

**U.S. AbilityOne Commission  
Minutes – Quarterly Public Meeting**

**Thursday, July 25, 2024  
1:00 p.m. – 4:00 p.m. ET**

**I. Call to Order and Introductions**

U.S. AbilityOne Commission Chairperson Jeffrey Koses called the meeting to order at 1 p.m. and greeted the approximately 190 participants attending via Zoom.

Commission Executive Officer Angela Phifer gave administrative remarks. She noted that two American Sign Language interpreters would interpret and that the meeting was being live captioned.

Vice Chairperson Chai Feldblum and other Commission members introduced themselves. Executive Director Kim Zeich and Inspector General Stefania Porter introduced themselves and certain staff members.

**II. Consideration of Minutes**

Minutes from the April 25, 2024, quarterly public meeting were approved.

**III. Chairperson Opening Remarks**

Koses addressed three topics: Commission recent progress, engagement, and near-term priorities.

Commission recent progress

*Strategic Plan*

Of the Strategic Plan’s 28 performance measures:

- 10 are implemented.
- 17 are partially implemented.
- 1 is not yet initiated.

[One of the performance measures](#) was “The Commission has updated the Cooperative Agreements with the CNAs to reflect the new strategic direction of the Program.” This is one of the Commission’s near-term priorities.

*898 Panel Recommendations*

The Commission continues to make progress in implementing the 898 panel recommendations.

When the FY 2022-2026 Strategic Plan was put in place, 12 recommendations were still open. Of those:

- 5 recommendations have since been implemented
- 4 are partially implemented or in-process
- 3 require Congressional action

The Commission has continued to make progress on:

- Improving management controls
- Modernizing IT
- Growing the ABOR Program
- Building a strong regulatory and policy team
- Deepening partnerships with Federal agencies

Additionally, the Commission:

- Delivered legislative proposals to Capitol Hill
- Welcomes conversations and engagement with both stakeholders and critics

### Engagement

Koses said the Commission now has a seat at the table for whole-of-government conversations about disability.

He discussed participation by Commission members and staff at SourceAmerica’s Xforce Conference 2024, in Orlando in May. Events included:

- A tour of Lighthouse Works!
- A plenary session in a fireside chat format, at which Commission members and Zeich discussed the nature of change in the Program, Commission priorities like modernizing data collection, and other topics.
- Meeting with the Compliance Council.
- Meeting with the Alliance for Expanding America’s Workforce.
- Discussion with SourceAmerica about their mentor-protégé program.
- Kickoff for new subcontracting working group.
- Session on digital accessibility led by Commission Compliance and Enforcement Counsel Chris Stewart.
- “Office hour”-style meetings that Koses held one-on-one with NPAs. In these meetings he asked for feedback on what the Commission can do better.

While at Xforce, the Commission heard many ideas about potential changes to the Program – and these ideas helped inspire the engagement topic for the July 25 public meeting.

### Near-term priorities

- Finalizing policy updates.
- Streamlining data collection process.
- Deepening progress made with stakeholders.

- Continuing to work with Congress.
- Next-generation cooperative agreements
  - Were the topic of the [public engagement session](#) at the October 2022 public meeting.
  - Since then, the Commission has continued to reflect and engage on the topic.
  - At the April 2024 public meeting, Commission agreements officer Shelly Hammond [discussed](#) the Path to Cooperative agreements.
  - A panel of Commission members was convened to draft high-level guidance.
  - Next steps include moving into formal conversations with CNAs especially around performance metrics.

#### **IV. Americans with Disabilities Act (ADA) 34<sup>th</sup> Anniversary Recognition**

Feldblum introduced the speakers, who discussed how the ADA had impacted their lives.

- Anupa Geevarghese, Chief of Staff, Office of Disability Employment Policy, Dept. of Labor
- Kenia Flores, Manager of Government Relations, Learning Ally
- Chris Stewart, Compliance and Enforcement Attorney, U.S. AbilityOne Commission

#### **V. Regulations & Policy Subcommittee Update**

Feldblum, who chairs the subcommittee, gave an [update](#).

#### **VI. Executive Director Report**

Executive Director Kim Zeich gave a [report](#).

#### **VII. ABOR Program Update**

Rosa Criggedorn, the Commission’s AbilityOne Representative (ABOR) Program Manager, gave an [update](#).

#### **VIII Inspector General Presentation**

Inspector General Stefania Pozzi Porter provided an [update](#) on Office of Inspector General activities.

#### **IX. Public Engagement Session: How Can the Commission Continue to Advance AbilityOne Program Modernization Within the Current Statutory and Regulatory Framework?**

The Commission had [invited the public](#) to suggest and discuss approaches and activities for the Commission to consider in order to continue modernizing the AbilityOne Program within the current statutory and regulatory framework.

Zeich gave opening remarks, observing that the Commission is interested in continuing to modernize in ways both big and small.

Amy Jensen, Commission Deputy Executive Director, moderated the panel.

Kimberly Knackstedt, Ph.D., Principal Consultant, Unlock Access, LLC

She said the law governing the AbilityOne Program is antiquated and that modernization is vital for the Program's sustainability.

In the past 10 years, she has seen exciting change. While there is still room for modernization, she said, the recent change shows that the Program can be a valuable part of what is needed to overcome workforce barriers.

She would like to see the Program become less reactive and more proactive. Some NPAs are profitably looking ahead, instead of just focusing on compliance. They are asking, "What is the workforce going to look like in 5 or 10 years?"

She believes that NPAs, which have a lot of experience, could model ways of thinking about, and advancing, upward mobility and career trajectories for people with disabilities.

Koses asked Knackstedt, who has served in disability policy positions in Congress and the White House, what the Commission can do to strengthen support from Congressional staffers.

She recommended honesty about the Program's challenges and past, but also making clear that the Program has moved on from where it was in 1938 – that it is beginning to align with today's workforce. Having NPAs host visits for Congressional staff would also be valuable.

Soraya Correa, CEO, National Industries for the Blind

Correa, who became president and CEO of NIB in April 2024, suggested streamlining and improving AbilityOne business practices, for instance in the area of subcontracting. She also suggested:

- Creating contracting vehicles that would provide a try-before-you-buy option.
- Sharing ABORs' best practices and lessons learned.
- Establishing a working group to talk about how existing legislation is interpreted.
- Listening to employees' ideas for improvements.

She endorsed the idea advanced in the Strategic Plan for a Request for Information about what NPAs are doing in the area of career advancement. Other NPAs could then learn from best practices.

Wes Tyler, COO, SourceAmerica

He said SourceAmerica is seeking ways to improve the Fair Market Price pricing process. One idea would be a risk-based approach to the amount of time and documentation that is required to make a recommendation to the Commission.

Jeff Mittman, National Association for the Employment of People Who Are Blind

He suggested taking a look at:

- The Procurement List addition process, and setting standards and key performance indicators around each section.
- Improving the speed of AbilityOne Program processes, given that modern businesses beyond the Program can move fast, which could be important as AbilityOne explores creating opportunities through subcontracting.
- Authorized distributors, how they are authorized, how they maintain compliance, how the Program ensures they are effective and efficient.
- Communication to internal stakeholders.

Allen Connely, National Council of SourceAmerica Employers (NCSE)

He discussed what NCSE sees as instances of Federal agencies not using AbilityOne when they should. He said the Commission had offered valuable assistance in helping to resolve such situations. He also said:

- It is important that the Commission proactively address the erosion of statutory authority.
- When the Commission engages early and often in such situations, government-to-government, there is opportunity for reaching understanding.

Larysa Kautz, Alliance for Expanding America's Workforce

Kautz, who is President and CEO of Melwood, was speaking on behalf of the Alliance.

She said the Alliance believes there are opportunities for the Commission to work with Federal agencies to modernize business practices within the AbilityOne Program.

She suggested the Commission:

- Take a leading role in encouraging the use of the Contracting Performance Assessment Reporting System (CPARS) across AbilityOne contracts.
- Encourage more robust training and orientation of contracting officers and Contracting Officer's Representatives on AbilityOne contract management, so as to combat misinformation about, and build trust in, AbilityOne.
- Encourage the addition of opportunities in new industries.
- Encourage subcontracting in new industries.
- Look at broadening the Procurement List (PL) addition process to allow for larger and more comprehensive additions.
- Look at the definition of "supervision" and assess whether it could be defined in a way that would incentivize promotion and career progression in the Program.

Jessica Wilde, General Services Administration (Public Buildings Service) ABOR

She suggested the Commission:

- Modernize the PL: Embed it on [www.abilityone.gov](http://www.abilityone.gov) and make it filterable by service type, location, and contracting activity, and standardize terminology as much as possible.
- Create a data dashboard that is shared across leadership within the contracting activity, the CNA, and the Commission, and that ties the PL requirement to specific contract numbers and tracks specific contract information in order to identify trends. Many people are tracking this information independently: Doing it together would create more opportunity for positive changes.
- Encourage NPA to embrace modernization in existing lines of business while also expanding into new lines of business.

At Koses's and Feldblum's request, Correa and Kautz talked more about how reexamining the interpretation of existing legislation – the interpretation of the term “supervision,” for instance – might, or might not, create opportunities.

Koses was favorably disposed toward the idea of a working group to examine the issue. He said his central question will be: Can enough data be collected to suggest what the impact of reinterpreting existing legislation (such as the definition of the word “supervision”) would be?

Feldblum asked for opinions on whether an RFI for examples of employee career development programs would be a good idea, and if so, what questions should be on it.

Correa suggested the form should be short and should ask: What workforce development programs do you have now, and what are you looking to launch in the future?

At Koses's request, Correa expanded on her suggestion for a try-before-you-buy option, and Zeich mentioned some current options that are similar.

Koses asked Connely whether giving Federal agencies a better process for voicing concerns about nonprofit performance might increase agencies' willingness to work with AbilityOne. Connely said yes, but sometimes Federal agencies want to get away from AbilityOne even if there is no performance issue – or else they do not understand the Program – so the Commission's ability to work with those Federal customers is still important.

Millisa Gary, of GSA, and other attendees spoke about the possibility of using CPARS on AbilityOne contracts.

Tyrone Lyles, Defense Logistics Agency ABOR

Lyles was enthusiastic about the try-to-buy idea.

He also discussed cost, pricing, and the pricing process.

Feldblum asked for ideas about how – even without resorting to CPARS – the Commission could get information about, and documentation on, concerns about contract performance.

She also said the goal of the Program is not to maximize employment in just any job but, rather, in jobs that are consistent with how jobs are being done in the general economy now. That means embracing innovation and modern technology.

Jensen read a comment in the chat from Cheryl Bates-Harris of the National Disability Rights Network noting that, while NDRN appreciates the ongoing work to modernize the AbilityOne Program, they are concerned that some AbilityOne NPAs continue to pay subminimum wages on non-AbilityOne contracts.

In answer, Feldblum pointed to the part of the rule “[Prohibition on the Payment of Subminimum Wages Under 14\(c\) Certificates as a Qualification for Participation as a Nonprofit Agency Under the Javits Wagner O'Day Act](#)” that reads, in part, “The Commission appreciates the argument that to be qualified to participate in the AbilityOne program, NPAs should be precluded from using 14(c) certificates anywhere in their workforce. However, such a requirement would be a significant change from the proposed rule and the Commission believes it should provide an opportunity for separate notice and comment if it decides such a requirement is appropriate.”

Jensen read a suggestion from Bruce Patterson, of ServiceSource, about how a promoted employee’s hours might be counted in a bifurcated way.

## **X. Concluding Remarks**

Koses said many good ideas had been raised. He thanked all participants for a healthy discussion and adjourned the meeting.

### **Meeting Attendees**

Approximately 190 people attended, including:

#### **Commission Members**

Jeffrey Koses, Chairperson	General Services Administration
Chai Feldblum, Vice Chairperson	Private Citizen
Bryan Bashin	Private Citizen
Angela Billups	Department of Veterans Affairs
Chris Brandt	Private Citizen
Gabe Cazares	Private Citizen
Carol Dobak	Department of Education
Robert Hogue	Department of the Navy
Jennifer Sheehy	Department of Labor
Virna Winters	Department of Commerce

## **Scheduled Speakers**

Allen Connely	National Council of SourceAmerica Employers
Soraya Correa	National Industries for the Blind (NIB)
Larysa Kautz	Alliance for Expanding America's Workforce (AEAW)
Kimberly Knackstedt	Unlock Access, LLC
Tyrone Lyles	Defense Logistics Agency
Jeff Mittman	National Association for the Employment of People Who Are Blind
Wes Tyler	SourceAmerica
Jessica Wilde	General Services Administration