

**§ 4153. Standards for design, construction, and alteration of buildings; Secretary of Housing and Urban Development**

The Secretary of Housing and Urban Development, in consultation with the Secretary of Health and Human Services, shall prescribe standards for the design, construction, and alteration of buildings which are residential structures subject to this chapter to insure whenever possible that physically handicapped persons will have ready access to, and use of, such buildings.

(Pub. L. 90-480, §3, Aug. 12, 1968, 82 Stat. 719; Pub. L. 94-541, title II, §201(3), Oct. 18, 1976, 90 Stat. 2507; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

AMENDMENTS

1976—Pub. L. 94-541 substituted “shall prescribe” and “to insure whenever possible” for “is authorized to prescribe such” and “as may be necessary to insure”, respectively.

CHANGE OF NAME

“Secretary of Health and Human Services” substituted in text for “Secretary of Health, Education, and Welfare” pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

**§ 4154. Standards for design, construction, and alteration of buildings; Secretary of Defense**

The Secretary of Defense, in consultation with the Secretary of Health and Human Services, shall prescribe standards for the design, construction, and alteration of buildings, structures, and facilities of the Department of Defense subject to this chapter to insure whenever possible that physically handicapped persons will have ready access to, and use of, such buildings.

(Pub. L. 90-480, §4, Aug. 12, 1968, 82 Stat. 719; Pub. L. 94-541, title II, §201(4), Oct. 18, 1976, 90 Stat. 2507; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

AMENDMENTS

1976—Pub. L. 94-541 substituted “shall prescribe” and “to insure whenever possible” for “is authorized to prescribe such” and “as may be necessary to insure”, respectively.

CHANGE OF NAME

“Secretary of Health and Human Services” substituted in text for “Secretary of Health, Education, and Welfare” pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

**§ 4154a. Standards for design, construction, and alteration of buildings; United States Postal Service**

The United States Postal Service, in consultation with the Secretary of Health and Human Services, shall prescribe such standards for the design, construction, and alteration of its buildings to insure whenever possible that physically handicapped persons will have ready access to, and use of, such buildings.

(Pub. L. 90-480, §4a, as added Pub. L. 94-541, title II, §201(5), Oct. 18, 1976, 90 Stat. 2508; amended

Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

CHANGE OF NAME

“Secretary of Health and Human Services” substituted in text for “Secretary of Health, Education, and Welfare” pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

**§ 4155. Effective date of standards**

Every building designed, constructed, or altered after the effective date of a standard issued under this chapter which is applicable to such building, shall be designed, constructed, or altered in accordance with such standard.

(Pub. L. 90-480, §5, Aug. 12, 1968, 82 Stat. 719.)

**§ 4156. Waiver and modification of standards**

The Administrator of General Services, with respect to standards issued under section 4152 of this title, and the Secretary of Housing and Urban Development, with respect to standards issued under section 4153 of this title, and the Secretary of Defense with respect to standards issued under section 4154 of this title, and the United States Postal Service with respect to standards issued under section 4154a of this title—

(1) is authorized to modify or waive any such standard, on a case-by-case basis, upon application made by the head of the department, agency, or instrumentality of the United States concerned, and upon a determination by the Administrator or Secretary, as the case may be, that such modification or waiver is clearly necessary, and

(2) shall establish a system of continuing surveys and investigations to insure compliance with such standards.

(Pub. L. 90-480, §6, Aug. 12, 1968, 82 Stat. 719; Pub. L. 94-541, title II, §201(6), Oct. 18, 1976, 90 Stat. 2508.)

AMENDMENTS

1976—Pub. L. 94-541, in introductory text, inserted reference to the United States Postal Service with respect to standards issued under section 4154a of this title and struck out “is authorized” at end; in par. (1), inserted introductory words “is authorized”; and in par. (2), substituted “shall establish a system of continuing surveys and investigations” for “to conduct such surveys and investigations as he deems necessary”.

**§ 4157. Omitted**

CODIFICATION

Section, Pub. L. 90-480, §7, as added Pub. L. 94-541, title II, §201(7), Oct. 18, 1976, 90 Stat. 2508; amended Pub. L. 103-437, §15(n), Nov. 2, 1994, 108 Stat. 4593, which required the Administrator of General Services to report to Congress during the first week of January of each year on his activities and those of other departments, agencies, and instrumentalities of the Federal Government under this chapter during the preceding fiscal year and required the Architectural and Transportation Barriers Compliance Board established by section 792 of title 29 to report to the Public Works and Transportation Committee of the House of Representatives and the Environment and Public Works Committee of the Senate during the first week of January of each year on its activities and actions to insure compli-