

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48d) in connection with the commodities deleted from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the commodities listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

Accordingly, the following commodities are hereby deleted from the Procurement List:

Candle, Illuminating  
6260-00-840-5578

Tape, Red

7510-00-NIB-0069 (1" x 60 yds.)

7510-00-NIB-0070 (2" x 60 yds.)

7510-00-NIB-0068 (3" x 60 yds.)

Wood Container

8115-L1-599-7320

8115-L1-599-7920

8115-L1-465-1020

8115-L1-599-8020

8115-L1-599-7220

Cap, Garrison

8410-01-381-5481

8410-01-381-5507

8410-01-381-5521

8410-01-381-5536

8410-01-381-5544

8410-01-381-5559

8410-01-381-5566

8410-01-381-5612

8410-01-381-5627

8410-01-381-5647

8410-01-381-5504

**Beverly L. Milkman,**

*Executive Director.*

[FR Doc. 95-19241 Filed 8-3-95; 8:45 am]

BILLING CODE 6820-33-P

### Procurement List Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to the procurement list.

**SUMMARY:** This action adds to the Procurement List hardwood flag cases to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**EFFECTIVE DATE:** September 5, 1995.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman (703) 603-7740

**SUPPLEMENTARY INFORMATION:** On June 2, 1995, the Committee for Purchase From

People Who Are Blind or Severely Disabled published notice (60 FR 28781) of proposed addition to the Procurement List.

Comments were received from the current contractor for the flag cases, both Senators from North Carolina, two other members of the State's Congressional delegation, the State's Department of Commerce and its Small Business & Technology Development Center, a county commissioner for one North Carolina county, and the Chambers of Commerce of two other counties. Many of the commenters expressed concern that loss of sales of the flag cases proposed to be added to the Procurement List could severely affect the current contractor, which is a startup business that has not yet shown a profit from its activities to develop its flag case business and is located in an area classified as "severely economically distressed."

The majority of the current contractor's Government sales of the flag cases are to the Army, Air Force, or exchange system. The Committee proposes to add only the Navy and Marine Corps requirements to the Procurement List. These requirements comprise less than five percent of the contractor's business, and the contractor has been selling the cases to the Navy and Marine Corps for less than a year. The Committee does not normally consider an impact of this size to be severe adverse impact, particularly when the contractor does not have a long-term dependence on sales of the item to the affected customer.

Nevertheless, some of the commenters have indicated that even a sales loss of this lesser size would have a severe impact on the contractor, given its current profitability status, and particularly on its subsidiary which makes the cases and on the county in which the subsidiary is located if the subsidiary is forced to close. They contend that the contractor must continue to expand its business in order to become profitable, so it cannot afford to lose any part of its current sales or prospects, and it would not be fair for it to lose the fruits of its business development efforts.

The contractor is currently selling the flag cases to the Government under the competitive purchasing system. In this system, no contractor is guaranteed that it will continue to receive Government contracts. Any company desiring to do business with the Government thus risks the loss of any expenditure of money or effort it makes in order to obtain this business. In addition, the Government's needs may change so that it would no longer buy the type of flag

case that the contractor sells. Until last year, in fact, the Navy and Marine Corps bought a different type of flag case for the same purpose. Addition of the Navy and Marine Corps requirements for the case to the Procurement List is thus not the only way the contractor can lose this business.

The Committee does not believe that the proposed addition will cause the contractor to close its subsidiary and impact the local economy as some of the commenters have indicated. In its initial comment, the contractor indicated that loss of its entire Government flag case business would only cause the loss of two sales positions and a possible closing of the subsidiary. Since the amount being added to the Procurement List is only one-fifth of the contractor's Government flag case business, it appears unlikely that the impact would force the subsidiary's closing. To the extent that the Committee's action causes losses to the contractor or its employees, the Committee believes the losses are outweighed by the creation of jobs for people with severe disabilities, whose overall unemployment rate exceeds 65 percent, well above the rate for nondisabled workers in the contractor's locality.

One commenter expressed a fear that the Committee would expand its share of the Government market for the flag case beyond the Navy and Marine Corps requirements, causing a greater impact on the contractor. The Committee could not do that without conducting a separate rulemaking proceeding to add the additional quantities to the Procurement List. In that proceeding, the Committee would be required to consider the cumulative impact on the contractor caused by both addition actions. Unless the contractor's business fortunes had improved markedly, it is unlikely the Committee would add any further part of the contractor's Government sales of the flag case to the Procurement List.

The same commenter indicated that making flag cases is dangerous work, and questioned the ability of the designated nonprofit agency to produce the flag cases at a competitive price and in sufficient quantity to meet wartime requirements. As the Navy official who conducted the plant inspection noted in finding the nonprofit agency capable of meeting all Navy and Marine Corps supply requirements, the nonprofit agency has a fully equipped commercial woodworking operation, with machines which have been specially designed to allow people with disabilities to operate them safely. The Committee is required to set a fair market price for each item on the Procurement List, and the

nonprofit agency has agreed to produce the flag cases at the price that has been set.

Another commenter indicated that the contractor's firm may have disabled employees. The contractor, however, did not support this contention in its comments either to the Committee or in its letters to Members of Congress. One commenter proposed that the Committee permit the contractor to hire some people with disabilities instead of adopting the proposed addition to the Procurement List. The Committee encourages companies to hire people with disabilities but does not believe this hiring should replace the creation of jobs for people with severe disabilities through additions to the Procurement List, which guarantees employment for these people while commercial businesses are free to terminate workers with disabilities for any reason.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities, fair market price, and impact of the addition on the current or most recent contractors, the Committee has determined that the commodities listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodities.

3. The action will result in authorizing small entities to furnish the commodities to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities proposed for addition to the Procurement List.

Accordingly, the following commodities are hereby added to the Procurement List:

Case, Flag, Hardwood  
8345-00-NSH-0013 (18" x 25" Navy)  
8345-00-NSH-0014 (18" x 25"

Marine Corps)

(Requirements for the Naval Medical Logistics Command, Fort Detrick, Maryland)

This action does not affect current contracts awarded prior to the effective date of this addition or options exercised under those contracts.

**Beverly L. Milkman,**  
*Executive Director.*

[FR Doc. 95-19242 Filed 8-3-95; 8:45 am]

BILLING CODE 6820-33-P

### Procurement List Proposed Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed additions to procurement list.

**SUMMARY:** The Committee has received a proposal to add to the Procurement List commodities to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**COMMENTS MUST BE RECEIVED ON OR BEFORE:** September 5, 1995.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman (703) 603-7740.

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed addition, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodities listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities to the Government.

2. The action will result in authorizing small entities to furnish the commodities to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodities have been proposed for addition to Procurement List for production by the nonprofit agency listed:

Drawers, Cold Weather  
8415-01-227-9542  
8415-01-227-9543  
8415-01-227-9544  
8415-01-227-9545  
8415-01-227-9546  
(Remaining 50% of the Government's requirement)

NPA: Peckham Vocational Industries, Inc., Lansing, Michigan.

**Beverly L. Milkman,**  
*Executive Director.*

[FR Doc. 95-19243 Filed 8-3-95; 8:45 am]

BILLING CODE 6820-33-P

### Procurement List Proposed Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed additions to procurement list

**SUMMARY:** The Committee has received proposals to add to the Procurement List services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**COMMENTS MUST BE RECEIVED ON OR BEFORE:** September 5, 1995.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman, (703) 603-7740.

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or