



U.S. AbilityOne Commission Quarterly Public Meeting

April 25, 2024



Administrative Remarks

- This official meeting of the U.S. AbilityOne Commission is open to the general public and is being recorded
- ASL interpreters are pinned to the top of the Zoom screen; live captioning is enabled. To see captions on your screen, use the CC icon at the bottom of the Zoom window
- The Zoom setting for public attendees today is listen-only
- The Chat Box is enabled for comments or questions
- Screen reading software users can silence Zoom alerts (including chats), if desired, by muting your computer audio and joining the meeting by phone
- Meeting materials can be found on www.abilityone.gov





Introductions and Opening Remarks



Agenda

- Chairperson's Opening Remarks
- Recognition – Kevin Lynch
- Competition Final Rule
- Regulations & Policy Subcommittee Update
- Executive Director Report
- Path to New Cooperative Agreements
- Inspector General Presentation
- BREAK





Agenda

- Public Engagement Topics: Technology

Panel 1: How Digital Accessibility and Technology Support Individuals with Disabilities in their Jobs

Web Accessibility Final Rule

Panel 2: How Technology Advances Can Support Employee Career Development Activities

- General Public Discussion
- Closing Remarks





Recognition



Kevin A. Lynch
President and CEO
National Industries for the Blind
2008 - 2024





Report to the President Issued

Highlights recent achievements

- Ending use of subminimum wages on AbilityOne contracts
- Proposing three legislative changes to modernize AbilityOne
- Continuing implementation of 898 Panel recommendations
- Improving stewardship of the Program
- Supporting competition in the Program in a manner that advances all elements of the Program
- Updating AbilityOne Program policies
- Advancing employee career development within the Program
- Expanding and supporting ABORs (AbilityOne Representatives)
- Beginning IT modernization





Status of 898 Panel Recommendations

- Final 898 Panel Report issued in December 2021, reported 12 of 24 recommendations were implemented
- Remaining recommendations incorporated into Commission's Strategic Plan for FY 2022-2026
- Significant progress on open recommendations
 - Five (5) remaining recommendations now implemented
 - Four (4) remaining recommendations partially implemented or in-process
 - Three (3) remaining recommendations were for specific legislative changes; the Commission facilitated interagency discussion on these proposals





Recently Implemented Recommendations

- ✓ Revise Commission regulations to eliminate use of subminimum wages
- ✓ Establish business rules to support competition
- ✓ Revise regulations to address deauthorization of NPAs as the required source on the Procurement List
- ✓ Update the Procurement List Information Management System to provide more robust search functions
- ✓ Implement DoD-wide policy to establish ABORs





Competition Final Rule





Reasons for Rulemaking

- **Implement 898 Panel recommendations**
 - “Establish business rules for competition and assignment of work among AbilityOne Program NPAs”
- **Intergovernmental Support Agreements (IGSAs)**
- **Increase attractiveness of AbilityOne Program across Federal Government**
 - Federal customer interest in competition
 - Commission’s Strategic Plan (“provide best value”)
 - Evolution of AbilityOne service contracts





Open Process and Engagement

- Extended comment period to hear concerns from NPAs and central nonprofit agencies (CNAs).
- Provided two-hour public meeting to ensure all had an opportunity to provide their views.
- Engaged extensively with Federal agencies to ensure their interests were understood.
- Made significant changes from proposed rule based on inputs provided – around dollar threshold, approval levels, and to more clearly address “social impact.”





Changes from NPRM to Final Rule

- **Threshold to consider competition is bifurcated**
 - DOD and its components: > \$50M total project value
 - Civilian agencies: > \$10M total project value
- **Impasse trigger: > \$1M total project value**
 - Requires good faith bilateral price negotiation, and
 - Exhaustion of all administrative remedies by Commission's pricing policies
- **Senior Executive or General/Flag Officer** must submit request for competition
- **Commission decides whether to approve** a competitive distribution based on suitability criteria (41 C.F.R. 51-2.4)





Changes from NPRM to Final Rule

- The CNA's final selection must consider holistically:
 - Technical Capability; Past Performance; Price and
 - NPA's capacity for training and placements (explained in the preamble to the rule as employee career development); and
 - Employment opportunities

Preamble notes that the Commission will be updating regulation 51-2.4, Suitability Criteria, that will address employee career development.

- Price cannot outweigh non-price factors in combination
- Rule clarifies Commission's authority to deauthorize NPAs as mandatory sources





Implementation

- Published March 22, 2024 – Effective April 22, 2024
- Applies to new and existing Procurement List requirements
- Next step is to develop implementing policy
 - Develop process for agencies to request competition – e.g., factors they should consider and information they should provide
 - Develop procedures for Commission to evaluate competition opportunities
 - Work with CNAs on guidance for review of competitive proposals and making final selections
- Consistent with other policies and procedures, stakeholders will be engaged for input and feedback





Regulations and Policy Subcommittee Update



Policy 400 Series: NPA Compliance

Final

- 51.400 – Overall Compliance Program
- 51.403 – Determining Eligibility of Participating Employees

Published for Feedback

- 51.401 – Entry Qualifications
- 51.402 – Program Qualifications
- 51.404 – Direct Labor Hour Ratio Requirements





Policy 400 Series (continued)

Drafts to be Published for Feedback – Target May 2024

- 51.406 – Rights of Participating Employees
- 51.407 – Qualification Assessment & Enforcement Actions
 - Procedure 51.407-01

In Development

- 51.405 – Employee Career Development





Policy 300 Series: CNA Responsibilities

Policies will address:

- Responsibilities of CNAs to engage in opportunity developments for NPAs
- Process and criteria by which the CNA recommends an NPA to the Commission for a contract
- Process and criteria by which the CNA selects an NPA under the new rule for competition that is inclusive of price
- Compliance responsibilities of the CNAs
- Process and criteria regarding the Program Fee





Data Collection

- **Form One** – To replace part of the Individual Eligibility Evaluation (IEE) form for making individual employee disability determinations.
- **Form Two** – To replace part of the Individual Eligibility Evaluation (IEE) form for reporting employee information.
- **Annual Reps and Certs Form (Form 3)** – Update of current reps and certs form for aggregate data and other information from the NPA.





Executive Director Report



Strategic Plan Implementation

Focus on governance and results across the Program

- Transform data collection
 - One proposed update to legacy Individual Employee Eligibility form published for comments
 - Two additional proposed forms soon to be published for comments
- Update NPA compliance processes
 - Several policies, procedures, and Frequently Asked Questions in development
- Issued Final Rule supporting competition
 - Next step is to develop implementing policy





Communication and Transparency

- Issued Congressional Budget Justification
- Issued Report to the President
- Informed public through multiple channels about Final Rule *“Supporting Competition in the AbilityOne Program”*
- Conducted senior leader tours of AbilityOne Total Facilities Management at the Mark Center in Alexandria, Va.
- Meetings with stakeholders to provide updates on modernization efforts
 - AbilityOne NPAs (January 26, 27; February 6)
 - Disability advocacy organizations (April 10)





Path to New Cooperative Agreements



Preparing for New Agreements

- Special Commission Member Panel established to provide high level guidance, including
 - Key performance indicators and/or other areas of focus
 - Performance standards and metrics
 - Any adjustments to the Program Fee ceiling to resource the Central Nonprofit Agencies' performance of duties
- Milestones
 - Commission guidance provided
 - Negotiations conducted
 - New agreements signed





U.S. AbilityOne Commission

Office of Inspector General



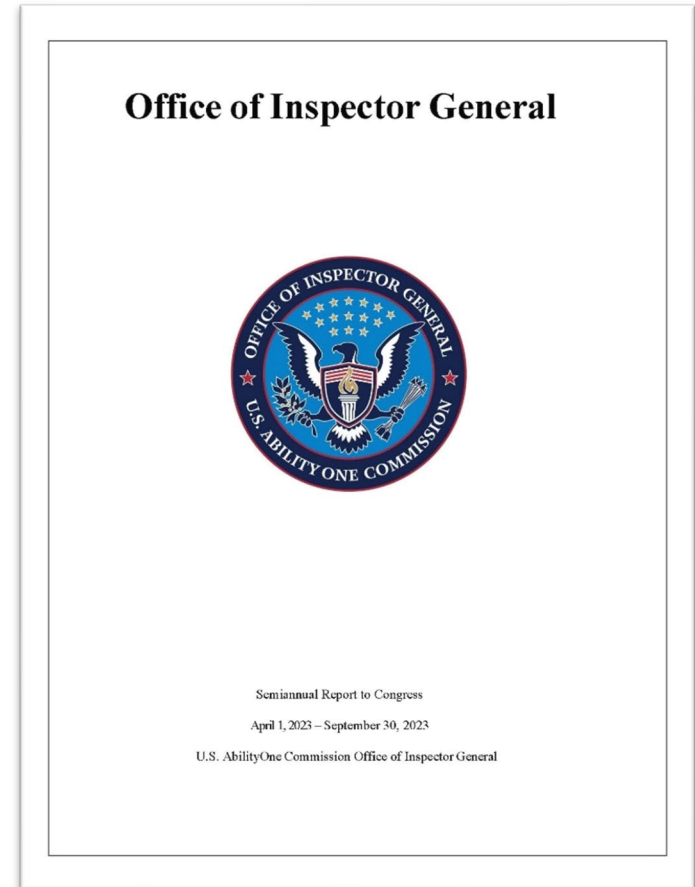
Stefania Porter, Inspector General
April 25, 2024





Semiannual Report to Congress

- SAR Spring 2023
Theme: **Transformation**
- SAR Fall 2023
Theme: **Next Stage**
- SAR Spring 2024 – end of May
Stay tuned for the theme!





OIG Oversight - Audits

- Audit of Commission's Quality of Products in Support of Meeting Government requirements
- FY24 FSA
- FY24 FISMA

Issuing soon:

- Commission's Contract Administration Process
- Third-Party Service Provider Agreements
- Data Reliability, Availability, and Accessibility





Oversight Planning

- OIG's Annual Oversight Plan - finalizing
- OIG utilizes a comprehensive risk-based methodology
- Evaluation of the Implementation of the Strategic Plan





NPA Visit – OIG with Commission

- NPA Service Source at Mark Center/DOD
- Examples of employee career development





CIGIE Career Fair

- IG Sandra Bruce, Education IG, opening remarks
- 30+ offices of Inspectors General
- USA JOBS delegation
- In-person and Virtually
- ASL interpreters

CIGIE'S SEMIANNUAL Career Fair

One Day, One Place, More Than 30 Employers. Come Find Your Next Great Career or Internship at the CIGIE Career Fair!

Don't miss this opportunity to meet with more than 30 Federal Offices of Inspectors General and find out about available and future positions!

High school students, college students (all majors), recent graduates, law students, and all other career seekers are encouraged to attend!

March 28

Time: 10 a.m. to 3 p.m.

Location: Department of Housing and Urban Development
451 7th Street, S.W.,
Washington, DC 20410
Parking available at L'Enfant Plaza
Metro stops: L'Enfant Plaza or Federal Triangle

Register for this FREE event by March 15

Use the QR code below to register!
Government-issued ID (e.g., driver's license) or current high school student ID required to enter the building.
Must be a U.S. citizen to participate.
If you have any questions, need additional information, or reasonable accommodation requests, please contact OIG.Comms@ed.gov.

Looking for Opportunities Outside of the D.C. Area?
Attend one of our two virtual Office Hours for information on career and internship opportunities in cities across the country. Office Hours scheduled for 10 a.m., and 1 p.m. Use the QR code below to register.

Presented by the CIGIE DEIA Committee, HUD OIG, OPM OIG.

For more information on the Federal Offices of Inspectors General, visit www.ignet.gov.

Scan the QR code to register via SmartSheet.





OIG Contact Information

AbilityOne Office of Inspector General

<https://abilityone.oversight.gov>

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<https://abilityone.oversight.gov/hotline>

You may also submit a complaint via our:

Hotline Toll-Free Number: 1-844-496-1536

Email: hotline@oig.abilityone.gov





Break



Public Engagement Session



Topics in Technology

Perspectives related to disability employment objectives

- Panel 1: Experts from Government, advocacy community, and AbilityOne employers. Topics:
 - Successes, best practices, and challenges regarding digital accessibility and employment opportunities
- Panel 2: Experts from the for-profit sector. Topics:
 - Innovation
 - How start-ups are transforming processes for hiring, training, and providing accommodations for employees with disabilities
 - Opportunities to leverage new technology to support employment inside and outside the AbilityOne Program





Panel 1: How Digital Accessibility and Technology Support Individuals with Disabilities in their Jobs



Panel 1

Dr. Sachin Dev Pavithran, Executive Director,
U.S. Access Board

Mark Riccobono, President, National Federation
of the Blind (NFB)

Kyle Johnson, CEO, Lighthouse Works



Web Accessibility Rule

Jennifer Mathis

Deputy Assistant Attorney General

Civil Rights Division

Department of Justice



Panel 2: How Technology Advances Can Support Employee Career Development Activities



Panel 2

Regina Kline, Principal, Enable Ventures /
SmartJob, LLC

Tiffany Meehan, Vice President, Inclusively

Byran Dai, Co-Founder and CEO, Daivergent



Audience Comments and General Public Discussion



Chairperson Closing Remarks