U.S. ABILITYONE COMMISSION

Policy 51.514
Effective Date: 01/31/2013

TITLE: ADMINISTRATION OF STATUTORY PRIORITY FOR PRODUCTS

1. PURPOSE.

This policy provides guidance for the administration of the statutory priority for products to be considered for addition to the Procurement List.

2. APPLICABILITY.

This policy applies to Central Nonprofit Agencies (CNA), the U.S. AbilityOne Commission (Commission), and Federal Prison Industries.

3. AUTHORITY.

(a) 41 U.S.C. §§ 8501 – 8506, Javits-Wagner-O'Day Act
(b) 41 C.F.R. 51-3.3, Assignment of commodity or service
(c) FAR Subpart 8.6, Acquisition from Federal Prison Industries, Inc.

4. DEFINITIONS AND ACRONYMS.

Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided in Policy 51.102, Definitions. Terms unique to a specific subject matter will be defined in the associated policy and/or procedure.

5. RESPONSIBLITIES.

(a) The Commission oversees CNAs' development, assignment, and recommendation of products for Procurement List consideration.

(b) The CNAs develop, assign, and recommend with the required supporting information products or services suitable for Procurement List addition.

In accordance with 41 CFR 51-3.3, Assignment of commodity or service, and FAR Subpart 8.6, Federal Prison Industries (FPI) reviews and acts upon CNA requests for waivers of the FPI priority.

6. POLICY.

(a) To maximize AbilityOne® Program resources and avoid duplication, the CNAs shall coordinate the identification, development, assignment, and recommendation of products for Procurement List consideration.

(b) The statutory priority afforded to nonprofit agencies employing people who are blind for products will be executed in accordance with 41 CFR 51-3.3, Assignment of commodity or service.

i. If priority is exercised in accordance with 41 CFR 51-3.3(c), a proposed addition package for that product must be submitted to the Commission within nine months, unless the Commission extends the assignment period because of delays beyond the CNA's control.

ii. Transfer of the assignment by the CNA from one nonprofit agency to another shall not be considered a circumstance beyond the CNA's control.

iii. Any request for extension in (i) above, along with supporting documentation, must be submitted to the Commission not later than six months after exercise of priority. No more than one extension will be granted.

(c) Each CNA shall submit a report listing all requests for waivers it made (to FPI and/or to NIB, if applicable) and the disposition of those requests to the Commission annually, no later than 45 days after the end of the Fiscal Year.

7. EXCEPTION TO POLICY.

None

8. PROCEDURES.

Procedures under development will be numbered 51.514.01

9. SUPERSESSION.

This policy supersedes Operations Memorandum Number 12 dated September 17, 1982 in its entirety.

APPROVED: _____ **Date:** 1/31/2013
E. Ballard
Executive Director