

UNITED STATES ACCESS BOARD

**PERFORMANCE AND ACCOUNTABILITY REPORT,
INDEPENDENT AUDITOR'S REPORT
AND
FINANCIAL STATEMENTS**

**FOR THE FISCAL YEARS ENDED
SEPTEMBER 30, 2019 AND 2018**

**Prepared By
Brown & Company CPAs and Management Consultants, PLLC
November 13, 2019**



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November 13, 2019

I am pleased to present the Access Board's Performance and Accountability Report for Fiscal Year 2019. This report provides key information on the Access Board's progress in meeting its mission and managing its financial responsibilities. Our agency has a proud history of serving the public through its programs devoted to accessibility for people with disabilities.

Fiscal Year 2019 was a year of continued success. The Access Board continues to develop accessibility requirements, provide technical assistance and training, and enforce access requirements for the Federal government. We will continue to strive for excellence to fulfill our responsibilities to provide accessibility for people with disabilities.

Sincerely,



David M. Capozzi
Executive Director

A FEDERAL AGENCY COMMITTED TO ACCESSIBLE DESIGN

UNITED STATES ACCESS BOARD



Management Discussion and Analysis Performance Accountability Report

OCTOBER 2019

U.S. ACCESS BOARD

MANAGEMENT'S DISCUSSION AND ANALYSIS

FISCAL YEAR 2019

INTRODUCTION

The Access Board was established in 1973 under section 502 of the Rehabilitation Act and is the only federal agency whose primary mission is accessibility for people with disabilities. The Board is responsible for developing guidelines under the Americans with Disabilities Act (ADA), the Architectural Barriers Act (ABA), and the Communications Act for ensuring that buildings and facilities, transportation vehicles, and telecommunications equipment covered by these laws are readily accessible to and usable by people with disabilities. We are also responsible for developing standards under the Rehabilitation Act for accessible information and communication technology procured by federal agencies and establishing standards for accessible medical diagnostic equipment.

Under the Help America Vote Act, the Access Board serves on the Election Assistance Commission's (EAC) Board of Advisors and Technical Guidelines Development Committee, which assist the EAC in developing voluntary guidelines for voting systems, including accessibility for people with disabilities. In addition, under the Food and Drug Administration Safety and Innovation Act, we developed best practices on providing accessible information on prescription drug container labels for individuals who are blind or visually impaired.

In October 2018, the President signed the Federal Aviation Administration Reauthorization Act. A provision in the new law requires the Access Board to conduct a study to determine the feasibility of in-cabin wheelchair restraint systems and if feasible, the ways in which individuals with significant disabilities using wheelchairs, including power wheelchairs, can be accommodated with in-cabin wheelchair restraint systems.

The Access Board enforces the ABA and provides training and technical assistance on all its guidelines and standards, and on a variety of other accessibility issues. Additionally, we maintain a research program that develops technical assistance materials and provides information needed for rulemaking.

Our programs will result in accessible buildings and facilities, transportation vehicles, medical diagnostic equipment, telecommunications equipment, and information and communication technology across our country and, ultimately, the full economic and social integration of people with disabilities into our society. Achieving these results will depend not only on our activities, but also on the level of commitment and action taken by other federal agencies, State and local governments, and businesses that are required to comply with or enforce the various laws that guarantee the civil rights of people with disabilities.

The Access Board's strategic plan includes a vision statement (*advancing accessibility and inclusion for all*) and a mission statement (*promote accessibility through standards and*

guidelines, education, enforcement, and outreach). The plan includes four goals:

- Establish state-of-the-art accessibility standards and guidelines
- Provide training and technical assistance on accessibility
- Increase Architectural Barriers Act awareness and compliance
- Expand awareness of the Access Board's functions and objectives

We established long and short-range goals and annual objectives that describe the strategies we will implement to achieve the goals. In developing objectives and strategies for achieving our goals, we seek to work together with our stakeholders toward common objectives. Our plan is simple: establish guidelines and standards that are fair, reasonable, and derived from broad consensus among stakeholders; where the Access Board has enforcement responsibilities over federal agencies, assist those agencies to achieve full compliance; and involve our stakeholders in developing and disseminating materials and manuals that will help them understand and comply with our guidelines and standards.

ESTABLISH STATE-OF-THE-ART ACCESSIBILITY STANDARDS AND GUIDELINES

We will continue to develop and update accessibility guidelines and standards and work cooperatively with organizations that develop codes and standards affecting accessibility. We have the following objectives for this program area:

- Maximize public participation and stakeholder collaboration in the development of standards and guidelines
- Anticipate and respond to emerging barriers to accessibility in a changing environment
- Develop and maintain accessibility standards and guidelines, and keep them up to date
- Promote accessibility through coordination with standards and codes organizations and harmonization of accessibility requirements

FY 2019 Results – Rulemaking

The Board's regulatory plan anticipated completing final rules for public rights-of-way and passenger vessels. However, with the issuance in January 2017 of Executive Order 13771 that requires for every new regulation issued, at least two prior regulations be eliminated – we had to evaluate our regulatory plan. So, for now, we do not plan any further action on the public rights- of-way or passenger vessels rules but do plan to initiate rulemaking to revise and update requirements for rail vehicles and begin the process to add new requirements for self-service transaction machines. Since these will be advance notices, they do not count against the Executive Order.

A summary of recently completed and ongoing standards and guidelines activities is presented below.

ADA Accessibility Guidelines (ADAAG) for Transportation Vehicles – Update (rail vehicles)

This rulemaking will update the Board's existing accessibility guidelines for transportation vehicles that operate on fixed guideway systems (e.g., rapid rail, light rail, commuter rail, and intercity rail) covered by the ADA. The existing rail vehicles guidelines were initially promulgated in 1991, and need an update to, among other things, keep pace with newer accessibility-related technologies, and harmonize with recently developed national and international consensus standards. In May 2013, we created a federal advisory committee to develop recommendations. The committee provided its final report in July 2015. The next step is an advance notice of proposed rulemaking (ANPRM) planned for early FY 2020. Compliance with any revised rail vehicle guidelines would not be required until they are finalized and adopted by DOT in a separate rulemaking.

Self-Service Transaction Machines

We have worked collaboratively with the Departments of Justice and Transportation to develop a single set of technical requirements for self-service transaction machines (e.g., kiosks, point-of-sale machines, self-checkout machines) that can be referenced and scoped by each agency. In November 2013, DOT published a final rule under the Air Carrier Access Act addressing accessibility of web sites and automated kiosks. The DOT requirements for automated kiosks are derived from the technical requirements we helped develop and are consistent with our requirements for automatic teller machines and fare machines, as well as section 508 requirements. The first step for this rulemaking will be an ANPRM to help determine scoping requirements for self-service transaction machines. Prior to issuing an ANPRM, we will be working with the Kiosk Manufacturers Association to encourage them to develop a voluntary consensus code of practice for accessibility of self-service kiosks that the Board can use in its rulemaking.

Public Rights-of-Way and Shared Use Paths

The Board is developing guidelines that will address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. The public rights-of-way guidelines will cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of the public right-of-way.

The rulemaking began in October 1999, when we created a 31-member federal advisory committee. The committee presented its report in January 2001. In June 2002, we released for public comment draft guidelines based on the committee's recommendations and then in November 2005, we revised the draft guidelines based on public comments on the initial draft. This action was done to assist us in preparing a regulatory assessment of the impacts of the rule. A proposed rule was published for public comment in July 2011.

On a separate track, we initiated rulemaking to cover shared use paths (paths designed to serve both bicyclists and pedestrians and used for transportation and recreation purposes). We published an ANPRM in March 2011 and then in February 2013, we published a Supplemental Notice of Proposed Rulemaking to include requirements for shared use paths as part of the public rights-of-way rule. The next step for this rulemaking is a final rule, however, we do not plan any further action on this rulemaking because of the impact of

Executive Order 13771.

Passenger Vessels

This rulemaking will address accessibility for newly constructed and altered passenger vessels covered by the ADA such as ferries, cruise ships, excursion boats, and other vessels. The rulemaking began in August 1998, when we created a 22-member federal advisory committee. The committee presented its report in November 2000. We held public meetings in August and September of 2003 to gather information and input on viable access solutions that will allow persons with disabilities independent access onto and off large vessels. In November 2004, we published an ANPRM on access to and in smaller passenger vessels and a notice of availability releasing draft guidelines on access to and in larger passenger vessels.

Then in July 2006, we made available for public comment revised draft accessibility guidelines. Passenger vessel operators, individuals with disabilities, and organizations representing the various interest groups commented that a provision in the draft guidelines, which required emergency alarm systems to comply with “principles of best practice”, was vague and requested additional guidance. We agreed that additional guidance would be helpful and created a Passenger Vessel Emergency Alarms federal advisory committee to assist in this matter. The committee presented its report in October 2008. In June 2008, we published revised draft guidelines to collect data necessary for a regulatory assessment. In June 2013, we released a proposed rule. The next step for this rulemaking is a final rule, however, we do not plan any further action on this rulemaking because of the impact of Executive Order 13771.

Other Initiatives

While the Board did not pursue any major rulemaking activities this year, we had several smaller regulatory projects. These included working with the Federal Acquisition Regulatory Council on revisions to the Federal Acquisition Regulations (FAR) to incorporate the Board’s revised 508 Standards. This included coordinating our responses to several highly technical inquiries from the FAR Council and providing comments on multiple sets of draft rulemaking documents.

In August 2019, the Board released for public comment advisory guidelines for wheelchairs used on commercial passenger aircraft during flight. These onboard wheelchairs are provided by air carriers as a means of facilitating the transfer of passengers with disabilities to aircraft lavatories since personal wheelchairs cannot be used in the cabin. DOT has expressed its intention to supplement its regulations under the Air Carrier Access Act to include an enhanced mandatory performance standard for onboard wheelchairs on single-aisle aircraft and asked the Access Board to prepare technical assistance for the design of these onboard wheelchairs. We developed these non-binding guidelines as technical assistance to air carriers and manufacturers of onboard wheelchairs by providing an example of how to meet DOT’s planned performance standards.

We also developed a statement of work for an upcoming study required by the FAA Reauthorization Act of 2018 that requires the Access Board to conduct a study to determine the feasibility of in-cabin wheelchair restraint systems and if feasible, the ways in which

individuals with significant disabilities using wheelchairs, including power wheelchairs, can be accommodated with in-cabin wheelchair restraint systems.

FY 2019 Results – Codes and Standards

Adoption of Board Guidelines as Enforceable Standards

For the Access Board’s accessibility guidelines to become enforceable, other federal agencies must generally complete rulemaking to adopt the guidelines as standards. The Department of Housing and Urban Development, the Department of Defense, the General Services Administration (GSA), and the U.S. Postal Service use our guidelines to develop enforceable standards under the ABA. The Departments of Justice and Transportation use our guidelines to develop enforceable standards under the ADA. The U.S. Postal Service, GSA, the Department of Defense, and the Departments of Justice and Transportation have adopted the Access Board’s guidelines as enforceable standards. The Department of Housing and Urban Development has not acted yet.

Voluntary Consensus Standards

Our long-range goal is to take a leadership role in the development of codes and standards for accessibility. We work with model codes organizations and voluntary consensus standards groups that develop and periodically revise codes and standards affecting accessibility. We have voting membership in several codes and standards organizations and monitor or are actively involved in the development or revision of dozens of other codes and standards affecting accessibility.

We believe this goal enhances our credibility as a knowledgeable source of information regarding technical aspects of accessibility. Additionally, by working cooperatively with model codes organizations and voluntary consensus standards groups, federal and private codes and standards will be more similar, or harmonized, and the Access Board will be more alert to non- federal influences affecting our constituencies. Harmonization between federal and private requirements will make it more likely that buildings and facilities will be accessible, thus reducing the necessity for complaints and litigation.

A recent example of how working cooperatively with model codes organizations and standards- setting organizations has paid off is classroom acoustics. The 2018 edition of the International Building Code and the 2017 ICC/A117.1 standard now include provisions for acoustical access in classrooms to improve acoustics in the rooms and to reduce the intrusion of noises from outside the classroom, thereby enhancing the learning environment. This was accomplished largely through Access Board staff developing technical and scoping requirements and working with the codes groups to have these requirements adopted – all without federal rulemaking.

Two Access Board members serve as members of the Technical Guidelines Development Committee (TGDC) and Board of Advisors, which provide recommendations to the Election Assistance Commission (EAC) under the Help America Vote Act. We continue to work with the EAC in the development of updated Voluntary Voting System Guidelines (VVSG). The VVSG are a set of specifications and requirements against which voting systems can be

tested to determine if the systems meet required standards.

In December 2005, the EAC adopted the 2005 VVSG, which significantly increased security requirements for voting systems and expanded access, including opportunities for individuals with disabilities to vote privately and independently. The guidelines are voluntary. States may decide to adopt them entirely or in part. After adopting the 2005 VVSG, EAC tasked the TGDC with developing the next iteration of the VVSG. In March 2015, version 1.1 of the VVSG was adopted. This new version was a complete rewrite of the 2005 guidelines and addresses the next generation of voting systems. Almost immediately following the adoption of VVSG 1.1, a public working group process was developed to help inform the development of the next iteration of voluntary voting system guidelines – called VVSG 2.0. That version was published in the Federal Register in February 2019 for public comment.

While the Access Board was in the process of updating its information and communication technology (ICT) accessibility requirements, a similar process began in Europe to create the first European ICT accessibility standards. Beginning in 2005, the Access Board and the European Commission began to work closely to harmonize ICT accessibility requirements. In early 2014, the three European standardization organizations – European Telecommunications Standards Institute (ETSI); European Committee for Standardization (CEN); and, the European Committee for Electrotechnical Standardization (CENELEC) – published the first European specifications on e-accessibility for public ICT procurements, EN 301 549, “Accessibility requirements suitable for public procurement of ICT products and services in Europe”.

The current European standard is largely harmonized with our January 2017 final rule that updated our ICT standards and guidelines. We have been working since publication of our final rule with a European Joint Working Group on eAccessibility to further harmonize the U.S. and European standards and will continue that effort in 2019 and beyond.

Some of the codes and standards groups that we work with include: the International Code Council (ICC) Consensus Committee on Accessible and Usable Buildings and Facilities, ICC (ASC A117); American Society of Mechanical Engineers (ASME) A18 Platform Lift and Stairway Chair Lift Committee; National Fire Protection Association (NFPA), Disability Access Review Advisory Committee; National Instructional Materials Accessibility Standard; World Wide Web Consortium Accessibility Guidelines Working Group; ASTM Committee on Playground Surfacing Systems; Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) Standards Committee on Cognitive Accessibility and Assistive Technology for Air Travel; Transportation Research Board; National Cooperative Highway Research Program; National Committee on Uniform Traffic Control Devices; FCC Disability Advisory Committee; the Chief Information Officers Council’s Accessibility Community of Practice, and many others.

We are also a member of the Interagency Committee on Standards Policy, which is the body that is responsible for overseeing the use of standards by federal agencies in accordance with the National Technology Transfer and Advancement Act.

PROVIDE TRAINING AND TECHNICAL ASSISTANCE ON ACCESSIBILITY

The Access Board provides technical assistance to a wide variety of people regarding the accessibility guidelines and standards we issue. Our customers include architects, builders, designers, technology companies, manufacturers, people with disabilities, State and local governments, and federal agencies. Our technical assistance program has four components:

- Responding to customer inquiries. We respond to numerous customer inquiries each year. We have toll-free telephone lines for customers to call with questions. Customers also e-mail and occasionally fax us questions. Many literally are sitting at a drawing table or computer with a design problem. They want accurate, reliable, and timely advice. Our customers value being able to discuss their questions directly with our accessibility specialists who developed the guidelines and standards.
- Developing and disseminating manuals and other publications. We maintain numerous publications on accessibility issues. These range from manuals on our guidelines and standards, to animations, and an online guide to the ADA and ABA Accessibility Standards.
- Providing training. We conduct numerous training sessions each year. Training usually is provided at conferences and seminars sponsored by other organizations; it also includes a series of webinars. Training sponsors generally reimburse us for our travel expenses.
- Maintaining the Board's website. Our website (www.access-board.gov) has become a very effective way to distribute information to the public. Customers can download our publications and view our accessibility guidelines and standards from our website. On the website, we provide downloadable animations illustrating the rationale behind the guidelines and standards showing how accessible features are used by individuals with disabilities. We also maintain a YouTube channel and a Twitter account.

We have the following objectives in this program area:

- Promote and publicize the Board's training and technical assistance services to reach more customers
- Use multiple communications platforms to reach a broader audience
- Develop and update educational materials to promote understanding of and compliance with accessibility standards and guidelines

Our long-range goal is to be known as the leading source of information about accessibility and to disseminate information to our customers in effective ways. As we develop guidelines for new areas such as passenger vessels, public rights-of-ways, and kiosks, there will be increased demands for technical assistance from existing and new customer groups. We have informal partnerships with organizations such as the National Association of ADA Coordinators and the ten Regional ADA National Network Centers to disseminate information about the Board's programs. Many of our guidelines, standards, and publications are available through these organizations' on-line networks. We also provide training for these organizations. As we develop new guidelines and standards, there will be opportunities

to use these existing partnerships and establish new partnerships with customer groups to disseminate information about the Access Board's rulemaking.

FY 2019 Results

To supplement our guidelines and standards, we produce an array of guidance materials. Our popular online guide to the ADA and ABA Standards continues to grow. The guide features animations and technical bulletins that explain and illustrate requirements and address common questions. Bulletins are currently available on the first five chapters of the standards, including application and scoping, building blocks, accessible routes, accessible means of egress, parking and passenger loading zones, and stairways. Planned additions this year are technical guides covering Chapters 6 and 7 of the standards. The Chapter 6 guides will address plumbing elements and facilities including drinking fountains, grab bars, washing machines and clothes dryers, and saunas and steam rooms. The Chapter 7 guides will address communication elements and features including fire alarm systems, telephones, detectable warnings, assistive listening systems, automatic teller machines and fare machines, and two-way communication systems. Future installments to the guides will be released as they become available. Users can sign-up to receive email updates on the release of other animations and bulletins in the series.

We held a day-long public forum on assembly areas to collect information and input from the public on access issues and design questions and challenges that are unique to various types of assembly spaces. This information will be used in preparing a technical bulletin on assembly areas as part of our guide to the ADA and ABA Standards. We also organized a free day-long training on the Fair Housing Act Accessibility Guidelines that was a great success and well attended.

We continue to offer our very successful monthly webinar series through a partnership with the National Network of ADA Centers. Sessions are conducted monthly for built environment issues and bi-monthly for information and communication technology issues (in conjunction with the Chief Information Officers Council Accessibility Community of Practice) with most webinars scheduled for 90 minutes. Sessions also provide an opportunity to earn continuing education credits (CEUs) for a fee, but general attendance is free. This year we revised an existing survey instrument for collecting feedback from webinar participants to make these surveys more streamlined, useful, and user-friendly and then secured Office of Management and Budget (OMB) clearance for the new survey instrument.

Webinar sessions in FY 2019 for built environment issues included: Accessible Polling Places; Accessible Exterior Routes and Surfaces; Common Sources of Confusion in the ADA and ABA Standards; Accessible Sidewalks, Shared Use Paths, and Street Crossings; Accessible Entrances, Doors, and Gates; Differences Between the ADA and ABA Accessibility Standards; Accessible Sales and Service Counters; Accessible Public Rights-of-Way: Open Question & Answer Session; Accessible Transient Lodging; Accessible Education Facilities; and, Evaluating Websites for Accessibility.

Webinar sessions in FY 2019 on information and communication technology issues included: Making the Business Case for Accessibility: How to Develop a Section 508 Communication Plan Using Different Media to Communicate the Benefits of Accessible ICT; Accessible

Content Shared Through Social Media; Open Question and Answer Session on the Revised 508 Standards; An Overview of Trusted Tester for Web; How to Create and Test Accessible PDFs; and, Evaluating Websites for Accessibility under the Section 508 Standards.

As a result of several staff retirements and departures, only half the regular number of specialists were available to provide technical assistance over the course of the year. This year our staff responded to about 6,278 technical assistance requests. We upgraded options on our phone system to improve the level of service our customers receive; now they can leave messages during off hours and those waiting in queue can opt to leave a message at any point during their time on hold.

In FY 2019, we conducted 17 webinars that were attended by approximately 9,467 people. We conducted 40 training sessions that were attended by approximately 4,915 people. Overall, we reached 20,660 people through technical assistance, training events, and webinars.

We have used our website to provide copies of the Board's guidelines and standards and answers to frequently asked questions so that more customers can get the information they need when they need it. The usage of our website continues to grow. The Access Board participates in GSA's Digital Analytics Program and so we use Google Analytics 360 for website metrics. In FY 2019, there were approximately 938,000 users looking at 2.13 million pages.

We distributed six issues of Access Currents, a free newsletter we issue every other month by e-mail. Our Twitter page – @AccessBoard – also provides a good method of communicating with our customers; we currently have 1,583 followers. We livestream our Board meetings and had 226 remote viewers this year.

INCREASE ARCHITECTURAL BARRIERS ACT AWARENESS AND COMPLIANCE

The Access Board enforces the Architectural Barriers Act which requires that most buildings designed, constructed, altered, or leased by the federal government and certain other federally

financed facilities be accessible to people with disabilities. Complaints we receive concern post offices, national parks, military facilities, veterans' hospitals, courthouses, and a variety of other facilities. When we have jurisdiction and find that the applicable accessibility standards were not followed, we request a corrective action plan and monitor the case until the barrier is removed. Even when we do not have jurisdiction, or no violation is found, we attempt to negotiate voluntary barrier removal.

We have the following objectives in this program area:

- Proactively promote compliance through outreach to federal agencies and design professionals
- Educate the public about rights under the ABA and the complaint process
- Improve the efficiency of the complaint resolution process

In addition to enforcement, we work with federal agencies and others to ensure compliance with the ABA and make the federal government a model of accessibility. Our experience with resolving complaints is that most violations are not intentional. When violations are found, it is usually because the people responsible for designing buildings, reviewing plans, and on-site construction did not have a good understanding of the accessibility standards or how to apply them. For covered buildings where corrective action is required, we have a 100% compliance rate.

People responsible for building planning and design at headquarters, regional and field offices, and local sites must have a working knowledge of the accessibility standards if compliance is to be achieved. As federal agencies are reorganized and personnel assignments and responsibilities change, it is important that agencies have effective systems for training new people responsible for applying the accessibility standards and for monitoring compliance with the ABA. Training has become even more important now that new accessibility standards for the ABA are being implemented by the standard-setting agencies.

FY 2019 Results - ABA Compliance

During FY 2019, we received 168 new complaints, and closed 165 complaints. These included complaints investigated under the ABA, and those concerning facilities not covered by that law but potentially covered by other laws, such as the ADA and the Rehabilitation Act. Of the closed complaints, 49 resulted in action that corrected accessibility barriers at federal buildings and facilities around the country including long-pending cases at the FAA headquarters in Washington, DC, the Solomon Federal Building and Courthouse in Chattanooga, TN, and an IRS office building in Frederick, MD. We resolved many of these complaints with the support of other federal agencies and through bi-monthly conference calls with senior leaders from GSA and other agencies. We posted a summary list on our website of all ABA corrective actions taken in fiscal year 2019.

Although we did not have authority in the other complaints, we responded to the complainants, usually by referring them to the appropriate enforcement agency. In addition, we referred another 70 complainants to other agencies for action when our investigations revealed there was no violation of the ABA, there was a waiver, or we did not have jurisdiction.

We respond quickly to all new complaints. Most complainants now file their complaints with us on-line; they receive immediate notice that their complaint has been received, together with a complaint tracking number for their future reference. It is our practice to keep complainants informed on a regular basis throughout the course of our investigations. We periodically contact complainants to provide updates on the status of their complaints. We find that these contacts can be helpful in obtaining additional information about actions being taken that may not have been provided by respondent agencies. Upon completing investigations, we always give complainants an opportunity to comment on determinations we have made and actions that have been taken before closing complaints. At the end of the complaint process, we seek feedback through a Customer Satisfaction Survey. The survey is voluntary, and respondents may respond anonymously, or provide their name and complaint number if they wish.

We continue to refine program processes based on performance measures developed earlier to better increase efficiency in the operation of the compliance and enforcement program. We consider the input we receive from our Customer Satisfaction Survey to assist us in these efforts. To make the survey easier to use for customers, and to expedite the processing and refine the recordkeeping for completed surveys, we converted it from a paper survey to an online survey platform. In addition, we continue to update and revise our software system for managing and tracking ABA complaints to optimize system performance and further expedite complaint handling.

We continue to work with the Department of Defense, Postal Service, and the General Services Administration and agencies covered by its accessibility standards to ensure that covered facilities comply with requirements in the ABA standards. And, we continue to work with the Department of Housing and Urban Development to encourage their adoption of accessibility standards under the ABA.

In October 2018, the National Council on Disability (NCD) issued a report titled, “Has the Promise Been Kept? Federal Enforcement of Disability Rights Laws”. The report made programmatic recommendations to the Equal Employment Opportunity Commission, Department of Labor, and the Access Board. Several recommendations focused on the Board’s ABA enforcement program. These recommendations included that the Board:

- use data on types of facilities or geographic areas that give rise to the most complaints as a basis to identify types of facilities or geographic areas for self-initiated ABA investigations
- publicize select investigations and compliance results to draw attention to the effectiveness of the Board’s processes and encourage the public to bring accessibility barriers to the Board’s attention
- use its citation process to ensure that investigations are completed within 180 days and extend only in the rarest circumstances beyond the mandatory 180-day time limit inform complainants of their right to demand a citation, or written reason for not issuing a citation, after 190 days from submission of the complaint if a corrective action plan is not completed
- partner with other federal agencies that conduct nationwide enforcement of standards based on the ABA standards, such as the Departments of Justice, Transportation, and Housing and Urban Development; these agencies’ regional or traveling staff may be able to visit facilities that are subjects of investigations to leverage the Access Board’s limited resources
- investigate the entire facility when the Board receives a complaint about a particular area of a covered facility to avoid the need for follow-up complaints.

The Board has already begun publicizing select investigations and compliance results and has posted a summary list on our website of all ABA corrective actions taken in fiscal years 2018 and 2019. The Board discussed the NCD report March 2019 and will meet again in January 2020 to further evaluate the recommendations.

EXPAND AWARENESS OF THE ACCESS BOARD'S FUNCTIONS AND OBJECTIVES

We have the following objectives in this program area:

- Engage other organizations and pursue partnerships to promote the Access Board's work
- Promote accessibility throughout all segments of society, including holding events in various locations across the country

The Access Board holds six meetings each year. Five are business meetings in Washington, DC and the sixth is held outside the Washington, DC area and serves as an opportunity for the Board to examine innovations in accessible design undertaken around the country and to promote accessibility throughout our society. This year we travelled to Indianapolis, IN where we held a town hall meeting on accessibility issues. The event featured presentations by speakers from the National AgrAbility Project at Purdue University, Indiana Department of Natural Resources, and ADA Coordinators from Indianapolis and Bloomington. Following the presentations, there was an open forum where members of the public posed questions or comments concerning accessibility. Earlier in the day we conducted a free training on the ADA Accessibility Standards for the general public. The two-part session covered how to apply the standards and common sources of confusion. It also reviewed requirements in the standards for recreation facilities and best practices for providing access to outdoor sites.

While in Indianapolis, the Board visited the Indianapolis Motor Speedway to learn more about access improvements that were made to the site, including grandstands, as part of a major renovation completed in 2016. In addition, the Board visited the Indiana State Museum to examine features to improve access to exhibits for people with vision impairments and the Children's Museum of Indianapolis to see accessible features of various exhibits and toured Eskenazi Hospital to see design innovations to enhance access, usability, and healing in diagnostic and treatment rooms, patient bedrooms, common use spaces, and other areas. The hospital is acquiring accessible equipment that meets the Board's standards for medical diagnostic equipment.

When the Access Board meets in-town, we reach out to trade associations, other federal agencies, and non-profit organizations to help build partnerships and to get the word out about our services. In FY 2019, Access Board public members and staff met with representatives from: Amtrak, the International Parking Institute, the Boring Company, Federal Communications Commission, American Foundation for the Blind, Trace Research & Development Center, National Federation of the Blind, National Park Service, Marriott Innovation Lab, and Accessible Olli.

As part of our technical assistance program, we often hear from first-time inquirers that they were surprised to learn about our technical assistance services, and we know from anecdotal evidence that accessibility standards are not uniformly followed. To improve effectiveness of our technical assistance program, we plan a concerted effort to promote and publicize our technical assistance services to additional design and construction professionals through

targeted outreach. One of the ways we are doing this is through a new Access Board YouTube channel launched in April 2018 to share our already developed animations and to distribute new videos on accessibility issues. This year we posted two new videos: a short introductory video and a longer one about the Board's services – we've already received 3,226 views of these videos – and 46,121 views of our accessibility animations.

We also meet with delegations from around the world (in cooperation with the Department of State's International Visitor Leadership Program) to spread the word about accessibility and the Access Board's programs. This including a group of 12 international visitors focused on Human Centered Design and Accessible Environments, and groups from: Hungary, Germany, France, Jordan, Japan, Afghanistan, Peru, and the Ukraine.

We presented at the International Parking Institute's annual convention, the 11th Session of the Conference of States Parties at the United Nations, and the Interagency Accessibility Forum Invitation – an annual conference focused on section 508 implementation. We also spoke at an International Roundtable via web conference with the Gensler architectural firm and affiliated groups in New York and Toronto and participated in two web conferences with the State Department with over 300 participants in various locations in Africa and Eastern Europe.

As a result of a previous State Department sponsored speaking event where our Executive Director travelled to several cities in Poland, the Polish government recently established the Rada Dostępności -- an Access Board-styled agency. The Polish Access Board consists of 50 members from ministries and government bodies, as well as disability groups and academia. It is headed by the Minister of Development. Its role will be to review laws and regulations and recommend to the government ways to implement the recently enacted Accessibility Act.

FUTURE EFFECTS OF KNOWN DEMANDS, RISKS, UNCERTAINTIES, EVENTS, CONDITIONS, AND TRENDS

The Access Board operates in a stable environment and expects that it will operate and succeed in the future as it has in the past. We anticipate slow growth in our appropriated budget with ample time to anticipate any changes. We constantly monitor our environment, note changes, and update our rulemaking plan on a periodic basis.

In our rulemaking activities, we have always tried to work closely with our stakeholders. We have paid special attention to those industries where we are developing new accessibility requirements where none existed before. We strongly believe that we will achieve better access for people with disabilities if we work with an industry, involve them in our rulemaking, and get their "buy-in" to the accessibility requirements at the earliest possible moment.

The Board's regulatory plan anticipated completion of final rules for public rights-of-way and for passenger vessels. However, with the issuance in January 2017 of Executive Order 13771 that requires for every new regulation issued, at least two prior regulations be identified for elimination – we had to evaluate our regulatory plan. As a result, we do not plan any further action on the public rights-of-way or passenger vessels rules but do plan to initiate rulemaking to revise and update requirements for rail vehicles and begin the process

to add new requirements for self-service transaction machines through advance notices of proposed rulemaking.

Management Assurances

The Access Board's management is responsible for establishing and maintaining effective internal control and financial management systems that meet the objective of the Federal Manager's Financial Integrity Act. We conducted our assessment of the effectiveness and efficiency of internal controls and ensure compliance with applicable laws and regulations in accordance with OMB Circular A-123, Management's Responsibility for Internal Control. Based on the results of this evaluation, we can provide reasonable assurance that our internal control over the effectiveness and efficiency of operations and compliance with applicable laws and regulations as of September 30, 2019, was operating effectively and no material weaknesses were found in the design or operation of the internal controls.

We assessed the effectiveness of internal controls over financial reporting, which includes safeguarding of assets and compliance with applicable laws and regulations, in accordance with the requirements of Appendix A of OMB Circular A-123. Based on the results of this evaluation, we can provide reasonable assurance that our internal control over financial reporting as of September 30, 2019, was operating effectively and no material weaknesses were found in the design or operation of the internal controls over financial reporting.

Limitations of the Financial Statements

The principal financial statements for the Access Board have been prepared to report the financial position and results of our operations pursuant to the requirements of 31 U.S.C.3515(b). While the statements have been prepared from the books and records of the Access Board in accordance with generally accepted accounting principles for federal entities and the formats prescribed by OMB, the statements are in addition to the financial reports used to monitor and control budgetary resources, which are prepared from the same books and records. The statements should be read with the realization that they are for a component of the U.S. government, a sovereign entity.

UNITED STATES ACCESS BOARD

**INDEPENDENT AUDITOR'S REPORT
AND
FINANCIAL STATEMENTS**

**FOR THE FISCAL YEARS ENDED
SEPTEMBER 30, 2019 AND 2018**



**Prepared By
Brown & Company CPAs and Management Consultants, PLLC
November 13, 2019**



INDEPENDENT AUDITOR'S REPORT

United States Access Board
Washington, D.C.

In our audits of the fiscal years 2019 and 2018 financial statements of the U.S. Access Board (USAB), we found

- USAB's financial statements as of and for the fiscal years ended September 30, 2019, and 2018, are presented fairly, in all material respects, in accordance with U.S. generally accepted accounting principles;
- no material weaknesses in internal control over financial reporting based on the limited procedures we performed; and
- no reportable noncompliance for fiscal year 2019 with provisions of applicable laws, regulations, contracts, and grant agreements we tested.

The following sections discuss in more detail (1) our report on the financial statements, which includes required supplementary information (RSI) and other information included with the financial statements; (2) our report on internal control over financial reporting; and (3) our report on compliance with laws, regulations, contracts, and grant agreements.

Report on the Financial Statements

In accordance with the provisions of Accountability of Tax Dollars Act of 2002 (ATDA) (Pub. L. No. 107-289), we have audited USAB's financial statements. USAB's financial statements comprise the balance sheets as of September 30, 2019 and 2018; the related statements of net cost, changes in net position, and budgetary resources for the fiscal years then ended; and the related notes to the financial statements.

We conducted our audits in accordance with U.S. generally accepted government auditing standards and the provisions of OMB Bulletin No.19-03, *Audit Requirements for Federal Financial Statements*. We believe that the audit evidence we obtained is sufficient and appropriate to provide a basis for our audit opinions.

Management's Responsibility

USAB's management is responsible for (1) the preparation and fair presentation of these financial statements in accordance with U.S. generally accepted accounting principles; (2) preparing, measuring, and presenting the RSI in accordance with U.S. generally accepted accounting principles; (3) preparing and presenting other information included in documents containing the audited financial statements and auditor's report, and ensuring the consistency of that information with the audited financial statements and the RSI; and (4) maintaining effective internal control over financial reporting, including the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. U.S. generally accepted government auditing standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. We are also responsible for applying certain limited procedures to RSI and other information included with the financial statements.

An audit of financial statements involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the auditor's assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit of financial statements also involves evaluating the appropriateness of the accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. Our audits also included performing such other procedures as we considered necessary in the circumstances.

Opinion on Financial Statements

In our opinion, USAB's financial statements present fairly, in all material respects, USAB's financial position as of September 30, 2019, and 2018, and its net cost of operations, changes in net position, and budgetary resources for the fiscal years then ended in accordance with U.S. generally accepted accounting principles.

Other Matters

Required Supplementary Information

U.S. generally accepted accounting principles issued by the Federal Accounting Standards Advisory Board (FASAB) require that the RSI be presented to supplement the financial statements. Although the RSI is not a part of the financial statements, FASAB considers this information to be an essential part of financial reporting for placing the financial statements in appropriate operational, economic, or historical context. We have applied certain limited procedures to the RSI in accordance with U.S. generally accepted government auditing standards, which consisted of inquiries of management about the methods of preparing the RSI and comparing the information for consistency with management's responses to the auditor's inquiries, the financial statements, and other knowledge we obtained during the audit of the financial statements, in order to report omissions or material departures from FASAB guidelines, if any, identified by these limited procedures. We did not audit and we do not express an opinion or provide any assurance on the RSI because the limited procedures we applied do not provide sufficient evidence to express an opinion or provide any assurance.

Other Information

USAB's other information contains a wide range of information, some of which is not directly related to the financial statements. This information is presented for purposes of additional analysis and is not a required part of the financial statements or the RSI. We read the other information included with the financial statements in order to identify material inconsistencies, if any, with the audited financial statements. Our audit was conducted for the purpose of forming an opinion on USAB's financial statements. We did not audit and do not express an opinion or provide any assurance on the other information.

Report on Internal Control over Financial Reporting

In connection with our audits of USAB's financial statements, we considered USAB's internal control over financial reporting, consistent with our auditor's responsibility discussed below. We performed our procedures related to USAB's internal control over financial reporting in accordance with U.S. generally accepted government auditing standards.

Management's Responsibility

USAB's management is responsible for maintaining effective internal control over financial reporting, including the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

In planning and performing our audit of USAB's financial statements as of and for the year ended September 30, 2018, in accordance with U.S. generally accepted government auditing standards, we considered the USAB's internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of USAB's internal control over financial reporting. Accordingly, we do not express an opinion on USAB's internal control over financial reporting. We are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses. We did not consider all internal controls relevant to operating objectives, such as those controls relevant to preparing performance information and ensuring efficient operations.

Definition and Inherent Limitations of Internal Control over Financial Reporting

An entity's internal control over financial reporting is a process effected by those charged with governance, management, and other personnel, the objectives of which are to provide reasonable assurance that (1) transactions are properly recorded, processed, and summarized to permit the preparation of financial statements in accordance with U.S. generally accepted accounting principles, and assets are safeguarded against loss from unauthorized acquisition, use, or disposition, and (2) transactions are executed in accordance with provisions of applicable laws, including those governing the use of budget authority, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent, or detect and correct, misstatements due to fraud or error.

Results of Our Consideration of Internal Control over Financial Reporting

Our consideration of internal control was for the limited purpose described above, and was not designed to identify all deficiencies in internal control that might be material weaknesses and significant deficiencies or to express an opinion on the effectiveness of USAB's internal control over financial reporting. Given these limitations, during our audit, we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Intended Purpose of Report on Internal Control over Financial Reporting

The purpose of this report is solely to describe the scope of our consideration of USAB's internal control over financial reporting and the results of our procedures, and not to provide an opinion on the effectiveness of the USAB's internal control over financial reporting. This report is an integral part of an audit performed in accordance with U.S. generally accepted government auditing standards in considering internal control over financial reporting. Accordingly, this report on internal control over financial reporting is not suitable for any other purpose.

Report on Compliance with Laws, Regulations, Contracts, and Grant Agreements

In connection with our audits of USAB's financial statements, we tested compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements consistent with our auditor's responsibility discussed below. We caution that noncompliance may occur and not be detected by these tests. We performed our tests of compliance in accordance with U.S. generally accepted government auditing standards.

Management's Responsibility

USAB's management is responsible for complying with laws, regulations, contracts, and grant agreements applicable to USAB.

Auditor's Responsibility

Our responsibility is to test compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements applicable to USAB that have a direct effect on the determination of material amounts and disclosures in USAB's financial statements, and perform certain other limited procedures. Accordingly, we did not test compliance with all laws, regulations, contracts, and grant agreements applicable to USAB.

Results of Our Tests for Compliance with Laws, Regulations, Contracts, and Grant Agreements

Our tests for compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements disclosed no instances of noncompliance for fiscal year 2019 that would be reportable under U.S. generally accepted government auditing standards. However, the objective of our tests was not to provide an opinion on compliance with laws, regulations, contracts, and grant agreements applicable to USAB. Accordingly, we do not express such an opinion.

Intended Purpose of Report on Compliance with Laws, Regulations, Contracts, and Grant Agreements

The purpose of this report is solely to describe the scope of our testing of compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements, and the results of that testing, and not to provide an opinion on compliance. This report is an integral part of an audit performed in accordance with U.S. generally accepted government auditing standards in considering compliance. Accordingly, this report on compliance with laws, regulations, contracts, and grant agreements is not suitable for any other purpose.

Brown & Company

Greenbelt, Maryland

November 13, 2019

Financial Statements and Notes

**UNITED STATES ACCESS BOARD
BALANCE SHEET
AS OF SEPTEMBER 30, 2019 AND 2018
(In Dollars)**

| | 2019 | 2018 |
|---|---------------------|---------------------|
| Assets: | | |
| Intragovernmental | | |
| Fund Balance With Treasury (Note 2) | \$ 2,331,461 | \$ 2,741,963 |
| Other (Note 5) | 1,129,703 | 437,164 |
| Total Intragovernmental | 3,461,164 | 3,179,127 |
| Accounts Receivable, Net (Note 3) | 1,277 | 4,034 |
| Property, Equipment, and Software, Net (Note 4) | 263,494 | 136,406 |
| Total Assets | \$ 3,725,935 | \$ 3,319,567 |
| Liabilities: | | |
| Intragovernmental | | |
| Accounts Payable | \$ 194,060 | \$ 58,198 |
| Other (Note 7) | 49,171 | 38,994 |
| Total Intragovernmental | 243,231 | 97,192 |
| Accounts Payable | 71,936 | 10,173 |
| Other (Note 7) | 498,996 | 384,842 |
| Total Liabilities | \$ 814,163 | \$ 492,207 |
| Net Position: | | |
| Unexpended Appropriations - Other Funds | \$ 2,972,478 | \$ 2,956,304 |
| Cumulative Results of Operations - Other Funds | (60,706) | (128,944) |
| Total Net Position | \$ 2,911,772 | \$ 2,827,360 |
| Total Liabilities and Net Position | \$ 3,725,935 | \$ 3,319,567 |

The accompanying notes are an integral part of these financial statements.

UNITED STATES ACCESS BOARD
STATEMENT OF NET COST
FOR THE YEARS ENDED SEPTEMBER 30, 2019 AND 2018
(In Dollars)

| | 2019 | 2018 |
|-------------------------------|---------------------|---------------------|
| Program Costs: | | |
| Gross Costs | \$ 8,347,016 | \$ 6,703,936 |
| Less: Earned Revenue | (11,406) | (19,176) |
| Net Program Costs | \$ 8,335,610 | \$ 6,684,760 |
| Net Cost of Operations | \$ 8,335,610 | \$ 6,684,760 |

The accompanying notes are an integral part of these financial statements.

UNITED STATES ACCESS BOARD
STATEMENT OF CHANGES IN NET POSITION
FOR THE YEARS ENDED SEPTEMBER 30, 2019 AND 2018
(In Dollars)

| | 2019 | 2018 |
|--|--------------|--------------|
| Unexpended Appropriations: | | |
| Beginning Balances | \$ 2,956,304 | \$ 1,434,046 |
| Budgetary Financing Sources: | | |
| Appropriations Received | 8,400,000 | 8,190,000 |
| Other Adjustments | (223,137) | (221,999) |
| Appropriations Used | (8,160,689) | (6,445,743) |
| Total Budgetary Financing Sources | 16,174 | 1,522,258 |
| Total Unexpended Appropriations | \$ 2,972,478 | \$ 2,956,304 |
| Cumulative Results of Operations: | | |
| Beginning Balances | \$ (128,944) | \$ (118,988) |
| Budgetary Financing Sources: | | |
| Appropriations Used | 8,160,689 | 6,445,743 |
| Other Financing Sources (Non-Exchange): | | |
| Imputed Financing Sources (Note 9) | 243,159 | 229,061 |
| Total Financing Sources | 8,403,848 | 6,674,804 |
| Net Cost of Operations | (8,335,610) | (6,684,760) |
| Net Change | 68,238 | (9,956) |
| Cumulative Results of Operations | \$ (60,706) | \$ (128,944) |
| Net Position | \$ 2,911,772 | \$ 2,827,360 |

The accompanying notes are an integral part of these financial statements.

UNITED STATES ACCESS BOARD
STATEMENT OF BUDGETARY RESOURCES
FOR THE YEARS ENDED SEPTEMBER 30, 2019 AND 2018
(In Dollars)

| | 2019 | 2018 |
|---|---------------------|---------------------|
| Budgetary Resources: | | |
| Unobligated balance from prior year budget authority, net | \$ 651,886 | \$ 930,213 |
| Appropriations | 8,400,000 | 8,190,000 |
| Spending authority from offsetting collections | 14,398 | 15,142 |
| Total Budgetary Resources | \$ 9,066,284 | \$ 9,135,355 |
| Status of Budgetary Resources: | | |
| New obligations and upward adjustments (total) | \$ 8,364,299 | \$ 8,506,990 |
| Unobligated balance, end of year: | | |
| Apportioned, unexpired account | 223,431 | 59,400 |
| Expired unobligated balance, end of year | 478,554 | 568,965 |
| Unobligated balance, end of year (total) | 701,985 | 628,365 |
| Total Budgetary Resources | \$ 9,066,284 | \$ 9,135,355 |
| Outlays, net: | | |
| Agency outlays, net | \$ 8,587,365 | \$ 7,128,285 |

The accompanying notes are an integral part of these financial statements.



UNITED STATES ACCESS BOARD NOTES TO THE FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The Access Board is an independent Federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards.

Created in 1973 under section 502 of the Rehabilitation Act to ensure access to federally funded facilities, the Board now is a leading source of information on accessible design. The Board develops and maintains design criteria for the built environment, transit, vehicles, telecommunications equipment, medical diagnostic equipment and information technology. It also provides technical assistance and training on these requirements and on accessible design and continues to enforce accessibility standards that cover federally funded facilities.

Access Board's reporting entity is comprised of General Funds and General Fund Miscellaneous Receipts. General Funds are accounts used to record financial transactions arising under congressional appropriations or other authorizations to spend general revenues.

General Fund miscellaneous receipts are accounts established for receipts of non-recurring activity, such as fines, penalties, fees and other miscellaneous receipts for services and benefits.

Access Board has rights and ownership of all assets reported in these financial statements, and does not possess any non-entity assets.

B. Basis of Presentation

The financial statements have been prepared to report the financial position and results of operations of Access Board. The Balance Sheet presents the financial position of the agency. The Statement of Net Cost presents the agency's operating results; the Statement of Changes in Net Position displays the changes in the agency's equity accounts. The Statement of Budgetary Resources presents the sources, status, and uses of the agency's resources and follow the rules for the Budget of the United States Government.

The statements are a requirement of the Chief Financial Officers Act of 1990 and the Government Management Reform Act of 1994. They have been prepared from, and are fully supported by, the books and records of Access Board in accordance with the hierarchy of accounting principles generally accepted in the United States of America, standards issued by the Federal Accounting Standards Advisory Board (FASAB), Office of Management and Budget (OMB) Circular A-136, *Financial Reporting Requirements*, as amended, and Access Board accounting policies which are summarized in this note. These statements, with the exception of the Statement of Budgetary Resources, are different from financial management reports, which are also prepared pursuant to OMB directives that are used to monitor and control Access Board's use of budgetary resources.

The financial statements and associated notes are presented on a comparative basis. Unless specified otherwise, all amounts are presented in dollars.

C. Basis of Accounting

Transactions are recorded on both an accrual accounting basis and a budgetary basis. Under the accrual method, revenues are recognized when earned, and expenses are recognized when a liability is incurred, without regard to receipt or payment of cash. Budgetary accounting facilitates compliance with legal requirements on the use of federal funds.

D. Fund Balance with Treasury

Fund Balance with Treasury is the aggregate amount of Access Board’s funds with Treasury in expenditure, receipt, and deposit fund accounts. Appropriated funds recorded in expenditure accounts are available to pay current liabilities and finance authorized purchases.

Access Board does not maintain bank accounts of its own, has no disbursing authority, and does not maintain cash held outside of Treasury. Treasury disburses funds for the agency on demand.

E. Accounts Receivable

Accounts receivable consists of amounts owed to Access Board by other federal agencies and the general public. Amounts due from federal agencies are considered fully collectible. Accounts receivable from the public include reimbursements from employees. An allowance for uncollectible accounts receivable from the public is established when, based upon a review of outstanding accounts and the failure of all collection efforts, management determines that collection is unlikely to occur considering the debtor’s ability to pay.

F. Property, Equipment, and Software

Property, equipment and software represent furniture, fixtures, equipment, and information technology hardware and software which are recorded at original acquisition cost and are depreciated or amortized using the straight-line method over their estimated useful lives. Major alterations and renovations are capitalized, while maintenance and repair costs are expensed as incurred. Access Board’s capitalization threshold is \$50,000 for individual purchases and \$500,000 for bulk purchases. Property, equipment, and software acquisitions that do not meet the capitalization criteria are expensed upon receipt. Applicable standard governmental guidelines regulate the disposal and convertibility of agency property, equipment, and software. The useful life classifications for capitalized assets are as follows:

| <u>Description</u> | <u>Useful Life (years)</u> |
|------------------------|----------------------------|
| Leasehold Improvements | 9 |
| Office Furniture | 5 |
| Computer Equipment | 3 |
| Office Equipment | 5 |
| Software | 5 |

G. Advances and Prepaid Charges

Advance payments are generally prohibited by law. There are some exceptions, such as reimbursable agreements, subscriptions and payments to contractors and employees. Payments made in advance of the receipt of goods and services are recorded as advances or prepaid charges at the time of prepayment and recognized as expenses when the related goods and services are received.

H. Liabilities

Liabilities represent the amount of funds likely to be paid by Access Board as a result of transactions or events that have already occurred.

Access Board reports its liabilities under two categories, Intragovernmental and With the Public. Intragovernmental liabilities represent funds owed to another government agency. Liabilities with the Public represent funds owed to any entity or person that is not a federal agency, including private sector firms and federal employees. Each of these categories may include liabilities that are covered by budgetary resources and liabilities not covered by budgetary resources.

Liabilities covered by budgetary resources are liabilities funded by a current appropriation or other funding source. These consist of accounts payable and accrued payroll and benefits. Accounts payable represent amounts owed to another entity for goods ordered and received and for services rendered except for employees. Accrued payroll and benefits represent payroll costs earned by employees during the fiscal year which are not paid until the next fiscal year.

Liabilities not covered by budgetary resources are liabilities that are not funded by any current appropriation or other funding source. These liabilities consist of accrued annual leave, actuarial FECA, and the amounts due to Treasury for collection and accounts receivable of civil penalties and FOIA request fees.

I. Annual, Sick, and Other Leave

Annual leave is accrued as it is earned, and the accrual is reduced as leave is taken. The balance in the accrued leave account is adjusted to reflect current pay rates. Liabilities associated with other types of vested leave, including compensatory, restored leave, and sick leave in certain circumstances, are accrued at year-end, based on latest pay rates and unused hours of leave. Funding will be obtained from future financing sources to the extent that current or prior year appropriations are not available to fund annual and other types of vested leave earned but not taken. Nonvested leave is expensed when used. Any liability for sick leave that is accrued but not taken by a Civil Service Retirement System (CSRS)-covered employee is transferred to the Office of Personnel Management (OPM) upon the retirement of that individual. Credit is given for sick leave balances in the computation of annuities upon the retirement of Federal Employees Retirement System (FERS)-covered employees.

J. Accrued and Actuarial Workers' Compensation

The Federal Employees' Compensation Act (FECA) administered by the U.S. Department of Labor (DOL) addresses all claims brought by the Access Board employees for on-the-job injuries. The DOL bills each agency annually as its claims are paid, but payment of these bills is deferred for two years to allow for funding through the budget process. Similarly, employees that Access Board terminates without cause may receive unemployment compensation benefits under the unemployment insurance program also administered by the DOL, which bills each agency quarterly

for paid claims. Future appropriations will be used for the reimbursement to DOL. The liability consists of (1) the net present value of estimated future payments calculated by the DOL and (2) the unreimbursed cost paid by DOL for compensation to recipients under the FECA.

K. Retirement Plans

Access Board employees participate in either the CSRS or the FERS. The employees who participate in CSRS are beneficiaries of Access Board matching contribution, equal to seven percent of pay, distributed to their annuity account in the Civil Service Retirement and Disability Fund.

Prior to December 31, 1983, all employees were covered under the CSRS program. From January 1, 1984 through December 31, 1986, employees had the option of remaining under CSRS or joining FERS and Social Security. Employees hired as of January 1, 1987 are automatically covered by the FERS program. Both CSRS and FERS employees may participate in the federal Thrift Savings Plan (TSP). FERS employees receive an automatic agency contribution equal to one percent of pay and Access Board matches any employee contribution up to an additional four percent of pay. For FERS participants, Access Board also contributes the employer's matching share of Social Security.

FERS employees and certain CSRS reinstatement employees are eligible to participate in the Social Security program after retirement. In these instances, Access Board remits the employer's share of the required contribution.

Access Board recognizes the imputed cost of pension and other retirement benefits during the employees' active years of service. OPM actuaries determine pension cost factors by calculating the value of pension benefits expected to be paid in the future and communicate these factors to Access Board for current period expense reporting. OPM also provides information regarding the full cost of health and life insurance benefits. Access Board recognized the offsetting revenue as imputed financing sources to the extent these expenses will be paid by OPM.

Access Board does not report on its financial statements information pertaining to the retirement plans covering its employees. Reporting amounts such as plan assets, accumulated plan benefits, and related unfunded liabilities, if any, is the responsibility of the OPM, as the administrator.

L. Other Post-Employment Benefits

Access Board employees eligible to participate in the Federal Employees' Health Benefits Plan (FEHBP) and the Federal Employees' Group Life Insurance Program (FEGLIP) may continue to participate in these programs after their retirement. The OPM has provided the Access Board with certain cost factors that estimate the true cost of providing the post-retirement benefit to current employees. Access Board recognizes a current cost for these and Other Retirement Benefits (ORB) at the time the employee's services are rendered. The ORB expense is financed by OPM, and offset by the Access Board through the recognition of an imputed financing source.

M. Use of Estimates

The preparation of the accompanying financial statements in accordance with generally accepted accounting principles requires management to make certain estimates and assumptions that affect the reported amounts of assets, liabilities, revenues, and expenses. Actual results could differ from those estimates.

N. Reclassification

Certain fiscal year 2018 balances have been reclassified, retitled, or combined with other financial statement line items for consistency with the current year presentation.

NOTE 2. FUND BALANCE WITH TREASURY

Fund balance with Treasury account balances as of September 30, 2019 and 2018, were as follows:

| | 2019 | 2018 |
|--|---------------------|---------------------|
| Status of Fund Balance with Treasury: | | |
| Unobligated Balance | | |
| Available | \$ 223,431 | \$ 59,400 |
| Unavailable | 478,554 | 568,965 |
| Obligated Balance Not Yet Disbursed | 1,629,476 | 2,113,598 |
| Total | \$ 2,331,461 | \$ 2,741,963 |

No discrepancies exist between the Fund Balance reflected on the Balance Sheet and the balances in the Treasury accounts.

The available unobligated fund balances represent the current-period amount available for obligation or commitment. At the start of the next fiscal year, this amount will become part of the unavailable balance as described in the following paragraph.

The unavailable unobligated fund balances represent the amount of appropriations for which the period of availability for obligation has expired. These balances are available for upward adjustments of obligations incurred only during the period for which the appropriation was available for obligation or for paying claims attributable to the appropriations.

The obligated balance not yet disbursed includes accounts payable, accrued expenses, and undelivered orders that have reduced unexpended appropriations but have not yet decreased the fund balance on hand.

NOTE 3. ACCOUNTS RECEIVABLE

Accounts receivable balances as of September 30, 2019 and 2018, were as follows:

| | 2019 | 2018 |
|---|-----------------|-----------------|
| With the Public | | |
| Accounts Receivable | \$ 1,277 | \$ 4,034 |
| Total Public Accounts Receivable | \$ 1,277 | \$ 4,034 |
| Total Accounts Receivable | \$ 1,277 | \$ 4,034 |

The accounts receivable is primarily other receivables with the public. Historical experience has indicated that the majority of the receivables are collectible. There are no material uncollectible accounts as of September 30, 2019 and 2018.

NOTE 4. PROPERTY, EQUIPMENT, AND SOFTWARE

Schedule of Property, Equipment, and Software as of September 30, 2019:

| Major Class | Acquisition Cost | Accumulated Amortization/Depreciation | Net Book Value |
|--------------------------|-------------------|---------------------------------------|-------------------|
| Building | \$ 475,220 | \$ 391,616 | \$ 83,604 |
| Construction-in-Progress | 179,890 | - | 179,890 |
| Total | \$ 655,110 | \$ 391,616 | \$ 263,494 |

Schedule of Property, Equipment, and Software as of September 30, 2018:

| Major Class | Acquisition Cost | Accumulated Amortization/Depreciation | Net Book Value |
|--------------------------|-------------------|---------------------------------------|-------------------|
| Building | \$ 475,220 | \$ 338,814 | \$ 136,406 |
| Construction-in-Progress | - | - | - |
| Total | \$ 475,220 | \$ 338,814 | \$ 136,406 |

NOTE 5. OTHER ASSETS

Other assets account balances as of September 30, 2019 and 2018, were as follows:

| | 2019 | 2018 |
|---------------------------|---------------------|-------------------|
| Intragovernmental | | |
| Advances and Prepayments | \$ 1,129,703 | \$ 437,164 |
| Total Other Assets | \$ 1,129,703 | \$ 437,164 |

Access Board began posting NBC Administrative Office procurement orders as prepayments in 2018.

NOTE 6. LIABILITIES NOT COVERED BY BUDGETARY RESOURCES

The liabilities for Access Board as of September 30, 2019 and 2018, include liabilities not covered by budgetary resources. Congressional action is needed before budgetary resources can be provided. Although future appropriations to fund these liabilities are likely and anticipated, it is not certain that appropriations will be enacted to fund these liabilities.

| | 2019 | 2018 |
|---|-------------------|-------------------|
| Intragovernmental – FECA | \$ 5,837 | \$ 5,837 |
| Unfunded Leave | 319,639 | 263,547 |
| Total Liabilities Not Covered by Budgetary Resources | \$ 325,476 | \$ 269,384 |
| Total Liabilities Covered by Budgetary Resources | 488,687 | 222,823 |
| Total Liabilities | \$ 814,163 | \$ 492,207 |

The FECA liability represents the unfunded liability for actual workers compensation claims paid on Access Board’s behalf and payable to DOL. Access Board also records an actuarial liability for future workers compensation claims based on the liability to benefits paid (LBP) ratio provided by DOL and multiplied by the average of benefits paid over three years.

Unfunded leave represents a liability for earned leave and is reduced when leave is taken. The balance in the accrued annual leave account is reviewed quarterly and adjusted as needed to accurately reflect the liability at current pay rates and leave balances. Accrued annual leave is paid from future funding sources and, accordingly, is reflected as a liability not covered by budgetary resources. Sick and other leave is expensed as taken.

NOTE 7. OTHER LIABILITIES

Other liabilities account balances as of September 30, 2019 were as follows:

| | Current | Non Current | Total |
|--|-------------------|-------------|-------------------|
| Intragovernmental | | | |
| FECA Liability | \$ 5,837 | \$ - | \$ 5,837 |
| Payroll Taxes Payable | 43,334 | - | 43,334 |
| Total Intragovernmental Other Liabilities | \$ 49,171 | \$ - | \$ 49,171 |
| With the Public | | | |
| Payroll Taxes Payable | \$ 6,524 | \$ - | \$ 6,524 |
| Accrued Funded Payroll and Leave | 172,833 | - | 172,833 |
| Unfunded Leave | 319,639 | - | 319,639 |
| Total Public Other Liabilities | \$ 498,996 | \$ - | \$ 498,996 |

Other liabilities account balances as of September 30, 2018 were as follows:

| | Current | Non Current | Total |
|--|-------------------|-------------|-------------------|
| Intragovernmental | | | |
| FECA Liability | \$ 5,837 | \$ - | \$ 5,837 |
| Payroll Taxes Payable | 33,157 | - | 33,157 |
| Total Intragovernmental Other Liabilities | \$ 38,994 | \$ - | \$ 38,994 |
| With the Public | | | |
| Payroll Taxes Payable | \$ 5,261 | \$ - | \$ 5,261 |
| Accrued Funded Payroll and Leave | 116,034 | - | 116,034 |
| Unfunded Leave | 263,547 | - | 263,547 |
| Total Public Other Liabilities | \$ 384,842 | \$ - | \$ 384,842 |

NOTE 8. LEASES

Operating Leases

Access Board occupies office space under a lease agreement that is accounted for as an operating lease in Washington, DC. The lease for office space at 1331 F Street NW started on July 1, 2018 and expires December 30, 2021. Lease payments are increased annually based on the adjustments for operating costs and real estate escalations. A schedule of future payments is as follows:

| Fiscal Year | Office Space |
|------------------------------|---------------------|
| 2020 | \$ 686,729 |
| 2021 | 694,409 |
| 2022 | 172,153 |
| Total Future Payments | \$ 1,553,291 |

NOTE 9. INTER-ENTITY COSTS

Access Board recognizes certain inter-entity costs for goods and services that are received from other federal entities at no cost or at a cost less than the full cost. Certain costs of the providing entity that are not fully reimbursed are recognized as imputed cost and are offset by imputed revenue. Such imputed costs relate to employee benefits and claims to be settled by the Treasury Judgement Fund. Access Board recognizes as inter-entity costs the amount of accrued pension and post-retirement benefit expenses for current employees. The assets and liabilities associated with such benefits are the responsibility of the administering agency, OPM. For the periods ended September 30, 2019 and 2018, respectively, inter-entity costs were as follows:

| | 2019 | 2018 |
|--|-------------------|-------------------|
| Office of Personnel Management | \$ 243,159 | \$ 229,061 |
| Total Imputed Financing Sources | \$ 243,159 | \$ 229,061 |

NOTE 10. UNDELIVERED ORDERS AT THE END OF THE PERIOD

As of September 30, 2019, budgetary resources obligated for undelivered orders were as follows:

| | Federal | Non-Federal | Total |
|---------------------------------|---------------------|------------------|---------------------|
| Paid Undelivered Orders | \$ 1,129,703 | \$ - | \$ 1,129,703 |
| Unpaid Undelivered Orders | 1,105,082 | 35,708 | 1,140,790 |
| Total Undelivered Orders | \$ 2,234,785 | \$ 35,708 | \$ 2,270,493 |

As of September 30, 2018, budgetary resources obligated for undelivered orders were as follows:

| | Federal | Non-Federal | Total |
|---------------------------------|---------------------|------------------|---------------------|
| Paid Undelivered Orders | \$ 437,164 | \$ - | \$ 437,164 |
| Unpaid Undelivered Orders | 1,842,799 | 47,975 | 1,890,774 |
| Total Undelivered Orders | \$ 2,279,963 | \$ 47,975 | \$ 2,327,938 |

NOTE 11. EXPLANATION OF DIFFERENCES BETWEEN THE SBR AND THE BUDGET OF THE U.S. GOVERNMENT

The President's Budget that will include fiscal year 2019 actual budgetary execution information has not yet been published. The President's Budget is scheduled for publication in February 2020 and can be found at the OMB Web site: <http://www.whitehouse.gov/omb/>. The 2020 Budget of the United States Government, with the "Actual" column completed for 2018, has been reconciled to the Statement of Budgetary Resources and there were no material differences.

Note Presentation, rounded to millions

| FY2018 | Budgetary Resources | Obligations Incurred | Distributed Offsetting Receipts | Net Outlays |
|--------------------------------------|---------------------|----------------------|---------------------------------|-------------|
| Statement of Budgetary Resources | \$9 | \$9 | - | \$7 |
| Difference - Due to Rounding | (1) | (1) | - | - |
| Budget of the U.S. Government | \$8 | \$8 | - | \$7 |

NOTE 12. RECONCILIATION OF NET COST TO NET OUTLAYS

The reconciliation of net outlays, presented on a budgetary basis, and the net cost, presented on an accrual basis, provides an explanation of the relationship between budgetary and financial accounting information.

BUDGET AND ACCRUAL RECONCILIATION FOR THE YEAR ENDED SEPTEMBER 30, 2019 (In Dollars)

| | Intragovernmental | With the Public | Total |
|---|---------------------|---------------------|---------------------|
| Net Operating Cost (SNC) | \$ 4,310,749 | \$ 4,024,861 | \$ 8,335,610 |
| Components of Net Operating Cost Not Part of the Budgetary Outlays | | | |
| Property, plant, and equipment depreciation | - | (52,802) | (52,802) |
| (Increase)/Decrease in assets not affecting Budget Outlays: | | | |
| Accounts receivable | - | (2,758) | (2,758) |
| Other assets | 692,540 | - | 692,540 |
| (Increase)/Decrease in liabilities not affecting Budget Outlays: | | | |
| Accounts payable | (135,863) | (61,763) | (197,626) |
| Salaries and benefits | (10,177) | (58,062) | (68,239) |
| Other liabilities | - | (56,091) | (56,091) |
| Other financing sources: | | | |
| Imputed federal employee retirement benefit costs | (243,159) | - | (243,159) |
| Total Components of Net Operating Cost Not Part of the Budget Outlays | \$ 303,341 | \$ (231,476) | \$ 71,865 |
| Components of the Budget Outlays That Are Not Part of Net Operating Cost | | | |
| Acquisition of capital assets | 179,890 | - | 179,890 |
| Total Components of the Budget Outlays That Are Not Part of Net Operating Cost | \$ 179,890 | \$ - | \$ 179,890 |
| Net Outlays (Calculated Total) | \$ 4,793,980 | \$ 3,793,385 | \$ 8,587,365 |
| Related Amounts on the Statement of Budgetary Resources | | | |
| Outlays, Net (SBR 4210) | | | \$ 8,587,365 |