

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

TITLE OF ICR:

NPA Annual AbilityOne Representations and Certifications

Justification – Part A Supporting Statement

Overview of Information Collection: Provide a brief overview of the information being collected, disclosed, or the recordkeeping requirement imposed by the agency.

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 (AbilityOne), an employment program in which individuals who are blind or have significant disabilities (employees with 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 404 qualified nonprofit agencies (NPAs).

This NPA Annual AbilityOne Representations and Certifications form will collect data from NPAs regarding their AbilityOne Program (and total organizational) performance measured by certain tailored performance data metrics – e.g., AbilityOne sales (and total sales), AbilityOne direct labor hours (and total hours), AbilityOne employment of employees with disabilities (and total employment of employees with disabilities), and AbilityOne employees with disability mobility outcomes (and total employees with disabilities mobility outcomes). Direct labor hours are defined in the JWOD Act as “all work required for preparation, processing, and packaging of a product, or work directly relating to the performance of a service; but does not include supervision, administration, inspection, or shipping.”

The data in this ICR is required by the governing JWOD Act and the Commission’s refining regulations at 41 CFR 51-4.3(a) and (b). Additionally, some data in this ICR would be collected in accordance with the Commission’s policies or the Commission’s evaluation of its AbilityOne Program’s overall effectiveness. This form will collect aggregate, not individualized, data.

- Identify whether this is a request for approval of a New Collection, a Revision to an Existing Collection, an Extension, or a Reinstatement.
 - This ICR is a Reinstatement with Change.
- If this request is related to a previously approved collection, please summarize any existing changes to instruments (e.g., forms, questions, instructions), method of collection, burden estimates, or other material changes of importance that have occurred since the last approval/request and provide a redline mark up or a table to show the questions and/or other information that the agency has changed.

- The previous form had OMB No. 3037-0013 with an estimated burden of 8 hours for 570 NPAs (4,560 hours) at estimated \$40 an hour (\$182,400) with responses collected electronically as a signed .pdf. Note: recent public comment suggests actual burden is between 10-20 hours for the current 404 NPAs (4,040-8,080 hours).
- The proposed form estimates a burden of 20 hours for 404 NPAs (8,080 hours) at an estimated average of \$49.77 per hour (\$402,141.60), with responses collected electronically and digitally signed or certified.
- The total NPA performance reporting/disclosure is reduced from approximately 154 mandatory responses to approximately 75 mandatory responses.
- Summary of differences:
 - Previous form contained 33 Yes/No response questions, requiring the NPA to affirm each of the AbilityOne qualification requirements of 41 CFR 51-4.2 and 4.3. If answered no, then the NPA must provide an explanation statement. See Sections 6-8 and parts of 9 and 10 of the previous form.
 - Previous form required reporting of 101-104 numerical values (including zero) of NPA total year performance:
 - The following categorized into products, services and total (products + services), see Sections 9 and 10 of the previous form:
 - direct labor hours (AbilityOne and total);
 - employees who are blind/with significant disabilities (AbilityOne and total);
 - wages paid to employees who are blind/with significant disabilities (AbilityOne and total);
 - veterans employed (AbilityOne and total);
 - veteran wages (AbilityOne and total)
 - Career mobility outcomes for NPA employees who are blind or have significant disabilities, categorized as:
 - AbilityOne, non-AbilityOne, Direct Placement, and total (AbilityOne + non-AbilityOne + Direct Placement). See Section 11 of the previous form.
 - NPA sales information is divided into different subcategories – AbilityOne Military resale, AbilityOne Products, AbilityOne Services, Base Supply Centers sales of AbilityOne products (and total), NPA other sales to the Federal government, and NPA other sales. See Section 12 of the previous form.
 - NPA use of subcontracting (AbilityOne and total) is categorized by the following types of subcontractors – nonprofit entities, small business, women-owned small business, veteran (and service-disabled veteran) owned, and large business. See Section 13 of the previous form.
 - NPA’s employment of veterans (veterans, veterans with disabilities, and those that meet the Department of Defense definition of Wounded Warriors). See Section 14 of the previous form.
 - Proposed form reorganizes and reduces the previous form collection as follows:
 - Part III, Section 1 collects NPA AbilityOne sales only (called revenue information in five subcategories (AbilityOne products, services, military resale, Base Supply

Center (BSC) AbilityOne product revenue, and BSC total revenue). See Part III, Section 1 of proposed Form versus Section 12 of previous form.

- Part III, Section 2 collects aggregate number of employees based upon source of medical documentation. This is new.
- Part III, Section 3 collects count of AbilityOne direct labor employees (participating employees - employees with a disclosed and determined disabilities; and non-participating employees - those without determined disabilities) on October 1, September 30, and total employed during the fiscal year. This differs from previous form Sections 9.2.E-G and 10.2.E-F, which report only employee with disabilities.
- Part III, Section 4 collects AbilityOne direct labor hours for participating employees and non-participating employees for products, services, and total (products + services). This is the same as previous form Sections 9.2.A-C and 10.2.A-C.
- Part III, Section 5 collects wages paid for direct labor to participating employees and non-participating employees plus the lowest and highest hourly wage paid to participating employees for the categories of products and services. This is the same as previous form Sections 9.2.H and 10.2.G for participating employees, while it is a new collection of wages paid to non-participating employees and lowest and highest hourly wage paid.
- Part III, Section 6 is a new collection of employment benefit offered to participating employees.
- Part III, Section 7 collects the number of participating employee mobility outcomes (lateral, upward, demotion, no movement-employee decided not to move, no-movement-employee expressed concern about impact to government benefits, and no movement-unknown) when remaining employed by the NPA and the number of mobility outcomes when the employee selects employment with a new employer. This is similar to previous form Sections 11.A-D for AbilityOne but expanded to count demotions and outcomes with no movement in labor position.
- Part III, Section 8 collects whether the NPA subcontracts any portion of the Procurement List assignment to a separate organization. If yes, then the NPA reports the total of subcontracting purchased for the Procurement List assignment(s) from non-profit organization(s), small business entities, and/or large business entities and a general description of the types of products/services purchased. This is similar to previous form Sections 13.A-13.D for AbilityOne work only.
- Part IV, Section 1 collects the count of direct labor employees (qualifying direct labor employees - employees with a disclosed and determined disabilities; and those without determined disabilities) on October 1, September 30, and total employed during the fiscal year. This differs from Sections 9.1.E-G and 10.1.E-F in the previous form, which reports only employees with disabilities.
- Part IV, Section 2 collects NPA overall direct labor hours for qualifying direct labor employees and non-qualifying direct labor employees for products, services,

and total (products + services). This is the same as previous form Sections 9.2.A-C and 10.2.A-C.

- o Part IV, Section 3 collects the number of veterans employed by the NPA on Procurement List work, and the total wages paid. This is less information than was required in the previous form at Sections 9.1.J-K, 10.1.I-J, and 14.
- o Part V contains seven (7) questions about being a Federal contractor and AbilityOne integrity (NPA completion of IRS Form 990 filing and independent financial audit report); questions about NPA board membership and voluntary self-identification of members with disabilities; whether Procurement List worksites are represented by unions and how many participating employees are union members; whether the NPA is a subcontractor to any other corporate entity on non-Procurement List project activity; and what type(s) of supports the NPA received from its designated central nonprofit agency in the reporting period.

1. Need & Method for the Information Collection. Explain the circumstances that make the collection of information necessary.

- o The data is integral to the Commission's ability to ensure the integrity of the AbilityOne Program, which allows qualified NPAs employing people who are blind or have significant disabilities to collectively deliver \$4 billion worth of products and services to the U.S. Government each year. The JWOD Act requires the Commission to monitor and validate several NPA performance outcomes. Additional data is needed to validate the effect and effectiveness of the AbilityOne Program in creating employment opportunities for people with disabilities and providing those individuals with the significant job supports and accommodations necessary for them to be successful.
- Identify any legal or administrative requirements that necessitate the collection.
 - o The Javits-Wagner-O'Day Act, specifically 41 U.S.C. 8501 and 8503;
 - o Regulations such as 41 C.F.R. 51-4.3 which justify the collection of data; and
 - o Compliance policies issued by the Commission.
- Provide the citation and a copy of the appropriate section of each statute / regulation mandating or authorizing the collection of information as a supplementary document.
 - See above for citations. Copies of all cited authorities included as attachments.
- Explain what the statute/regulation requires. Is there a deadline? If so, explain how you will meet the deadline.
 - o The JWOD Act requires that NPAs participating in the AbilityOne employ people who are blind or have significant disabilities, and that those individuals perform seventy-five percent of all direct labor hours performed by the NPA. Commission regulation 41 CFR 4.3(a) requires the NPAs to submit a certification annually, this updated Form is the annual certification, by no later than November 1.

Commission regulations 41 CFR 51-4.3(b) and (c) further list the AbilityOne qualification requirements for NPAs. The proposed ARC form will enable NPAs to document their compliance with those regulations and further enable the Commission to calculate the aggregate performance in terms of employment created, hours worked, and revenue generated by AbilityOne.

- o Given the Agency’s mission, “To tap America's underutilized workforce of individuals who are blind or have significant disabilities to deliver high quality, mission-essential products and services to Federal agencies in quality employment opportunities,” the Commission has a strong interest in ensuring that the NPAs tasked with operationalizing the provision of products and services to the federal government abide by the Commission’s statutes, regulations, policies, and other rules. Ensuring such compliance is critical to providing the best service to the blind and significantly disabled employees, NPAs, and federal customers all served by the AbilityOne program.
- Describe how the information will be collected (e.g., written forms, telephone, online, electronically). Also, describe who will oversee the collection of information (e.g. independent evaluator, trained moderator, self-administered).
 - o The information will be prepared by each NPA and will be collected electronically. The collection will be facilitated by two central nonprofit agencies that have been formally designated by the Commission to assist NPAs participating in the AbilityOne Program and will ultimately be overseen by the Commission’s Director of Program Oversight.
- For each information collection that is electronically not “fillable,” “fillable,” and/or “submittable,” explain why.
 - o The information collected will be in a fillable electronic format. Electronic format allows for all the information to be submitted in a timely manner and accessible to the Commission.
- Consequences if collection is not conducted. Describe the consequence to a Federal program or policies if the collection is not conducted or is conducted less frequently, and describe any technical or legal obstacles to reducing burden.
 - o If the proposed collection is not conducted, the Commission will be unable to determine whether and the extent to which NPAs are maintaining the AbilityOne qualification requirements of the JWOD Act, 41 CFR 51-4.3, and Commission Policy 51.404, particularly whether these NPAs are, in fact, employing individuals who are blind or have significant disabilities for greater than 75% percent of the direct labor hours. Accordingly, the proposed form is essential to the Commission’s oversight and determination of an NPA’s compliance with regulatory and policy requirements.

2. Use of the Information. Indicate how, by whom, and for what purpose the information is to be used (e.g., program administration, application for benefits or services, regulatory compliance, inform policy development).
- The information will be used by the Commission to determine whether and the extent to which NPAs are maintaining the AbilityOne qualification requirements by providing an annual certification as required by 41 CFR 51-4.3(a), and whether the participating employees are being afforded opportunities for employee career advancement as contemplated in 41 C.F.R. 51-4.3(b)(8).
 - The data will support and measure progress towards the Commission's 2022-2026 Strategic Plan, specifically its strategic objective to identify, publicize, and support the increase of good jobs in the AbilityOne. The data will be used to inform the Commission about the effectiveness of qualified NPA's outplacements and related activities, and the intersection between the AbilityOne's NPA's and other Federal, State, and local agencies that may provide funding for job supports, accommodations, or activities that support the employee career development.
 - For program evaluations, research studies (including formative research), and surveys, describe the specific goals and purposes of the study as well as the specific research questions that the study will address. Describe whether this study will be used strictly as feedback for internal programmatic use only, or whether it will provide performance measures for Congress or OMB, inform policy, inform agency rulemaking, or be published as an agency report or a report to Congress. Include a discussion of the strengths and weaknesses of the proposed design and its suitability for the intended uses.
 - Not applicable; the ARC data collection is for compliance and oversight purposes, not formal research or program evaluations. It is not a survey or study.
 - For an existing collection, describe the use (or principal uses if there are more than one) of the previously collected information, whether by the agency or by other entities.
 - In addition to the compliance function described above, the qualitative and quantitative analysis of the data collected addresses the aggregate effect and effectiveness of AbilityOne at the end of each fiscal year in terms of employment created, hours worked, and revenue generated by AbilityOne.
 - Address whether this information will be used by other Federal agencies or not. If so, for what purposes? Are there any privacy concerns related to this information sharing? If so, how have these been addressed?
 - The Commission's primary purpose for this form and the associated information is for its own use in monitoring compliance with the Commission's regulations and policy, and generally providing oversight of the AbilityOne Program. The Commission may share the aggregate data regarding types of significant job supports and accommodations, types of employee career development, and funding

relationships with other Federal agencies that have a related mission. The form does not seek to collect any personally identifiable information as that term is used by the Privacy Act, 5 U.S.C. 552.

3. Use of Information Technology. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.
 - o The collection of information will be by electronic means on an annual basis. The decision to use an electronic means of collection was made because it is the most efficient, least costly, most accessible, and most useful to the Commission for purposes of interpreting the data collected.
4. Non-duplication. Describe efforts to identify duplication. Describe the steps taken to ensure that this information is not collected elsewhere and that it could not be otherwise obtained. If the information has already been collected by your agency, another Federal agency, a component of State or local government, or other public or private non-governmental entity, explain whether your agency could obtain the information from these sources.
 - o The AbilityOne Commission is the only Federal agency that has oversight of the AbilityOne Program and thus the only Federal agency collecting information from NPAs about AbilityOne qualification requirements and the effectiveness of the AbilityOne. Accordingly, this collection will not duplicate information being collected by any other Federal agencies.
 - Describe specifically why any similar information that is already available cannot be used or modified to be used for the purposes described.
 - o There is no similar information available or reported to other agencies.
 - For program evaluations, surveys, and research studies, provide a brief review of literature on this topic and explain why the existing information is not sufficient to meet the current needs of the agency.
 - o Not applicable, this form is not for program evaluation, survey or research studies.
5. Burden on Small Business. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. Did the agency consider any exemptions, alternate options, or partial or delayed compliance options for small businesses?

- o All organizations that participate in the AbilityOne Program are nonprofit agencies; by definition, they are not considered to be small businesses. The NPAs range in size from only a few employees at one end of the spectrum to very large entities that have more than 1,000 employees. The NPAs elect to participate in the AbilityOne Program in order to be eligible to serve as contractors for product and service requirements on the Commission's Procurement List, thereby creating jobs for the NPAs' workforce with disabilities. Each of the NPAs is already required by the Commission's regulation 41 CFR 51-4.3(a) to annually certify its compliance with AbilityOne qualification requirements. As the NPAs have done previously, this form requires them to report employees, direct labor hours worked by employees, certain revenue and subcontracting values that a nonprofit would collect and report to complete an IRS 990 or other similar annual financial reporting. Further, the NPAs have similarly reported the number of employees with disabilities employed and wages paid, two outcomes critical to the NPA's qualification requirement and the Commission's oversight of the effect and effectiveness of the AbilityOne. The proposed form will also be required annually but has been designed with check boxes and will be administered electronically, to reduce the burden of completing the form. [The Commission will allow a phase-in period for all NPAs before there is an absolute requirement.] Thus, to whatever extent NPAs could be considered small businesses, this information collection is designed to reduce burden on small businesses.

6. Less Frequent Collection. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

- o If the information is not collected or is collected less frequently than the proposed annual basis, the Commission would not be able to determine compliance with certain regulatory requirements, namely the JWOD Act and 41 CFR 51-4.3(a) requiring annual reporting and annual qualification determination. The data provided in this form allows for the Commission to ensure that qualified NPAs participating in the AbilityOne Program are meeting their legal obligations, many of which are annual requirements.

7. Paperwork Reduction Act Guidelines. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- o requiring respondents to report information to the agency more often than quarterly;
 - Not Applicable, the proposed form will be required annually.
- o requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

- Not Applicable, as use of the new form will be phased in over the course of a year.
 - requiring respondents to submit more than an original and two copies of any document;
 - Not Applicable
 - requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
 - Not Applicable.
 - in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
 - Not Applicable.
 - requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
 - Not Applicable.
 - that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
 - Not Applicable.
 - requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.
 - Not Applicable.
- 8. Consultation and Public Comments. Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB.
 - The agency's 60-day notice was published on May 3, 2024 (89 FR 36770).
- Did the agency receive any comments in response to the required Federal Register notice?
 - The Agency received 26 comments in response to the FR notice.
- Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. If the agency declined to make changes in

response to particular comments, explain why. Specifically address comments received on cost and hour burden. Address whether any of the instruments were changed and how.

General comments:

- A few commenters stated support for the Commission's stated purposes of helping ensure the integrity of and furthering the mission of the AbilityOne Program.
- A commenter noted that some aspects of the information collection had been simplified. Another commenter stated that the forms present a good opportunity to collect data to measure program accountability and increase transparency.
- Some commenters stated that much of the proposed data is already collected by the central nonprofit agencies for reporting to the Commission in the Annual Representations and Certifications; each questioned whether this form duplicates that collection.
- Some commenters questioned the necessity for collecting the proposed information. Some noted that the proposed data collection is not required by law. Some commenters stated that the rationale for collecting the information published in the 60-day notice was too general to substantiate the collection. Finally, some commenters requested information about the Commission's planned use for the information.

Specific Comments

- Some commenters questioned the compliance or oversight need to collect data regarding the source of participating employees' disability eligibility determination.
- Some commenters questioned the purpose of collecting the number of employees on October 1, September 30, and a cumulative value, and further requested clarification of the term "cumulative." Some also questioned the purpose and benefit of collecting the number of employees with disabilities performing indirect labor, particularly if that data element is optional reporting.
- Several commenters asked for clarification of the definition of a "participating employee."
- Some commenters sought clarification terms or requirements, such as the criteria to determine disability for indirect labor employees versus direct labor employees as defined in the JWOD Act and Commission regulations, or whether the direct labor hours collection is for hours actually worked or hours paid to the employees.
- Many commenters were critical of the data request for mean (average) and median hourly wages paid, both because of the burden in providing such data and their questions about the utility of such data. Some commenters requested a definition and/or clarification of the terms "mean" and "median."
- Several comments were received regarding the collection of data on employment benefits offered to participating employees. Some commenters questioned the relevance of collecting that data. Some commenters noted that employees may choose to opt out of receiving benefits. Some commenters were supportive of reporting employment benefits offered to employees but suggested that it would be useful to allow the NPA to distinguish between full- and part-time employees and to provide a free text option for the NPA to explain its benefits eligibility system.

- Some commenters suggested that the Commission add an “other” response with free text to describe benefits not listed in the form. One commenter suggested that the form collect the count of participating employees that elect to receive a cash payment in lieu of using the NPA’s health insurance, rather than requiring the NPA to calculate the percentage of participating employees that take that option.
- Many commenters questioned the need for data regarding career mobility of participating employees. In terms of specific comments, several commenters asked for clarification of the three forms of career mobility (lateral, upward, and outward); sought clarification of what is an “NPA system” and suggested simply using the term “NPA” instead; and suggested that “demotion” be included as a category.
- One commenter sought clarification of the timing for capturing the outcome of an employee’s departure. Other commenters stated that they often do not know why an employee has left the job or do not feel comfortable asking a person if they are going to another job.
- In terms of subcontracting, some commenters requested a definition of “subcontract” and “subcontractor,” specifically asking whether the Commission was using the FAR definitions of these terms.
- One commenter asked whether it was required to report all subcontracting that occurred during the fiscal year or whether only the subcontracts that were in effect at the time the form was filled out.
- Another commenter asked if subcontracting referred to purchase of raw materials and/or purchase of products used in the performance of services.
- Another commenter asked whether subcontracting focused only on AbilityOne-directed subcontracting or whether it was intended to capture commercial subcontract opportunities outside of the AbilityOne Program.
- One commenter noted that “service-disabled veteran-owned” small business was not a listed small business type.
- Several commenters noted concerns with the data requested about subcontracts used by the NPA to increase integration and employment opportunities for participating employees. They sought clarification on how to accurately report whether the subcontractor’s employees and NPA employees were occupying the same labor positions and whether the subcontractor had offered jobs to NPA employees. Some commenters asked for a definition of job “offer.” Several commenters stated that it was difficult for an NPA to know the hiring practices and priorities of other corporate entities, even if they were subcontractors.
- With regard to the number of veterans employed, some commenters asked if veteran employment should be reported as cumulative during the fiscal year or a count at a specific date, like the fiscal year end. One commenter asked what purpose collecting veteran employment data served.
- Many commenters noted their concerns with collecting data regarding the employment of spouses and dependents of veterans. The concerns included what would be the definition of a “dependent,” as well as the fact that such data was not currently collected by the NPAs.

- In terms of Part II, section 1 Total NPA employment, some commenters asked if this is the same as the count required at the beginning of the form. One commenter suggested using “have self-identified as blind or having a disability” for the indirect labor employee counts.
- Regarding the questions about NPA mandatory disclosures, some commenters stated that the Commission’s policy was not yet finalized, so they could not effectively comment as to the relevance of the purpose or the burden of making such disclosures. Other commenters stated that it seemed duplicative to disclose through an anticipated mandatory disclosure system and also report the nature of the disclosures in this form. Others questioned whether the NPA had to describe all disclosures through this form or only those the NPA was unsure were disclosed previously.
- One commenter asked whether it is necessary to provide a copy of the filed IRS form 990.
- One commenter asked whether it is necessary to provide the number of NPA board members, while another suggested an electronic drop-down selection for the count of board members.
- Many comments shared concern or objection that sharing the number of NPA board members that self-identify with a disability could be a privacy violation or invasion.
- Some commenters questioned whether the NPAs should disclose the nature and feedback on their interactions with the CNAs, and suggested the CNAs are better positioned to report this aggregate data.

Comments regarding burden

- Several commenters suggested that the Commission’s estimated time burden was inadequate or understated. Two offered a time burden amount for the previous form, and neither commented whether the time burden for the proposed form would be higher, lower, or approximately the same as the previous form. Only one commenter offered an estimate that the proposed form would require 20 hours to collect and report the required data. Another commenter stated that with formatting changes, the form could be organized in fewer pages. The two CNAs, as commenters, offered that the burden for the CNAs to modify their data collection system was not considered. Only a few of the commenters, however, recommended an alternative estimate.
- Some commenters reported generally it may be costly and onerous to report the number of participating employees by the medical documentation source.
- Another commenter shared it may be burdensome to calculate and report employees with disabilities employed in indirect labor functions, but did not offer any estimates or details.
- One commenter said that it may be burdensome to report low, high, and average hourly wages paid to participating employees but did not offer an estimate or details.
- Some commenters stated it would be burdensome to report the percentage of employees that elect to receive the NPA-provided health insurance or the cash payment instead, but did not offer an estimate or details.
- Some commenters suggested it may be difficult to accurately report whether NPA subcontractors employ former NPA employees and the general burden of establishing a

data-sharing agreement/requirement with NPA subcontractors for employment information. None offered estimates or details.

- One commenter stated that NPAs contacting departing or former employees for feedback on employment mobility outcomes would be burdensome. The commenter asked whether such data collection was expected at a specific time frame after the employee left employment, and asked whether the NPA could note that the former employee did not share the outcome.
 - Some commenters anticipated that NPAs may experience burden in assessing and accurately reporting veteran spouse and dependent employment, as it would be based on self-reported information and conversation with employees.
 - One commenter said that it is burdensome for the NPA to report whether it competed in the CNA's competitive bidding process for a Procurement List assignment, but did not offer an estimate or details.
- Actions Taken:

Re General comments:

- Based on the general and specific feedback on the data required and the burden concerns raised, the Commission further modified and reduced the data collection in the proposed form. To address apparent confusion of whether the proposed form duplicates existing data collections, the Commission discussed in a variety of public meetings, forums, and on its website that the proposed form would replace and supersede the previous similarly named annual certification required from NPAs.
- Some of the information being collected is required by law, while other information is needed to ensure that the Program operates efficiently and successfully. The narrative for the second 30-day notice explicitly sets forth the rationale for collecting the new data.

Re Specific comments:

- Personally identifiable information (PII) will not be collected and Privacy will be fully protected because the form only collects aggregate data from the NPA.
- To address the potential burden of the NPA reporting participating employee count by medical documentation source, the Commission in a separately proposed form collects that information in an electronic system which could either give the NPA an aggregate count of employees by medical documentation source or perhaps auto-populate those aggregate counts into a draft NPA proposed form.
- The Commission changed "cumulative" to "total employed during the year" as the column heading in the participating employee count table to clarify the value required.
- The Commission also modified the count of employees who self-identify with a disability performing indirect labor to reduce the burden and confusion as to what criteria are required for counting the indirect labor employee.
- The Commission removed the median hourly wages paid to participating employees and changed the mean hourly wages paid to an auto calculation upon review of the

- burden and clarification comments received as it is anticipated the electronic means of completing the form can automatically calculate the mean (average) based upon the NPA entering the count of participating employees during the fiscal year and the wages paid to participating employees.
- The Commission removed the reporting of percentage of participating employees that utilize NPA-provided health insurance (or cash in lieu) and now all employment benefits are a check if the benefits are offered. Based upon comments received, there are now “tuition assistance or other education support” and “other” categories with an option to enter free text describing an employment benefit not listed.
 - The Commission added parenthetical explanations for the employment mobility outcome terms – lateral movement, upward movement, and added the outcome of “demotion” to clarify based upon comments received. The Commission also modified the “no movement” outcome to now require clarification whether the employee’s “stated desire to remain in present position” or “expressed concern regarding potential government benefit disqualification as a result of increased wages” or “unknown” are potential underlying reasons for the employee to remain in a current labor position.
 - The Commission modified the collection of information about subcontracting of Procurement List assignments. In reaction to comments, the Commission modified the reporting of Procurement List assignment subcontracting in the value of the subcontracting expenditure and removed questions about whether the subcontractors employ people with disabilities or former NPA employees. The Commission also removed collection of information about NPA subcontracting not associated with AbilityOne. The Commission also added Service-Disabled Veteran-owned small business as a choice of business entity type.
 - The Commission also moved the data reporting of whether the NPA is a subcontractor to the final general NPA questions and further clarified it is seeking general information about whether the NPA is a subcontractor only on non-Procurement List contracts or activities.
 - The Commission also reduced and condensed the veteran employment question to employment on Procurement List projects, employment at the NPA, and total wages paid to veterans in response to questions and the recommendation to remove reporting spouse and other dependents of veterans.
 - As stated previously, the Commission changed the column heading “cumulative” to “total employed during the year” in the Part IV, Section 1 employee count reporting based on the recommendations received.
 - The Commission removed from Part V, the questions about NPA mandatory disclosures based upon comments received and a separate decision to pause that requirement.
 - The Commission modified, in response to comments, the responses to NPA board member numbers and members that self-identify with a disability as a drop-down select the value.
 - The Commission modified its collection about NPA interactions with its designated CNA to now collect generally whether the NPA received certain types of support from the designated CNA – training, business development, financial, and other.

Regarding the burden estimates:

- The Commission agrees that a fair amount of the data being asked for on the form is already being collected by the central nonprofit agencies and hence will not impose an additional burden once the CNAs update their electronic data systems to conform to the new form. In short, there will be no duplicative collection of information.
 - Nevertheless, based on the comments received, the Commission has increased the estimated time burden from eight hours estimate to 20 hours.
 - Describe efforts to consult with persons outside of the agency, including but not limited to soliciting views on the availability of data, the frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. This could include public meetings, outreach to stakeholders, review panels, and advisory committees.
 - The Commission met multiple times with a volunteer “Compliance Council” comprising NPAs in the AbilityOne Program who will be responsible for completing the proposed form. The NPAs in this group provided written and verbal comments. The Commission conducted informal outreach to other NPAs to seek feedback on the addition or adjustment of particular data elements. The Commission dedicated its 1.5 hour public engagement session during its October 24, 2024 virtual public meeting to comments about this and two other proposed information collection actions.
 - Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.
 - The Commission is not aware of any circumstances that would preclude its consultation at least every 3 years with the NPAs who must compile and submit the information being collected.
9. Gifts or Payment. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.
- Is the agency proposing to provide any incentive (monetary or non-monetary) to potential respondents to obtain their information or to encourage respondents to provide the requested information?
 - No, the agency is not proposing any incentives to respondents.
 - If yes, explain why it is appropriate for the agency to provide the proposed incentive (and the proposed amounts) and why it is necessary to obtain

information of sufficient quality for the intended purposes, including citations to past practices for this or similar Federally funded collections, and specific research to examine the effects of providing incentives for this or similar collections. Specify the amount of each proposed incentive and how the incentive will be provided to the respondent.

- Not Applicable.
- If the agency is proposing an experiment to examine the potential effects of incentives, describe the different experimental conditions, why they were chosen, and the minimum detectable effects between conditions.
 - Not Applicable.

10. Privacy & Confidentiality. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

- Provide the exact language of any statement(s) that will be read or provided to respondents that explain how their information will be handled and protected by the agency.
 - Not applicable, no language is required because no PII is collected.
- If the agency is pledging to keep the information “confidential,” then provide the citation for the statute that the agency is using as the basis of its confidentiality pledge. Include the appropriate excerpt from the statute here or as a supplementary document. Note: if the statutory basis for assuring confidentiality does not exist, the term “confidentiality” cannot be used. Instead, the document should explain any procedures that will be in place to protect respondent data.
 - Not applicable, no language is used.
- If the Privacy Act applies, the agency should discuss how the data will be managed under the Privacy Act.
 - Privacy Act does not apply.
- Are respondents required to submit proprietary trade secrets, or other confidential information? Explain the procedures that the agency will implement to protect the information’s confidentiality to the extent permitted by law.
 - Not applicable, respondents are not required to submit proprietary trade secrets or other confidential information.

- Will the agency collect any personally identifiable information? In general, “personally identifiable information” refers to information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal information that can be linked to a specific individual.
 - Not Applicable. The agency is not collecting PII.

- Did the agency complete a privacy impact assessment in full compliance with 44 U.S.C. 3501 note § 208? If so, provide a link to the privacy impact assessment on the agency’s website or explain why the agency has determined that making the privacy impact assessment publicly available is not practicable (see 208(b)(1)(B)(iii)).
 - Not Applicable.

- Collect any information that will be included in records that are subject to the Privacy Act of 1974 (5 U.S.C. § 552a)?
 - Not Applicable.

- Include a Privacy Act statement on the instrument(s) that clearly informs the individual regarding (OMB Circular A-108):
 - the agency’s authority for the collection,
 - whether providing the information is voluntary or mandatory,
 - the principal purpose(s) for which the information will be used,
 - the routine uses which may be made of the information, and
 - any effects on the individual of not providing certain information.
 - Privacy Act does not apply.

- Provide the url link to the most recent version of the system of records notice (SORN) in the Federal Register and/or on the agency website. The agency should briefly describe how it has considered and addressed privacy issues pertaining to the collection. For example, explain how the agency is collecting only the minimum personally identifiable information that is necessary to accomplish a purpose required by statute, regulation, or executive order.
 - No SORN is needed.

- Will the agency use information technology to collect, maintain, or disseminate information that is subject to the E-Government Act of 2002 (44 U.S.C. 3501)?
 - No, the information to be collected is not subject to the E-Government Act of 2002.

11. Sensitive Questions. Provide additional justification for any questions of a sensitive nature.

- Is the agency proposing any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, income, immigration status, or other matters that are commonly considered sensitive? (Note that the term “sensitive information” is distinct from the term “personally identifiable information,” although information may fall into both categories.)
 - The Agency is not collecting sensitive information about any individual.
- This justification should include the reasons why the agency considers the questions necessary and the specific uses to be made of the information.
 - No sensitive information collection is necessary or included.
- Provide any instructions given to respondents as to why the agency is collecting the sensitive information, whether providing the information is voluntary or mandatory, and what consequences, if any, would result if respondents decide not to answer.
 - The information being collected is aggregated and not considered sensitive. Further, the NPA respondents understand that they are eligible to receive sole-source contracts under the AbilityOne Program only if 75% of the direct labor hours performed by their employees are performed by individuals who are blind or significantly disabled. This form collects the annual NPA performance outcomes in limited data categories consistent with the AbilityOne qualification requirements and the AbilityOne oversight functions. A respondent that does not wish to complete the form does not have to participate in the AbilityOne program.
- Explain what steps, if any, the agency is taking to obtain the consent of the respondents when collecting this information.
 - Not applicable.

12. Burden Estimate. Provide estimates of the burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance.

Generally, estimates should not include burden hours for customary and usual business practices.

- o If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- o Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under 'Annual Cost to Federal Government'.

Explain the reason for any changes to the burden and fill out the tables below (*or another table that explains the changes, as appropriate). These could involve one of the following.

- o Changes Due to Adjustment in Agency Estimate: An "adjustment" to a burden estimate is made for two purposes: (1) when more (or fewer) individuals or entities respond to an information collection as a result of factors outside an agency's control (e.g., the number of respondents to a collection can increase or decrease due to changes in demographics or in the level of economic activity), or (2) when an agency re-estimates the amount of burden that a collection imposes (e.g., the agency develops an improved methodology for estimating the burden that a collection imposes). In either situation, the agency has not made any change to the collection itself, and thus there is simply an adjustment to a previously approved burden estimate.
- o Program Change Due to New Statute: These changes in burden occur when new laws are enacted or regulations are promulgated that require agencies to collect new information. Please provide the title, and a brief description of the statute, along with the information collection requirement that the statute is imposing.
- o Program Change Due to Agency Discretion: These occur when agencies make a decision to increase (or decrease) the burden that a collection imposes on the public (e.g., by reducing the number of questions on a survey), or when establishing a new collection, that is not explicitly required by law.
- o Change Due to Lapse in OMB Approval: These changes in burden occur when OMB's approval of a collection expires without an agency discontinuing or renewing them (which results in a burden decrease), or when an expired collection is reinstated (which results in a burden increase). If, for example, a collection expires in one year, overall burden during that year decreases by the burden total associated with the collection. If the collection is reinstated in the subsequent year, overall burden during that subsequent year increases by the amount of the collection
 - The Agency revised its burden estimate from the sixty-day notice in response to two commenters' estimate that completion of the proposed form requires either ten (10) or twenty (20) hours to complete. After further revisions and adjustments based upon other comments received, the Agency revised its burden estimate to the most conservative hour burden offered by commenters – twenty (20) hours. The Agency estimates that it will take a human resources staff person (or an

equivalent staff person) nine (9) hours to complete some sections of the form; a financial specialist nine (9) hours to complete other sections of the form, and two (2) hours by the Principal Officer to review and certify the form. To calculate the cost burden for this average annual burden, the Commission used national average pay data from the U.S. Bureau of Labor Statistics, using the May 2023 National Occupational Employment and Wage Estimate of \$36.57 as the mean hourly wage for a Human Resources Specialist (OC 13–1070), \$46.37 as the mean hourly wage for a Financial Specialist (OC 13–2000), and \$124.47 as the mean hourly wage for a Chief Executive Officer (OC 11–1011). See <https://www.bls.gov/news.release/ocwage.t01.htm>.

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses for this IC	404					
Annual IC Time Burden (Hour)	8,080					
Annual IC Cost Burden (Dollars)	\$402,141.60					

Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

- **Reporting:** Requests for information for transmission to the Federal government, such as grant application forms, written report forms, telephone surveys, and electronic data collections.
- **Recordkeeping:** Requirements, which may involve compilation and maintenance of records, either alone or in conjunction with the reporting of information to the agency and/or some other person.
- **Third-party or public disclosure:** Requirements which may involve a requirement to disclose information to other members of the public directly or through publication in media such as newspapers or magazines, or to post the information on labels.

Burden per Response:

Time Per Response	Hours	Cost Per Response
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Reporting	0	0	0
Record Keeping	0	0	0
Third Party Disclosure	0	0	0
TOTAL	0	0	0

Annual Burden:

	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Reporting	0	0
Record Keeping	0	0
Third Party Disclosure	0	0
Total	0	0

13. Estimated nonrecurring costs. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

- o The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
 - No cost associated.
- o If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- No cost associated.
 - Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.
 - No cost associated
14. Estimated cost to the Government. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.
- No cost to the Government because the CNA will be maintaining the electronic system and utilizing the program fee to pay the necessary expenses.
15. Reasons for changes. Explain the reasons for any program changes or adjustments reported on the burden worksheet.
- No program changes or adjustments are reported on the burden worksheet.
16. Publicizing Results. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.
- The Commission will determine how and when aggregate data collected from this form will be made available to the public. The Commission will use existing staff and resources to publish the data on its website.
17. OMB Not to Display Approval. If seeking approval to *not* display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.
- Not applicable.
18. Exceptions to "Certification for Paperwork Reduction Submissions." Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."
- Not applicable.

19. Surveys, Censuses, and Other Collections that Employ Statistical Methods. If this request includes surveys or censuses or uses statistical methods (such as sampling, imputation, or other statistical estimation techniques), a Part B supporting statement must be completed.

- o Not applicable.