



TITLE: DEFINITIONS OF TERMS

1. PURPOSE.

This policy provides definitions for terms and acronyms found throughout AbilityOne policy documents.

2. APPLICABILITY.

This policy is applicable to the U.S. AbilityOne Commission (Commission), its Central Nonprofit Agency(ies) (CNAs), qualified nonprofit agencies (NPAs) and Federal agencies doing business with the AbilityOne Program.

3. AUTHORITY.

- (a) Javits-Wagner-O’Day (JWOD), 41 U.S.C. §§ 8501-8506
- (b) 41 CFR Chapter 51, Committee For Purchase From People Who Are Blind Or Severely Disabled
- (c) Special Vote Letter 12-02 dated December 30, 2011, Policy on the use of “Significantly Disabled” in the AbilityOne Program.

4. DEFINITIONS.

NOTE: Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided herein. Terms unique to a specific subject matter are defined in the associated policy and/or procedure. Definitions found in 41 U.S.C. 8501, Definitions, and 41 CFR 51-1.3, Definitions, are to be used to control any inconsistencies or disputes of the terms defined herein.

Term	Definition
AbilityOne Program	The program authorized by the Javits-Wagner O’Day Act to increase employment and training opportunities for persons who are blind or have other severe disabilities through Government purchasing of commodities and services from nonprofit agencies employing these persons.
Blind	An individual or class of individuals whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle no greater than 20 degrees.

The Committee for Purchase From People Who Are Blind or Severely Disabled operates as the U.S. AbilityOne Commission



U.S. ABILITYONE COMMISSION

51.102 – Definitions

March 8, 2015

Term	Definition
<i>Central nonprofit agency (CNA)</i>	An agency organized under the laws of the United States or of any State, designated in accordance with the Javits-Wagner O’Day Act, operating in the interest of the blind or persons with other severe disabilities, the net income of which does not inure in whole or in part to the benefit of any shareholder or other individual, and designated by the Committee to facilitate the distribution (by direct allocation, subcontract, or any other means) of orders of the Government for commodities and services on the Procurement List among nonprofit agencies employing persons who are blind or have other severe disabilities, to provide information required by the Committee to implement the AbilityOne Program, and to otherwise assist the Committee in administering these regulations as set forth herein by the Committee.
<i>Committee</i>	The Committee for Purchase From People Who Are Blind or Severely Disabled. NOTE: The Committee operates as the U.S. AbilityOne Commission effective October 1, 2011.
<i>Contracting activity</i>	Any element of an entity of the Government that has responsibility for identifying and/or procuring Government requirements for commodities or services. Components of a contracting activity, such as a contracting office and an ordering office, are incorporated in this definition, which includes all offices within the definitions of “contracting activity,” “contracting office,” and “contract administration office” contained in the Federal Acquisition Regulation, 48 CFR 2.101, Definitions.
<i>Direct labor</i>	All work required for preparation, processing, and packing of a commodity or work directly related to the performance of a service, but not supervision, administration, inspection or shipping.
<i>Entity of the Government</i>	Any entity of the legislative branch or the judicial branch, any executive agency, military department, Government corporation, or independent establishment, the U.S. Postal Service, and any non-appropriated fund instrumentality under the jurisdiction of the Armed Forces.
<i>Federal agency</i>	See <i>Entity of the Government</i>

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<i>Federal Fiscal year</i>	The 12-month period beginning on October 1 of each year.
<i>Government</i>	See <i>Entity of the Government</i>
<i>Interested person or Interested party</i>	An individual or legal entity affected by a proposed addition of a commodity or service to the Procurement List or a deletion from it.
<i>Military resale commodities</i>	Commodities on the Procurement List sold for the private, individual use of authorized patrons of Armed Forces commissaries and exchanges, or like activities of other Government departments and agencies.
<i>Nonprofit agency (NPA)</i>	A nonprofit agency for the blind or a nonprofit agency employing persons with severe disabilities, as appropriate. See Qualified NPA and Participating NPA.
<i>Other severely disabled and Severely disabled individuals</i> <i>(hereinafter persons with significant disabilities)</i>	<p>A person (other than a blind person) who has a significant physical or mental impairment (a residual, limiting condition resulting from an injury, disease, or congenital defect) which limits the person's functional capabilities (mobility, communication, self-care, self-direction, work tolerance or work skills) that the individual is unable to engage in normal competitive employment over an extended period of time.</p> <p>(1) Capability for normal competitive employment shall be determined from information developed by an ongoing evaluation program conducted by or for the nonprofit agency and shall include, as a minimum, a preadmission evaluation and a reevaluation at least annually of each individual's capability for normal competitive employment.</p> <p>(2) A person with a significant mental or physical impairment who is able to engage in normal competitive employment because the impairment has been overcome or the condition has been substantially corrected is not "other significantly disabled" within the meaning of the definition.</p>
<i>Participating nonprofit agency</i>	A nonprofit agency which has been authorized by the Committee to furnish a commodity or service to the Government under the JWOD Act.

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<i>Procurement List</i>	A list of commodities (including military resale commodities) and services the Committee has determined suitable to be furnished to the Government by nonprofit agencies for the blind or nonprofit agencies employing persons with significant disabilities pursuant to the JWOD Act and associated regulations.
<i>Qualified nonprofit agency for other severely disabled</i> (hereinafter nonprofit agency employing persons with significant disabilities)	An agency organized under the laws of the United States or any State, operating in the interests of persons with significant disabilities who are not blind, and the net income of which does not inure in whole or in part to the benefit of any shareholder or other individual; which complies with applicable occupational health and safety standards prescribed by the Secretary of Labor; and which in furnishing commodities and services (whether or not the commodities or services are procured under these regulations) during the fiscal year employs persons with significant disabilities (including blind) for not less than 75 percent of the work-hours of direct labor required to furnish such commodities or services.
<i>Qualified nonprofit agency for the blind</i> (hereinafter nonprofit agency for the blind)	An agency organized under the laws of the United States or of any State, operated in the interest of blind individuals, and the net income of which does not inure in whole or in part to the benefit of any shareholder or other individual; which complies with applicable occupational health and safety standards prescribed by the Secretary of Labor; and which in furnishing commodities and services (whether or not the commodities or services are procured under these regulations) during the fiscal year employs blind individuals for not less than 75 percent of the work-hours of direct labor required to furnish such commodities or services.

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<i>Significantly Disabled individual or persons with a significant disability</i>	<p>A person other than a blind person who has a significant physical or mental impairment (a residual, limiting condition resulting from an injury, disease, or congenital defect) which so limits the person's functional capabilities (mobility, communication, self-care, self-direction, work tolerance or work skills) that the individual is unable to engage in normal competitive employment over an extended period of time.</p> <p>(1) Capability for normal competitive employment shall be determined from information developed by an ongoing evaluation program conducted by or for the nonprofit agency and shall include, as a minimum, a preadmission evaluation and a reevaluation at least annually of each individual's capability for normal competitive employment.</p> <p>(2) A person with a significant mental or physical impairment who is able to engage in normal competitive employment because the impairment has been overcome or the condition has been substantially corrected is not "other significantly disabled" within the meaning of the definition.</p> <p>In correspondence and policy, the term "significant disability" is synonymous with the term "severe disability" as defined in 41 U.S.C. 8501 and the applicable regulations.</p>
<i>State</i>	The 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any territory remaining under the jurisdiction of the Trust Territory of the Pacific Islands.
<i>U.S. AbilityOne Commission</i>	Operating name of the Committee for Purchase From People Who Are Blind or Severely Disabled

ACRONYMS

Acronym	Definition
CNA	Central Nonprofit Agencies
JWOD	Javits-Wagner-O'Day Act
NIB	National Industries for the Blind
NISH	NISH—Creating Employment Opportunities For People With Significant Disabilities
NPA	Nonprofit Agencies

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5. RESPONSIBILITIES.

The Commission implements 41 U.S.C. §§8501-8506 and 41 CFR Chapter 51, Committee For Purchase From People Who Are Blind Or Severely Disabled, to include the definitions therein. The Commission provides and maintains definitions for other terms used in its administration of the AbilityOne Program.

6. POLICY.

- (a) The definitions prescribed in 41 U.S.C. 8501, 41 CFR Chapter 51, and this document shall be used in the administration of the AbilityOne Program.
- (b) Definitions found in 41 U.S.C. 8501, Definitions, and 41 CFR 51-1.3, Definitions, are to be used to control any inconsistencies or disputes of the terms defined herein.
- (c) In correspondence and policy, the term “significant disability” is synonymous with the term “severe disability” as defined in 41 U.S.C. 8501 and the applicable regulations.

7. PROCEDURES.

None

8. EXCEPTION TO POLICY.

None

9. SUPERSESSION.

None



APPROVED  Date: 3/8/15
E. Ballard
Executive Director