

**AMENDMENT TO RULES COMMITTEE PRINT**

**117-54**

**OFFERED BY MR. CARSON OF INDIANA**

At the appropriate place in division E, insert the following:

1 **SEC. \_\_\_\_ . LIMITATIONS ON RULEMAKING OF CERTAIN FEDERAL ENTITIES WITH AN INTEREST IN PRO-**  
2 **CURING EMPLOYMENT OF THE BLIND AND**  
3 **SEVERELY DISABLED.**

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5 (a) SENSE OF CONGRESS.—Congress finds the following:  
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7 (1) Since the expansion of the Javits-Wagner-  
8 O’Day Act in 1971, Congress has retained a keen  
9 interest in efforts to purchase both goods and services from the community of blind and severely disabled employees and contractors. The AbilityOne program was established to encourage and to contract for the goods and services of this community.  
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11 In recent years, Congress established for a 5-year period the so-called “898 Panel” and asked it to  
12  
13 provide annual recommendations to Congress about  
14  
15 a range of topics affecting this community.  
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1           (2) The Congress has been concerned with or-  
2           ganizations expanding their mandates beyond pro-  
3           viding recommendations to considering rule-making,  
4           without the congressional authority to do so. While  
5           the 898 Panel mission has recently been sunsetted,  
6           there are concerns from some Non-Profit Agencies  
7           (in this section referred to as “NPA”) who employ  
8           the blind and severely disabled workers that the  
9           AbilityOne program is considering rule-making on  
10          its own, including on controversial topics within the  
11          NPA community.

12          (b) PROHIBITION OF RULE-MAKING BY CERTAIN EN-  
13          TITIES AND ON TOPICS ASSOCIATED WITH THE BLIND  
14          AND SEVERELY DISABLED COMMUNITY.—

15                 (1) IN GENERAL.—No rule or regulation may  
16                 be issued for the AbilityOne program or by any enti-  
17                 ty that is seeking to implement recommendations by  
18                 the 898 Panel or elements of AbilityOne’s Strategic  
19                 Plan 2022–2026.

20                 (2) COMMENT.—The NPAs and other inter-  
21                 ested parties may provide comment directly to the  
22                 congressional committees of jurisdiction on any of  
23                 these initiatives not later than 90 days after the  
24                 date of enactment of this Act.

1           (3) DURATION.—The freeze on rule-making by  
2           the entities described in paragraph (1) shall continue  
3           until authority is explicitly provided by law to the  
4           entity in question.

