

May 6, 2026

The Honorable Steny Hoyer
U.S. Representative
1705 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Hoyer,

On behalf of SourceAmerica®, National Industries for the Blind, the National Council of SourceAmerica Employers, and the National Association for Employment of People who are Blind, we appreciate your longstanding support for strengthening the AbilityOne® Program and the Javits-Wagner-O'Day (JWOD) Act. For more than 85 years, the Program has helped create meaningful employment opportunities for people who are blind or have significant disabilities.

We share your goal of modernizing the statute in a way that preserves the Program's core purpose and delivers measurable employment outcomes. Our comments are intended to help advance a bipartisan, implementable framework - one that provides clear direction to the U.S. AbilityOne Commission® and Federal agencies, reduces the risk of unintended consequences, and supports sustained job growth for people who are blind or have significant disabilities.

We sincerely appreciate the opportunity to provide feedback on the draft legislation, the *American Procurement Improvement Act*. Given the significant changes contemplated, we believe it would be helpful to continue discussions with key stakeholders and relevant congressional committees to ensure a shared understanding of the proposal's potential impacts.

Feedback from bipartisan House and Senate offices and committee staff suggests that timing, perceived risk, and likely multi-committee jurisdiction could make it difficult to advance a comprehensive, transformative bill during the remainder of the 119th Congress. In addition, committees may wish to allow sufficient time to evaluate the proposal's implications, hold hearings, and consider potential refinements. We would welcome more time and continued engagement with committee staff and other stakeholders to support that process.

To support productive, solutions-oriented discussions, we have outlined below provisions in the current draft that we support and targeted changes we recommend to strengthen the Program and improve implementation.

There are several provisions in the draft JWOD Enhancement bill that we believe would benefit the AbilityOne Program and the people it serves. These include the following (with a few minor requested modifications):

- A reduction of the direct labor ratio from 75% to 51%, establishing this as a floor that includes all types of labor that work on AbilityOne contracts and is applied only to the AbilityOne Program work (remove reference to "the entity.")

- More clearly defining the purpose of the AbilityOne Program in the Findings Section as an employment program that leverages Federal procurement.
- Language making it clear that the U.S. AbilityOne Commission “shall” designate one or more Central Nonprofit Agencies.
- Including language aligning AbilityOne contracts with IGSA, with a suggestion that the language be slightly modified.

In addition, we respectfully recommend the following revisions to the most recent bill draft we received on March 13, 2026. We offer these suggestions to help strengthen the AbilityOne Program, expand employment opportunities for people who are blind or have significant disabilities, and improve administrative efficiency while reducing unnecessary regulatory burden. Without these changes, we are concerned the bill could damage the Program and jeopardize its future.

- It is necessary to establish a 1% government-wide contracting goal with Federal departments and agencies that will increase job opportunities for individuals who are blind or have other significant disabilities.

“GOAL. — The head of the Office of Federal Procurement Policy shall establish an AbilityOne contracting goal for each fiscal year for the procurement of products and services from nonprofit concerns pursuant to 41 U.S.C. Chapter 85 of an amount equal to or greater than 1 percent of the total amount of funds obligated for contracts entered into with Executive, judicial, and legislative branch agencies in such fiscal year for procurement.”

- Focus on efficiency by simplifying the process for determining Fair Market Pricing: Include language that states when the contracting officer and the nonprofit agency agree on price, that is the Fair Market Price.
- For purposes of expanding Program eligibility to those with Severe Low Vision, add the following definition: Visual acuity better than 20/200 but less than 20/70 in the better eye with best correction.
- With respect to employee professional development, amend the language to focus on the promotion of best practices in support of employee training and development for those employees choosing to participate, and which is related to the type of work provided by that employer. Finally, we request that all related language in the nature of an unfunded Federal mandate be struck.
- Under the IGSA language, replace “this section” at the close with, “8503 of 41 USC Ch. 85.”
- Strike all language related to time-limited additions to the AbilityOne Procurement List as we believe this will have an adverse impact on the Program and the people that it serves.
- Strike all language related to authorization and deauthorization of Qualified Nonprofits as the U.S. AbilityOne Commission already possesses such authority.
- Regarding language stating that a participating employee must be paid “equal to or greater than” a nondisabled peer, replace it with the following: *“...at a rate which is consistent with what is paid to a nondisabled peer.”*

- While we appreciate why language was included regarding treatment of participating employees under Federal, state, and local labor employment laws, we believe the language overstates the point trying to be made regarding protections for employees, which we also support. We suggest the following language: *“Participating employees shall have equal access to rights, benefits, and protections as employees of authorized nonprofit agencies, in performance of AbilityOne contracts.”*
- Strike the directive for the AbilityOne Commission to regulate all of JWOD. The U.S. AbilityOne Commission already has the authority to regulate JWOD; they do not need to be compelled to issue regulations outside of the boundaries of the changes proposed in the draft text. The current language says the Commission “shall” regulate all of the underlying JWOD Act which would be overly burdensome on participants and the Program itself.

In closing, we again appreciate your leadership in developing legislation to modernize the Javits-Wagner-O’Day Act and strengthen the AbilityOne Program. While progress has been made toward consensus, several important issues outlined above would benefit from additional discussion and refinement. We look forward to working with you, committee staff, and other stakeholders to advance a proposal that expands employment and career opportunities for people who are blind or have significant disabilities and supports effective Program administration.

We believe the recommendations advanced by the two Central Nonprofit Agencies and the two employment organizations representing AbilityOne employers will further the Program’s mission by expanding employment and career opportunities for Americans who are blind or have significant disabilities, including veterans.

Sincerely,

SourceAmerica 



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