - Structural changes to the committee rooms fall under the responsibility of the AOC. These committees understand that the AOC will correct the deficiencies, if any exist, and defer to the AOC's response to these items.</p>

¹⁷⁷See footnotes 139 - 144.

Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible restrooms ¹⁷⁸	<p>There are accessible restrooms throughout the building. However some of the restrooms are only partially accessible because they are not compliant with the requirements of the ADA for the following reasons:</p> <ul style="list-style-type: none"> • Doors are too heavy in the following accessible restrooms: SR2W1, SR2W3, SR2W4, SR3M2, SR1W3, SR1W4, SR1M4, SR1M2, SR1M3, SR3M3, SR3M4, SR3M1, SR3W4, SR3W3, SR4M2, SR4M4, SR4W3, SR4W4 and SR4W1. • Grab bars too short or missing in accessible restrooms SR2W1 and SRBW1. • Coat hook non-compliant because out of reach range in accessible restrooms SR2W3 and SR3M3. • Under-sink piping is not insulated and therefore non-compliant in accessible restrooms SR2W3, SR1W3, SR1W4, SR1M3, SR2M1, SR3W3, SR4W3 and SR4W4. 	<u>AOC</u> - Will comply
Signage and maps	<ul style="list-style-type: none"> • Placement of sign to restroom SR2M1 is non-compliant. 	<u>AOC</u> - Will comply

Other Building Features: Are other facilities and features in the building accessible and usable by individuals with disabilities such as mobility impaired, vision impaired or hearing impaired?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Public Telephones	<p>There is only one wheelchair accessible public telephone in the building (near R129S) and this telephone is non-compliant because the controls are higher than acceptable reach range.¹⁷⁹</p>	<u>SSA</u> - The Office of the Senate Sergeant at Arms and the AOC have plans to address the public telephone accessibility item.

¹⁷⁸See footnote 145.

¹⁷⁹If floor space allows a parallel approach by a person in a wheelchair, the maximum high reach range is 54 inches. If the floor space allows only a forward approach by a person in a wheelchair, the maximum high reach range is 48 inches. 28 CFR Pt 36 App A §§4.2.5 and 4.2.6.

Drinking fountains	There are only a few functioning water fountains in the public areas of the building, and none of these fountains is accessible.	<u>AOC</u> - Will comply. A design project to provide compliant drinking fountains will be requested in the FY2007 budget request.
Cafeteria	Fully compliant except the cash register counter top is too high.	<u>AOC</u> - This comment will be considered if new equipment is purchased.

G. Capitol Building

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Plans to Remedy Access Issues
Entrance - South Portico	Accessible ¹⁸⁰	
Entrance - North Portico	Accessible	
Entrance - Tour bus	Accessible	
Signage for Accessible Entrance	Accessible	
Sidewalks and Curb Ramps	<ul style="list-style-type: none"> • Non-accessible sidewalk slope. However an acceptable alternate accessible route is provide because there is a fully accessible shuttle bus to the tour entrance. • Ramp for staff-led tours in the tunnel is non-accessible because the slope is too steep. 	<i>AOC - 5/2/05 Once the CVC project is completed, staff-lead tours will be routed through the CVC where barriers for ADA Accessibility will not exist.</i>

Emergency Procedures: Does a visitor with a disability have equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor if appropriate), in the event of an drill or an actual emergency?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible Emergency Exit Routes	There are two accessible emergency exits from the building as required by the NFPA. ¹⁸¹	

¹⁸⁰ Accessible means that the feature complies with the ADA standards for Non-Discrimination on the Basis of Disability promulgated by the U.S. Department of Justice. The applicable standards are published at 28 CFR Parts 35 and 36.

¹⁸¹ See NFPA 101 Life Safety Code §39.2.4.2. See also 29 CFR 1910.36(b)(1).

Exit Door/Exit Route Signs	There are no wall maps indicating emergency exit routes, Staging Areas or accessible elevators. ¹⁸²	<p><i>AOC - This deficiency will be addressed in the Capitol Building Wayfinding Signage Program. The interior signage is currently being reviewed and will include location maps, direction/destination signs, display emergency exit routes and accessible elevators and routes. The message schedules and final locations are being reviewed for comments to the consultant to prepare the third draft submission. The message schedule and locations will be finalized in May 2005. The schedule for installation will be determined after final package is accepted/ approved and the package is forwarded to the contractor for fabrication of the signs. Fabrication projected start 4th qtr of FY05.</i></p> <p><u>OOO response to AOC comment:</u> Wall maps or signage must show accessible egress routes, accessible exit discharge points and Staging Areas. Signage in braille must be provided at all exit stairwells and exit discharge points.</p>
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¹⁸² The NFPA requires that all exit routes, including accessible exit routes, be clearly indicated. NFPA 101-2000 Life Safety Code § 7.10.1.4. The AOC has plans to install wall maps to indicate the accessible exit routes along with other features of the building, but to date has not done so. The wall maps must comply with ADA Signage requirements. 28 CFR Pt 36 App A §4.30. Non-existent or inaccurate information about accessible exit routes is also a violation of OSH standards protecting employees. 29 CFR 1910.37(b)(4). The OOC has reported this problem in every ADA biennial report since 1996 and it remains uncorrected. For fiscal year ending September 30, 2004, \$130,000 was appropriated for the Capitol Building Wayfinding and ADA Compliant Signage Program.

<p>Areas of Rescue Assistance</p>	<ul style="list-style-type: none"> • 4th floor Staging Area¹⁸³ locations are acceptable. • ***** • ***** • ***** • ***** • 1st floor exit discharge points are accessible. • ***** • ***** • ***** 	<p><u>AOC</u> - 5/2/05 <i>The AOC Superintendent is in the process of testing the elevator recall capabilities under emergency mode. Once completed (June 2005), the elevator lobbies will be designated as staging areas.</i></p> <p>5/2/05 <i>Basement:</i> <i>Exit routes are available through the Cannon Tunnel and the Senate Subway Tunnels.</i></p> <p><u>OOC response to AOC:</u> OOC will reinspect the accessibility of the basement tunnels during the 109th Congress.</p> <p><u>USCP</u> - <i>These items are not USCP responsibilities.</i></p>
<p>Visual Alarms</p>	<p>***** *****¹⁸⁴</p>	<p><u>AOC</u> - 5/2/05 <i>Installation of strobes throughout the building has been completed.</i></p> <p><i>Performing punch list items with full implementation and activation of the system by June 2005.</i></p>

¹⁸³ If disabled individuals cannot immediately evacuate it is permitted to temporarily postpone their evacuation while the emergency is assessed, so long as they are waiting in a protected area. See NFPA 101-2000 Life Safety Code §A.3.3.14. There are no such protected areas in the building that meet the fire safety requirements for Areas of Rescue Assistance (28 CFR Pt 36 App A §4.3.11) or Areas of Refuge (NFPA 101-2000 Life Safety Code §3.3.14). Instead, the evacuation plan calls for disabled individuals to gather at specified Staging Areas on each floor to await assistance in leaving the building. In the Capitol Building the Staging Areas do not require installation of a two-way communication system, as is required in other buildings, because there is a USCP officer stationed nearby whenever the building is occupied. District of Columbia Fire Department fire-fighters will rescue only those individuals from the Staging Areas that are in the immediate danger zone. Evacuation of other individuals who are awaiting assistance must be provided by USCP. See also 29 CFR 1910.38(c).

¹⁸⁴The ADA requires that visual alarms be installed in, at minimum, restrooms, hallways, lobbies and any other areas open to the public. 28 CFR Pt 36 App A §4.28.1. Requirements for individual offices where deaf or hard of hearing employees may work are covered by the Occupational Safety and Health Act (OSHA). See 29 CFR 1910.165(b)(2) and NFPA 101-2000 Life Safety Code §9.6.3.6. .

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<p>The USCP is responsible for facilitating the evacuation from the building. Citing security concerns the USCP declined to provide the OOC with sufficiently detailed information for the OOC to evaluate the plan.</p> <ul style="list-style-type: none"> • CSSO staff who lead public tours for the disabled are familiar with accessible evacuation routes. • The OOC does not have sufficient information to know whether individuals who lead staff-led tours are familiar with accessible evacuation routes. 	<p><i><u>USCP</u> - The USCP evacuation plan is available for review and evaluation by the OOC upon completion of the MOU with the OOC. However, information pertaining to the evacuation of Members of Congress may be withheld for security reasons consistent with law. The USCP is not responsible for coordinating plans.</i></p> <p><u>OOO response to USCP comment:</u> Coordination of evacuation routes and plans is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p>
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Communications Access to Programs, Services and Activities: Does a qualified individual with a disability have equal communications access to the programs and activities of each of the public entities in the building.

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Effective Communication: Information and Signage	Existing wall maps do not indicate accessible features of building including elevators, restrooms, telephones, exit routes and discharge points, Staging Areas, cafeterias, and water fountains. ¹⁸⁵	<p><i>AOC - This deficiency will be addressed in the capitol Building Wayfinding Signage Program. The interior signage is currently being reviewed and will include location maps, direction/destination signs, display emergency exit routes, and accessible elevators and routes. The message schedules and final locations are being reviewed for comments to the consultant to prepare the third draft submission. The message schedules and locations will be finalized in May 2005. The schedule for installation will be determined after final package is accepted/ approved and the package is forwarded to the contractor for fabrication of the signs. Fabrication projected start 4th qtr of FY05.</i></p> <p><u>OOC response to AOC comment:</u> Wall maps or signage must show accessible egress routes, accessible exit discharge points and Staging Areas. Signage in Braille must be provided at all exit stairwells and exit discharge points.</p>
Effective Communication: Individual requests	The OOC does not have this information from individual employing authorities in the Capitol Building.	<p><i>AOC - Not the responsibility of the Capitol Building Superintendent's office.</i></p>
Effective Communication: Hearing Rooms	Committee rooms were not inspected for this report because there are no Committee Hearing Rooms in the Capitol Building that are open to the public.	

¹⁸⁵The OOC has reported this deficiency in every ADA biennial report we have issued and it remains uncorrected. For fiscal year ending September 30, 2004, \$130,000 was appropriated for the Capitol Building Wayfinding and ADA Signage Program.

Access to Offices and Hearing Rooms: Do individuals who have a mobility impairment have equal access to the public areas in the building?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Path of travel to public areas in building	Accessible	
Offices	To be inspected in 109 th Congress	
Elevators	Although some elevators are very small, other elevators have been modernized and are fully accessible.	
Committee hearing rooms	Committee rooms were not inspected for this report because there are no Committee Hearing Rooms in the Capitol Building that are open to the public.	

Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
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<p>Accessible restrooms¹⁸⁶</p>	<ul style="list-style-type: none"> • There are no accessible restrooms on the gallery floor. • The automatic door openers on a number of women’s restrooms have been disabled and will open only by activating a toggle switch inside the restroom. This toggle switch is out (continued next page) 	<p><i>AOC - There are two restrooms (men & women) planned for the gallery level. The work requirements and cost estimates are under development. The projected completion of the restrooms is by the 4th qtr of FY06.</i></p> <p><i>All automatic door openers are currently operating properly. When an opener is found malfunctioning or not working, immediate response and attention is given to correct the concern. (Continued next page)</i></p>
	<p>of the reach range¹⁸⁷ of a person who uses a wheelchair.</p> <ul style="list-style-type: none"> • The accessible public restrooms near the following rooms do not have visual alarms: H135, H138, A157A, S137W, S136M. • There are no grab bars and sink height is non-compliant in health unit restroom. • Doors too heavy on restrooms ST32W, ST32M, S136M 	<p><i>All listed bathrooms have visual alarms. Acceptance testing was conducted on March 31, 2005 for the visual alarms. The minor punch list items have been complete. A final acceptance test was conducted June 1st and 2nd. Some minor issues remain to be resolved but the system is fully functioning</i></p> <p><i>The sink in the Health Unit is now installed to the proper height. Grab bars have now been installed in the Health Unit restroom.</i></p> <p><i>The listed doors have been adjusted in the past to address the force needed to open them. These locations will be re-visited by May 13, 2005 to determine if additional adjustments to the door and/or hardware are required or if replacement of the doors should be considered.</i></p>

¹⁸⁶ Accessible restrooms are restrooms which can be used by an individual who uses a wheelchair. The specific requirements are set forth at 28 CFR Pt 36 App A §§4.13, 4.16, 4.17, 4.18, 4.19, 4.22, 4.23, 4.24, 4.26 and 4.27. There must be at least one accessible men’s room and one accessible women’s room on each floor. 28 CFR Pt 36 App A 4.1.6(3)(e)(I). Accessible restrooms are also required for employees who use wheelchairs. 29 CFR 1910.141(c).

¹⁸⁷ If floor space allows a parallel approach by a person in a wheelchair, the maximum high reach range is 54 inches. If the floor space allows only a forward approach by a person in a wheelchair, the maximum high reach range is 48 inches. 28 CFR Pt 36 App A §§4.2.5 and 4.2.6.

<p>Signage and maps</p>	<ul style="list-style-type: none"> • Signage at location of all accessible restrooms is non-compliant because it is not in Braille and is at an incorrect height. 	<p><i>AOC: This deficiency will be addressed in the Capitol Building Wayfinding signage Program. The interior signage is currently being reviewed and will include location maps, direction/destination signs, display emergency exit routes, and accessible elevators and routes. The message schedules and final locations are being reviewed for comments to the consultant to prepare the third draft submission. The message schedule and locations will be finalized in May 2005. The schedule for installation will be determined after finale package is accepted/approved and the package is forwarded to the contractor for fabrication of the signs. Fabrication projected start 4th qtr of FY05.</i></p>
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Other Building Features: Are other facilities and features in the building readily accessible and usable by individuals with disabilities such as mobility impaired, vision impaired or hearing impaired?

<i>Feature</i>	<i>Description of Current Barriers to Accessibility</i>	<i>Plans to Remedy Access Issues</i>
Public Telephones	Accessible	
Drinking fountains	Accessible	
Restaurants	To be inspected during 109 th Congress	

H. Botanic Garden Conservatory Building

Feature	Description of Current Barrier to ADA Accessibility	Plans to Remedy Access Issues
Entrance	Fully accessible	
Public Telephones	Telephones generally accessible but there is not directional signage to indicate location.	<u>AOC</u> - Awaiting clarification on the findings pertaining to public telephone and emergency exit access. AOC will likely provide both directional signage to restrooms and telephones along the handicap accessible route and also post a directory at both front and back that shows locations of restroom, telephones, exits, and entrances in raised lettering and/or braille.
Path of travel within public areas	All accessible	
Elevator	Accessible	
Restrooms	Men's and women's restrooms both fully accessible.	
Emergency Exits	Signage for emergency exits is not accessible.	<u>AOC</u> - Awaiting clarification on the finding pertaining to public telephone and emergency exit access. We will likely provide both directional signage to restrooms and telephones along the handicap accessible route and also post a directory at both front and back that shows locations of restroom, telephones, exits, and entrances in raised lettering and/or braille.

I. Ford House Office Building

The public areas in this building include some portions of the Congressional Budget Office (CBO) the Health Center and the cafeterias.

Accessible Building Entrance: Can a visitor who uses a wheelchair or who has other mobility impairments freely enter the building?

Feature	Description of Current Barrier to ADA Accessibility	Plans to Remedy Access Issues
Third Street entrance	Accessible	
Second Street entrance	Accessible	
Passenger Loading or Drop off	Accessible	
Signage for Accessible Entrance	Accessible	
Sidewalks and Curb Ramps	Sidewalks near the entrance need to be repaired in order to become accessible.	<i>AOC - Need specific information.</i>

Emergency Procedures: Does a visitor with a disability have equal opportunity to safely evacuate the building, or get to a designated shelter-in-place location (on a higher floor if appropriate), in the event of an drill or an actual emergency?

Accessible Emergency Exit Routes	There are two accessible exit discharge points	
Exit Door/Exit Route Signs	Exit signage at building exits does not meet the requirements for accessibility.	
Areas of Rescue Assistance	Not inspected	
Visual Alarms	Not inspected	

<p>Plan for Evacuation of Mobility Impaired Employees and Visitors</p>	<p>***** ***** *****.</p>	<p><u>USCP</u> - <i>USCP has no control of other employing offices and advises employing offices, as necessary, where staging areas are located.</i></p> <p><u>OOO Response to USCP comment:</u> Coordination of evacuation routes and plans is essential for a safe and prompt evacuation. Evacuation plans of individual offices that were examined by the OOC suggest that there was some coordination with the USCP. The OOC will continue to investigate evacuation plan coordination during its inspections for the 109th Congress.</p>
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Access to Offices: Do individuals who have a mobility impairment have equal access to the public areas and offices?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
<p>Path of travel from accessible main entrance to CBO</p>	<p>Accessible</p>	
<p>Elevators</p>	<p>Accessible</p>	
<p>Doors to conference rooms</p>	<p>The door knob hardware within the Congressional Budget Office is not accessible. However, the staff generally keeps these doors open.</p>	

Public Restrooms: Are public restrooms accessible to individuals who use wheelchairs or have other mobility impairments?

Feature	Description of Current Barriers to Accessibility	Plans to Remedy Access Issues
Accessible restrooms	<p>Generally accessible with the following exceptions:</p> <ul style="list-style-type: none"> • The Grab Bars are non-accessible (either length or placement) in the 2nd and 3rd Street restrooms on the first through fifth floors, the 3rd Street restroom on the sixth floor, and the restroom in the Health Unit. • Ambulatory stalls are not provided in the 2nd and 3rd Street women’s restrooms on the second through fifth floors. • Flush controls are non-accessible in the 3rd Street women’s rooms on all floors and the 3rd Street men’s rooms on the 5th and 6th floors • Non-accessible mirrors in the men’s 2nd Street restroom on the first and fourth floors and 3rd Street restroom on the second and third floors 	<u>AOC</u> - Work orders to be issued.
Signage and maps	Maps generally provided throughout the building, however location of accessible telephones is not indicated. ¹⁸⁸	

Other Building Features: Are other facilities and features in the building readily accessible and usable by individuals with disabilities such as a mobility impaired, vision impaired or hearing impaired?

<i>Feature</i>	<i>Description of Current Barriers to Accessibility</i>	<i>Plans to Remedy Access Issues</i>
Public Telephones	Accessible telephones off 3 rd Street lobby.	
Drinking fountains	Generally accessible however the spout height is a few inches too high.	
Health Unit - Room 145	Accessible except for restroom (as noted above.)	

¹⁸⁸Map information is not accurate for the accessible 2nd Street women’s room on second floor.

Ford Cafeteria	Generally accessible, however utensils are out of reach range.	<u>CAO</u> - A tray with the appropriate utensils has been positioned to allow for access.
Ford Carry-Out	Generally accessible, however utensils are out of reach range.	<u>CAO</u> - Utensils have been placed within reach range.

J. Office of Compliance (Adams Library of Congress Building)

Feature	Description of Current Barrier to ADA Accessibility	Plans to Remedy Access Issues
Entrance	Accessible	
Path of Travel from Entrance to Office	Accessible	
Elevators	Accessible	
Door to Main Office	Non-accessible door weight, door width and door hardware.	
Conference Room Table	Accessible	
Restrooms	<ul style="list-style-type: none"> • Women’s restroom is fully accessible except signage is non-compliant because it is too high and not in braille. • Men’s restroom is not accessible. 	
Exit Door/Exit Route Signs	Directional signage at the building exits does not meet the requirements for accessibility.	
Areas of Rescue Assistance	The Staging Area is properly located.	
Effective Communication	The office has a TDD.	

VI. ACKNOWLEDGMENTS

Facilities and procedures were inspected for this report between May and December 2004. The inspection of facilities was principally conducted Earlene Sesker, Accessibility Specialist with the Architectural and Transportation Barriers Compliance Board. Thomas H. Seymour, Professional Safety and Fire Protection Engineer and a consultant to the OGC, conducted those inspections of facilities involving egress and fire safety issues. Inspection of procedures primarily involved the examination of responses to a questionnaire sent to all Member and Committee offices. The General Counsel is grateful for the participation of those offices which responded to the questionnaire.

Kate Tapley, Senior Attorney with the OGC was the primary author of the report. She also oversaw the inspection of the buildings and procedures. Ms. Tapley received invaluable advice and assistance from Roberta Kirkendall, Esq. of the United States Department of Justice and from Jessica A. Hubert, Fire Safety Intern with the OGC. Editorial assistance was provided by James Abbott, Deputy General Counsel of the OGC, Stephen Mallinger, Certified Industrial Hygienist and Special Assistant to the General Counsel, and Eugene Ahn, former Legal Intern to the OGC. Production assistance was provided by Kisha Harley, Legal Technician, Sarah Buckbee, Assistant Systems Administrator, David K. Young, Management/Program Analyst, and Carol Griffith, Paralegal and Administrative Assistant to the General Counsel.

Peter Ames Eveleth
General Counsel
Office of Compliance

November, 2005