

Submitted electronically to <https://www.regulations.gov>

October 24, 2025

Ashley Romanias
Director
Office of Federal Contract Compliance Programs
200 Constitution Avenue
Washington, DC 20210

Re: Comment on OFCCP's Proposed Revision of the Disability Self-Identification Form,
ICR 1250-0005

Director Romanias:

Roffman Horvitz submits this letter in response to the Office of Federal Contract Compliance Programs' (OFCCP) Information Collection Request related to the Disability Self-Identification Form, CC-305.

Roffman Horvitz is a boutique law firm founded by the former shareholders and OFCCP compliance practice group managers at the nation's largest employment law firm. Our firm assists federal contractor employers to comply with Section 503 of the Rehabilitation Act, the Vietnam Era Veterans Readjustment Assistance Act of 1974 (VEVRAA), and OFCCP's implementing regulations. The firm's client base ranges from Fortune 50 companies and educational institutions to small-business owners.

1. OFCCP should allow employers to invite applicants and employees to self-identify disability status on a voluntary basis. If employers want to collect voluntary data on disability status from applicants and employees, the ability to do so should not be outlawed or unlawful. OFCCP should retain the ability for employers to collect voluntary disability self-identification data.
2. Because employers already are required to solicit and maintain self-identification information from applicants and hires regarding Protected Veteran status, soliciting and retaining self-identification information on disability status creates little to no additional burden on federal government contractors.

3. There is less burden on multistate employers when the federal government takes the lead regarding the specific wording on a form or provides the wording of self-identification questions that all employers can use. If OFCCP abandons the CC-305 form, it creates burdens for multi-state employers when states begin to issue their own form or different ways of collecting the data. It is less burdensome for multi-state employers to use one common form or set of approved words that is acceptable across all 50 states and U.S. territories, than for multi-state employers to have to implement multiple, different versions of a disability self-identification form.
4. Having an OFCCP-issued form reinforces the lawfulness of collecting disability self-identification data from applicants and employees. If OFCCP rescinds the form, it detracts from employers' ability to obtain self-identification information for lawful purposes, such as the ability to evaluate the effectiveness of outreach and recruiting efforts.
5. Employers rely on having data to develop their business plans and inform their conclusions. The voluntary self-identification data provides employers with useful information to evaluate whether there are barriers to the employment of individuals with disabilities as well as the effectiveness of their outreach and recruiting efforts towards qualified individuals with disabilities. It will be more difficult for employers to self-assess whether there are any barriers to equal opportunity for individuals with disabilities as well as prepare the annual written assessment of the effectiveness of disability outreach, which the regulations still require, if OFCCP eliminates the collection of disability data or eliminates this form.
6. We would support a shorter version of the form, one that does not take up an entire page of paper or multiple screen scrolls on a mobile device. When forms are too long and complicated, it dissuades the recipients from completing them.
 - a. We would support shortening the self-identification form to three prompts:
 - i. Yes, I have a disability or have had one in the past
 - ii. No, I do not have a disability
 - iii. I do not want to answer.
 - b. Although the form should be shorter, we recommend that the revised form retain the following sentences, both of which have tended to reassure applicants and employees about the lawful purposes for which the data is

being collected and reinforces for employers the confidential nature and appropriate use of the information:

Completing this form is voluntary, and we hope that you will choose to do so. Your answer is confidential. No one who makes hiring decisions will see it.

- c. While we do think it is important and useful for applicants and employees to have the ability to understand whether their “condition” meets the definition of a disability, if an employer wishes for the self-identification form itself to be shorter, OFCCP should permit employers to use a hyperlink to the definitions and list of medical conditions, rather than listing them directly on the form itself. This balances the benefit of informing individuals of what conditions may constitute a disability while also allowing employers to use a shortened form.

We hope that our comments and observations provide helpful context as the Agency considers whether to retain the OFCCP’s disability self-identification form.

Respectfully submitted,

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