COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

TITLE OF ICR:
Nonprofit Annual AbilityOne Representations and Certifications

Justification – Part A Supporting Statement

1. Overview of Information Collection:

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 (Program), 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 (ARC) 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.

This ICR is a Reinstatement with Change.

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.

The new proposed Form 3 - ARC 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 is new and collects the aggregate number of employees based upon source of medical documentation.
- 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 employees 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, but 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 benefits 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.
- 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.
- 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.

Need & Method for the Information Collection.

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.

The Javits-Wagner-O'Day Act, specifically 41 U.S.C. 8501 and 8503 and the Commission's regulations, particularly 41 C.F.R. 51-4.3, and further Commission policies (see 51.400 series) justify the collection of data in the proposed form to at least annually assess the NPAs performance(s) and qualification(s).

The JWOD Act requires that NPAs participating in the Program employ individuals 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 this certification annually, 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.

Given the Agency's mission, "[t]o 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.

The information will be prepared by each NPA and will be collected electronically. The collection will be facilitated by two central nonprofit agencies (CNAs) 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.

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.

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 C.F.R. 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.

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 C.F.R. 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.

In general, the ARC data collection is for the Commission's compliance and oversight purposes, not formal research or program evaluations. It is not a survey or study.

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.

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.

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.

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.

There is no similar information available or reported to other agencies.

This form is not for program evaluation, survey or research studies.

5. Burden on Small Business.

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.

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.

As stated previously, the proposed form will be phased in over the course of at least one fiscal year, completed electronically, and required annually.

8. Consultation and Public Comments.

Summary of Comments received from 60-Day Notice.

The agency's 60-day notice was published on May 3, 2024 (89 FR 36770). The Agency received 26 comments in response to the FR notice.

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.

One 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. Additionally, commenters 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.

<u>Comments regarding burden</u>

- 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.

<u>Actions Taken:</u>

- 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.
- 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 (Section 3.1 of form) and the wages paid to participating employees (Section 5.1 of form).
- 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.

Summary of Comments received from 30-Day Notice.

The Commission's 30-day notice was published in the FR on November 15, 2024 (89 FR 90271). The agency received 12 comments in response to the FR notice.

- Some commenters suggested revision to some of the terms used in the proposed form (e.g., "sales" instead of "revenue", and inserting "performed by" to better explain the type of direct labor hours to report).
- One commenter objected to disclosing the outcome and/or finding of its independent financial audit, another said it would seek protection(s) from further disclosure. Two other commenters sought clarification of what the NPA must disclose to the Commission (e.g., auditors' opinion letter, executive summary of the audit report, a letter directed to the Commission, etc.).
- Regarding the Part III, 7.1, One commenter suggested modifying the "unknown" category to "unknown/other" to allow greater accuracy in reporting.
- Regarding Part III, 5.3 - 5.5, several commenters questioned the utility of reporting the lowest and highest wage paid and how the average wage paid will be calculated.
- Regarding Part V, 5-6, one commenter suggested the Commission has no authority to require reporting union presence at NPA worksites and whether participating employees are members of a union(s). Another commenter suggested clarifying the union membership is related to the employee's employment. Another commenter questioned the authority to collect information about unions and union membership.

Actions Taken from 30-day Notice:

- Technical terminology suggestions from commenters were generally accepted (e.g., use of term "sales" instead of "revenue," use of term "performed by" to better explain the category of employee that performed the reported hours).
- Added an "Other" with option to describe/explain to Part III, 7.1 at the recommendation of commenter to include other unaccounted mobility outcomes.
- Adopted recommendation to clarify that the NPA should report only what is reasonably known at the time of employee departure, as a result added to Part III, 7.2 regarding mobility outcomes outside the NPA the phrase, "if known at the time of departure."
- Slightly modified Part V, 2 to clarify that NPA either uploads a copy of financial audit summary or provides a statement (if audit not completed) based on commenter suggestions.

- Added to Part V, 3 regarding NPA board members the phrase, “at the end of the fiscal year,” to clarify at the end of the fiscal year how many board members are seated based on commenter suggestion for a specific date.

Commission response regarding the burden estimates comments:

- The Commission agrees that a fair amount of the data being asked for on the form is already being collected by the CNAs 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 8 hours estimate to 20 hours.
- 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.
- 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.

   The agency is not proposing any incentives to respondents.

10. Privacy & Confidentiality.

    This is not applicable, no language is required because no PII is collected. The Privacy Act does not apply.

11. Sensitive Questions.

    The Agency is not collecting sensitive information about any individual.

    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.

12. Burden Estimate.

The Commission revised its original burden estimate, 5 hours, in the sixty-day notice in response to commenters' note that the previous form required between 10-20 hours for record keeping and reporting. Also, other commenters in response to the sixty-day notice estimated the proposed form would require 10-20 hours for record-keeping and reporting.

	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	N/A	N/A	N/A	N/A	559
Annual IC Time Burden (Hour)	8,080	N/A	N/A	N/A	N/A	4,472
Annual IC Cost Burden (Dollars)	$402,141.60	N/A	N/A	N/A	N/A	$178,880

Burden per Response:

	Time Per Response	Hours	Cost Per Response
Reporting	120 minutes	2	$248.94
Record Keeping	1,080 minutes	18	$746.46
Third Party Disclosure	0	0	0
TOTAL	1,200 minutes	20	$995.40

Annual Burden:

	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Reporting	808	$100,571.76
Record Keeping	7,272	$301,569.84
Third Party Disclosure	0	0
Total	8,080	$402,142

We have also calculated the burden on our CNAs. Our CNAs will be responsible for much of the review of these forms. Thus, for SourceAmerica, we estimate that the CNA reviews approximately 346 forms per year. A review of each form will take an estimated 30 minutes

and will be conducted by an individual making approximately $70.64 per hour. Thus, we estimate the overall burden to SourceAmerica as 173 hours and $12,220.72.

We replicated the process with National Industries for the Blind (NIB), estimating that NIB will review approximately 58 forms per year, and the reviews will be conducted by an individual making approximately $70.64 per hour. This brought us to an overall time burden to NIB of 29 hours at a cost of $2,048.56.

13. Estimated nonrecurring costs.

No cost associated.

14. Estimated cost to the Government.

The data collected in this proposed form, like the current, will be reviewed/accepted by a GS-12 and GS-13 employees of the Commission. The estimated burden is 5-10 hours (4-8 hours at GS-12, 1-2 hours at GS-13) and $164.18-$328.36 (GS-12 - $121.04-$242.08 and GS-13- $43.14-$86.28).

15. Reasons for changes.

No program changes or adjustments are reported on the burden worksheet.

16. Publicizing Results.

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.

Not applicable.

18. Exceptions to "Certification for Paperwork Reduction Submissions."

The Commission is not seeking any exceptions.

19. Surveys, Censuses, and Other Collections that Employ Statistical Methods.

This request does not include surveys or censuses or uses statistical methods (such as sampling, imputation, or other statistical estimation techniques).