



U.S. AbilityOne Commission Proposes Rule to Support Competition in the AbilityOne Program

WASHINGTON, D.C., March 10, 2023 – The U.S. AbilityOne Commission announced today that it will publish a Notice of Proposed Rulemaking (NPRM) in the Federal Register on March 13, 2023, that will begin a formal rulemaking process to support competition in the AbilityOne Program.

Specifically, the NPRM proposes a rule that will:

(1) Clarify the Commission’s authority to consider different pricing methodologies in establishing the Fair Market Price (FMP), which is the price charged for a product or service on the [AbilityOne Procurement List](#).

(2) Better define the parameters for conducting fair and equitable competitive allocations among multiple qualified Nonprofit Agencies (NPAs) within the AbilityOne Program for service requirements that are expected to exceed \$10 million in total contract value or in instances where bilateral negotiations between the NPA and the Federal agency have failed.

(3) Clarify the responsibilities and procedures associated with authorizing and deauthorizing NPAs, including ensuring that, to the maximum extent practicable, the jobs of incumbent employees who are blind or have other significant disabilities are protected if an NPA is deauthorized and its work is reallocated within the AbilityOne.

“The proposed rule is an important step in the modernization of the AbilityOne Program and the implementation of the Commission’s FY 2022-2026 Strategic Plan,” said Commission Chairperson Jeffrey A. Koses. “The rule is designed to increase transparency, incentivize performance, and ensure that the Program remains a trusted source of supply and services for Federal agencies, thereby creating and maintaining jobs for people who are blind or have significant disabilities.”

The rule incorporates specific recommendations from the Section 898 “Panel on Department of Defense and AbilityOne Contracting Oversight, Accountability and Integrity” that was established by the 2017 National Defense Authorization Act.

The Commission concluded the significant benefits of the proposed rule to our Federal agency partners outweigh the marginal administrative costs involved in NPAs competing with other NPAs for a high dollar contract.



The deadline for submitting comments on the proposed rule is May 11, 2023. To locate the proposed rule, search for “RIN 3037-AA14” on www.regulations.gov.

About the U.S. AbilityOne Commission

The AbilityOne Program is administered by the U.S. AbilityOne Commission, 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. More than 36,000 individuals, including more than 2,500 veterans, are employed nationwide at approximately 450 nonprofit agencies from Maine to Guam. AbilityOne provided nearly \$4 billion in products and services to approximately 40 Federal government agencies in FY 2022.

