



## **MEMO**

To: Office of Information and Regulatory  
From: American Association of People with Disabilities (AAPD)  
Re: Proposed Rule – Restoring Merit-Based Opportunity in Federal Contracts  
Date: May 28, 2025

AAPD is deeply concerned by the revocation of EO 11246, the significant reduction in staff in the Office of Federal Contract Compliance Programs, and the potential actions that the Administration might take under this proposed rule. We would like to reinforce the protections for employment of people with disabilities that are laid out in statute as well as our concerns with actions related to other protected classes.

### **Disability**

AAPD wants to ensure that the Administration recognizes and maintains its duties under the law related to disability employment at federal contractors. In 1973, President Nixon signed the Rehabilitation Act into law. Section 503 of the Rehabilitation Act requires federal contractors to take affirmative action to “employ and advance in employment qualified individuals with disabilities.” This is not just a prohibition on discrimination, but a requirement for action.

The Office of Federal Contract Compliance Programs (OFCCP) has been charged with enforcing Section 503, but the recent staffing cuts have significantly reduced their ability to enforce the law. We understand that OFCCP will close 51 of its 55 offices and reduce its staff by 90%. Given the Administration’s actions to reduce OFCCP staff, despite its role in enforcing Section 503, AAPD is concerned that the Administration will take action in this regulation that runs counter to the statutory requirements of Section 503. We urge the Administration not to do so. In this rule, AAPD urges the Administration to maintain the current section of the FAR on employment of workers with disabilities and maintain current activities under Section 503.

### **Other Protected Classes**

AAPD is also concerned about actions to end programs to recruit, hire, retain, and advance people from other protected classes. AAPD represents people with disabilities, including disabled people of color and LGBT disabled people, and we are concerned that the Administration’s actions could harm their opportunity in the workplace.



Efforts to combat discrimination and advance equal employment opportunity in federal contractors date back to at least World War II and have been advanced in Republican and Democratic Administrations. Promoting equal employment opportunity does not violate civil rights laws, and we urge the Administration to continue to promote employment opportunity for everyone.