



## **U.S. AbilityOne Commission Proposes Rule on “Revising Central Nonprofit Agencies' Requirements to Charge Fees and Clarifying the Permissibility of Subcontracting Within the AbilityOne Program”**

WASHINGTON, D.C., April 30, 2026 – The U.S. AbilityOne Commission today [published](#) a Notice of Proposed Rulemaking (NPRM) in the Federal Register that begins a formal rulemaking process and requests public comments by June 1, 2026. The proposed rule addresses the following:

### **Revising Commission regulations to reflect Congressional guidance related to CNAs collecting program fees from AbilityOne-participating nonprofit agencies (NPAs).**

Specifically, Congressional [guidance](#) in the Consolidated Appropriations Act, 2016, required written agreements between the Commission and the CNAs for the CNAs to receive program fees for facilitating the NPAs' participation in the AbilityOne Program.

The program fee is a percentage of the sales revenue of each contract for a product or service on the AbilityOne Procurement List. The fee is paid by NPAs to their CNA to fund CNA activities that facilitate the operations of the AbilityOne Program.

The Commission's request for public comments on this NPRM includes seeking feedback on the current program fee to determine if it is the most cost-effective way to achieve the AbilityOne Program's employment mission. Commenters are asked to consider the following questions:

1. Does the current program fee strike the right balance between ensuring that the CNAs are properly resourced to accomplish their statutory mission and reducing the overall cost burden to the Federal government?
2. Should the Commission explore other ways to set that program fee that would have the overall effect of lowering it, such as adopting a tiered system of fees or a flat fee not based on a percentage of sales?



## **Formally adopting the use of 2 CFR Part 200 as the framework for the Commission's Cooperative Agreements with the CNAs.**

2 CFR Part 200 is uniform guidance that establishes standard administrative requirements, cost principles, and audit requirements for Federal awards to non-Federal entities. Uniform guidance is a set of standardized rules issued by the Office of Management and Budget (OMB) for managing Federal grants and cooperative agreements.

## **Clarifying the definition of subcontracting within the AbilityOne Program, streamlining the approval process for use of subcontracting, and reducing the administrative burden on NPAs for selecting subcontractors.**

Subcontracting will continue to be an integral part of the AbilityOne Program, but it should never be used in a manner that diminishes the employment goals of the Program. Instead, subcontracting should be used only when it complements the employment prospects of individuals who are blind or significantly disabled and/or enhances the capabilities of an NPA in furtherance of contract performance.

The proposed rule is designed to clarify the distinction between prohibited and permissible subcontracting. This proposed rulemaking clearly defines what a subcontractor is and how to calculate the percentage of subcontracting for a given project.

In addition, the rulemaking will make it easier for NPAs to leverage subcontracting on a nonroutine basis when it makes sense to do so, without incurring unnecessary administrative burdens.

### **About the U.S. AbilityOne Commission**

The U.S. AbilityOne Commission oversees the AbilityOne Program. The Commission is the operating name of the Committee for Purchase From People Who Are Blind or Severely Disabled. The Commission is an independent Federal agency composed of 15 Presidential appointees: 11 represent Federal agencies, and four serve as private citizens who are knowledgeable about employment barriers facing people who are blind or have significant disabilities.

### **About the AbilityOne Program**

The AbilityOne Program facilitates the use of government procurement to provide employment in the United States for people who are blind or have significant disabilities. In FY 2025, approximately 41,000 individuals, including approximately 2,800 veterans and wounded warriors, were employed nationwide at approximately 400 nonprofit agencies from Maine to Guam. In addition, AbilityOne provided more than \$4.7 billion in products and services to approximately 40 Federal government agencies.