

**COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

**Agency Information Collection Activities; Proposals, Submissions, and Approvals**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** The Committee for Purchase From People Who Are Blind or Severely Disabled operates as the U.S. AbilityOne Commission (Commission). This notice announces the Commission’s intent to submit the Information Collection Request (“ICR”) described below to the Office of Management and Budget (OMB) for approval under applicable provisions of the Paperwork Reduction Act. This notice provides an opportunity to interested members of the public and affected agencies to comment on a proposed Individual Employee Information form.

**DATES:** Submit comments on or before July 1, 2024.

**ADDRESSES:** Submit comments through [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Christopher Stewart, Compliance and Enforcement Attorney, Office of General Counsel, U.S. AbilityOne Commission, 355 E Street SW, Suite 325, Washington, DC 20024; telephone: (703) 254-6172; email: [cstewart@abilityone.gov](mailto:cstewart@abilityone.gov). If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

**SUPPLEMENTARY INFORMATION:**

*Overview of ICR:* This notice pertains to an ICR the Commission intends to submit to OMB for approval of a form that an AbilityOne participating nonprofit agency employer will fill out to document relevant information for each of its employees whose work on an AbilityOne Procurement List contract is counted by the NPA as direct labor hours. These individuals are called “Participating Employees.”

This ICR is consistent with OMB regulations at 5 CFR part 1320, which implement provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). These regulations require the

Commission to provide an opportunity to interested members of the public and affected agencies to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)) such as those proposed to be implemented through this form.

The Commission is responsible for implementing the Javits-Wagner-O’Day (JWOD) Act, 41 U.S.C. 8501-8506. In doing so, the Commission oversees the AbilityOne Program, an employment program in which individuals who are blind or have significant disabilities provide products and services to Federal agencies, thereby creating employment opportunities for such individuals. The Commission maintains a Procurement List of mandatory source products and services provided by approximately 413 qualified nonprofit agencies (NPAs).

This Participating Employee Information (PEI) form will collect data from qualified NPAs regarding Participating Employees in order to ensure the integrity and further the mission of the AbilityOne Program. This form will provide data on matters such as employee wages, the nature of Participating Employees’ disabilities, what job supports and accommodations the Participating Employees are receiving, and a description of employee career development activities that are available to Participating Employees, if an NPA is currently providing such activities.

The form described in this ICR is the second of three forms designed to modernize the Commission’s information gathering efforts and align it with the Commission’s Strategic Plan for FY2022 to FY2026, as well as with Commission regulations, including, *inter alia*, 41 CFR 51-4.3.

The Commission is also developing a new Policy 51.405 which will set forth an NPA’s responsibility to provide Participating Employees with employee career development activities such as job individualizations and employee career plans. Although the requirements of Policy 51.405 will be implemented over time, this form will allow those NPAs that are already providing such employee career development activities to provide data on what they offer.

A draft version of the PEI form is available at [www.abilityone.gov](http://www.abilityone.gov).

The PEI form will be filled out and submitted annually for each Participating Employee through an electronic system that will be established by the Central Nonprofit Agency for the use of the NPAs.

The Commission estimates that it will take 45 minutes to complete the form. Information regarding employee wages and hours worked is currently maintained by each NPA in their payroll system. Information on the accommodations and job supports an individual employee is receiving is currently required by the predecessor form that is currently completed by the NPA for each direct labor employee who is blind or has a significant disability. The additional information regarding whether third parties have paid for or reimbursed the NPA for the provision of accommodations or job supports, or career development support, was not previously collected. However, information regarding the third-party provision of services and/or third party provision of funding for an individual should accessible from the employee’s records, which the preparer will review to complete this form. In addition, the listing of multiple-choice text boxes on the proposed form is expected to streamline the process for providing this information.

To calculate the burden for completion of the form in units of hours, the Commission multiplied the estimated total number of annual responses by 0.75. NPAs can assess the burden to their particular organization by multiplying the time by their total number of Participating Employees.

The cost burden is based upon national average pay data from the U.S. Bureau of Labor Statistics, using the May 2022 National Occupational Employment and Wage Estimate of \$30.88 as the median hourly wage for a Human Resources Specialist (OC 13-1070). ([https://www.bls.gov/oes/current/oes\\_nat.htm#11-0000](https://www.bls.gov/oes/current/oes_nat.htm#11-0000)) The table below represents the time and cost burden the Commission estimates this form will necessitate. The Commission believes that collecting this critical data will further the Program’s mission and ultimately result in an expansion in opportunities for the individuals employed through the AbilityOne Program.

| Number of NPAs | Annual responses for this form | Annual form burden (minutes/employee) (hour) | Total time burden for all employees | Annual form cost burden (dollars) |
|----------------|--------------------------------|--|-------------------------------------|-----------------------------------|
| 413            | 36,377                         | .75  | 27,282.75                           | \$842,491.32                      |

With respect to this collection of information via the proposed form, the Commission welcomes comments on the following:

- The necessity to collect this information to support the Commission's mission and oversight responsibilities.
- Methodology to improve the accuracy of the estimated time burden, *i.e.*, specific year-over-year employee turnover rates for NPAs or number of additional employee hires above turnovers, expressed as a percentage of the NPAs' total number of Participating Employees;
- Suggestions or methods to minimize the burdens associated with collecting the information described in this ICR.

The proposed form is viewable at [www.abilityone.gov](http://www.abilityone.gov).

**Michael R. Jurkowski,**  
Director, Business Operations.

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## CONSUMER FINANCIAL PROTECTION BUREAU

### Supervisory Highlights, Issue 32, Spring 2024

**AGENCY:** Consumer Financial Protection Bureau.

**ACTION:** Supervisory Highlights.

**SUMMARY:** The Consumer Financial Protection Bureau (CFPB or Bureau) is issuing its thirty-second edition of Supervisory Highlights.

**DATES:** The findings in this report cover select examinations in connection with credit reporting and furnishing that were completed from April 1, 2023, through December 31, 2023.

**FOR FURTHER INFORMATION CONTACT:** Jaclyn Sellers, Senior Counsel, at (202) 435-7449. If you require this document in an alternative electronic format, please contact [CFPB\\_Accessibility@cfpb.gov](mailto:CFPB_Accessibility@cfpb.gov).

#### SUPPLEMENTARY INFORMATION:

##### 1. Introduction

Credit reporting is critical to consumers' ability to access credit and other products and services and often is used as a factor in rental and employment determinations. Accuracy in consumer reports is of vital importance to the credit reporting system and to consumers. Inaccurate information on a consumer report can have significant consequences for consumers and may, among other things, lead them to receive products or

services on less favorable terms or impede their ability to access credit or open a bank account.

Inaccuracy in the credit reporting system is a long-standing issue that remains a problem today. Accordingly, the CFPB continues to prioritize examinations of consumer reporting companies (CRCs) and furnishers. CRCs are companies that regularly engage in whole or in part in the practice of assembling or evaluating information about consumers for the purpose of providing consumer reports to third parties.<sup>1</sup> Furnishers are entities, such as banks, loan servicers, and others, that furnish information to the CRCs for inclusion in consumer reports.

CRCs and furnishers play a crucial role in ensuring the accuracy and integrity of information contained in consumer reports. They also have an important role in the investigation of consumer disputes relating to the accuracy of information in consumer reports. The Fair Credit Reporting Act (FCRA)<sup>2</sup> and its implementing regulation, Regulation V,<sup>3</sup> subject CRCs and furnishers to requirements relating to their roles in the credit reporting system, including the requirement to reasonably investigate disputes and certain accuracy-related requirements. The FCRA and Regulation V also impose obligations in connection with, among other things, consumer-alleged identity theft and—most recently—adverse information resulting from human trafficking including on consumer reports of human-trafficking victims.

In recent reviews of CRCs, examiners have continued to find deficiencies in CRCs' compliance with the accuracy and identity theft requirements of the FCRA and Regulation V.<sup>4</sup> For example, examiners found some CRCs were engaged in the practice of automatically declining to implement identity theft blocks upon receipt of the requisite documentation based on overbroad disqualifying criteria and without an individualized determination that there is a statutory basis to decline the block, in violation of the FCRA. Examiners

<sup>1</sup> The term "consumer reporting company" as used in this publication means the same as "consumer reporting agency," as defined in the Fair Credit Reporting Act, 15 U.S.C. 1681a(f), including nationwide consumer reporting agencies as defined in 15 U.S.C. 1681a(p) and nationwide specialty consumer reporting agencies as defined in 15 U.S.C. 1681a(x).

<sup>2</sup> 15 U.S.C. 1681 *et seq.*

<sup>3</sup> 12 CFR part 1022.

<sup>4</sup> If a supervisory matter is referred to the Office of Enforcement, Enforcement may cite additional violations based on these facts or uncover additional information that could impact the conclusion as to what violations may exist.

also found some CRCs violated Regulation V's human trafficking requirements, effective as of July 25, 2022, by failing to timely block, or in some cases failing to block all, adverse items of information identified by the consumer as resulting from human trafficking.

In recent reviews of furnishers, examiners have continued to find deficiencies in furnishers' compliance with the accuracy and dispute investigation requirements of the FCRA and Regulation V. Examiners found several furnishers violated the FCRA duty to promptly update or correct information determined to be incomplete or inaccurate, including, for example, by continuing to report fraudulent accounts to CRCs as valid (*i.e.*, non-fraudulent) accounts for several years after determining the accounts were fraudulent. Examiners also found that some furnishers violated the FCRA, after receiving an identity theft report from a consumer at the appropriate address, by continuing to furnish information identified in the report as resulting from identity theft without the furnishers knowing or being informed by the consumer that the information was, in fact, correct. The findings in this report cover select examinations in connection with credit reporting and furnishing that were completed from April 1, 2023, through December 31, 2023. To maintain the anonymity of the supervised institutions discussed in *Supervisory Highlights*, references to institutions generally are in the plural and related findings may pertain to one or more institutions.

## 2. Supervisory Observations

### 2.1 Consumer Reporting Companies

In recent reviews of CRCs, examiners found deficiencies in CRCs' compliance with FCRA and Regulation V identity theft block, human trafficking submission and accuracy requirements.

#### 2.1.1 CRC Duty To Block the Reporting of Information Resulting From an Alleged Identity Theft

The FCRA requires CRCs to block the reporting of any information in a consumer's file that the consumer identifies as information that resulted from an alleged identity theft not later than four business days after the CRC receives certain documentation relating to the alleged identity theft. Such documentation includes appropriate proof of the consumer's identity, a copy of an identity theft report, identification of the information that resulted from the alleged identity theft, and a statement by the consumer that such information