

112TH CONGRESS  
1ST SESSION

# S. CON. RES. 33

Recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2011

Mr. BLUMENTHAL submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions

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## CONCURRENT RESOLUTION

Recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

Whereas in 2009, 12 percent of all people in the United States reported having some disability;

Whereas in 2008, 16.9 percent of veterans, amounting to more than 13,000,000 people, reported having a service-related disability to the Department of Veterans Affairs;

Whereas according to the Current Population Survey of the Bureau of the Census, the number of people in the United States that report having a disability is at a 20-year high;

Whereas the Act entitled “An Act to insure that certain buildings financed with Federal funds are so designed

and constructed as to be accessible to the physically handicapped”, approved August 12, 1968 (42 U.S.C. 4151 et seq.), referred to in this preamble as the “Architectural Barriers Act of 1968”, was enacted to ensure that certain federally funded facilities are designed and constructed to be accessible to people with disabilities and requires that physically handicapped persons have ready access to, and use of, post offices and other Federal facilities;

Whereas automatic doors, though not mandated by either the Architectural Barriers Act of 1968 or the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), provide a greater degree of self-sufficiency and dignity for people with disabilities, and the elderly, who may have limited strength to open a manual door;

Whereas a report commissioned by the Architectural and Transportation Barriers Compliance Board (referred to in this preamble as the “Access Board”), an independent Federal agency created to ensure access to federally funded facilities for people with disabilities, recommends that all new buildings used by the public should have at least 1 automated door at an accessible entrance, except for small buildings where adding such a door may be a financial hardship for the building owners;

Whereas States and municipalities have begun to recognize the importance of automatic doors in improving accessibility;

Whereas the laws of the State of Connecticut require automatic doors in certain shopping malls and retail businesses, the laws of the State of Delaware require an automatic door or calling device for newly constructed

places of accommodation, and the laws of the District of Columbia have a similar requirement;

Whereas the Facilities Standards for the Public Buildings Service published by the General Services Administration requires automation of at least 1 exterior door for all newly constructed or renovated facilities managed by the General Services Administration, including post offices;

Whereas from 2006 to 2011, 71 percent of the complaints received by the Access Board regarding the Architectural Barriers Act of 1968 concerned a post office or other facility of the United States Postal Service;

Whereas the United States Postal Service employs approximately 596,000 people, making it the second-largest civilian employer in the United States;

Whereas approximately 7,000,000 people per day visit 1 of the more than 36,400 post offices in the United States; and

Whereas the United States was founded on principles of equality and freedom, and these principles require that all people, even those people with disabilities, are able to engage as equal members of society: Now, therefore, be it

1        *Resolved by the Senate (the House of Representatives*  
2 *concurring), That Congress—*

3            (1) recognizes the immense hardships that peo-  
4            ple with disabilities in the United States must over-  
5            come every day;

6            (2) reaffirms its support of the Act entitled  
7            “An Act to insure that certain buildings financed

1 with Federal funds are so designed and constructed  
2 as to be accessible to the physically handicapped”,  
3 approved August 12, 1968 (42 U.S.C. 4151 et seq.),  
4 commonly known as the “Architectural Barriers Act  
5 of 1968” and the Americans with Disabilities Act of  
6 1990 (42 U.S.C. 12101 et seq.), and encourages full  
7 compliance with such Acts;

8 (3) recommends that the United States Postal  
9 Service and Federal agencies install power-assisted  
10 doors at post offices and other federally funded fa-  
11 cilities, as applicable, to ensure equal access for all  
12 people of the United States; and

13 (4) pledges to continue to work to identify and  
14 remove the barriers that prevent all people of the  
15 United States from having equal access to the serv-  
16 ices provided by the Federal Government.

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