

sign language interpretation or other auxiliary aids should be directed to Joanna Davis at (302) 674-2331 at least 5 days prior to the meeting date.

Dated: November, 24, 1995.

Richard H. Schaefer,  
*Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

[FR Doc. 95-29285 Filed 11-30-95; 8:45 am]

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## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List Addition

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

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

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

**EFFECTIVE DATE:** January 2, 1996.

**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 September 15, 1995, the Committee for Purchase from People who are Blind or Severely Disabled published notice (60 F.R. 47937) of proposed addition to the Procurement List.

Comments were received from an association representing small disadvantaged businesses and from a company which was a contractor for related services at the same Government installation. The association questioned the Committee's practice of providing notice of the proposed addition to the Procurement List only in the Federal Register, and claimed, without providing any supporting information, that the proposed addition would have a severe economic impact on small businesses that support the installation. The company claimed that the addition would have a severe adverse impact on it, and also claimed that procurement regulations had been violated in connection with the current contract to provide these services to the Government.

The Committee is required by its statute, at 41 U.S.C. 47(a)(2), to follow the informal rulemaking procedure set

forth in 5 U.S.C. 553 when adding commodities and services to the Procurement List. The latter statute requires notices of proposed rulemakings to be published in the Federal Register. In addition, 44 U.S.C. 1507 provides that Federal Register notice is legally sufficient notice of a Government action to all concerned. Consequently, the Committee believes it acted as Congress intended when it gave notice of the proposal to add these services to the Procurement List.

The contracting officer for the services informed the Committee that, prior to the start of the current contract with the non-profit agency, the services being added to the Procurement List were being performed by Government personnel and were not part of the contract which the commenting contractor had with the installation. Accordingly, addition of these services to the Procurement List should have no effect on the commenting contractor or on any of the businesses represented by the commenting association because they will not lose any work they already had with this Government installation.

Award of the current contract for these and other services was not done under authority of the Committee's statute, as the services were not on the Procurement List. The Committee has been informed that the commenting contractor is pursuing its claim that procurement regulations were violated in a forum which is better equipped than the Committee to address them.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the service, fair market price, and impact of the additions on the current or most recent contractor, the Committee has determined that the service listed below is 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 service to the Government.
2. The action will not have a severe economic impact on current contractors for the service.
3. The action will result in authorizing small entities to furnish the service 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 service proposed for addition to the Procurement List.

Accordingly, the following service is hereby added to the Procurement List: Administrative Services, Naval Air Warfare Center, Training Systems Division, Orlando, Florida.

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.*

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**EFFECTIVE DATE:** January 2, 1996.

**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 September 29, 1995, the Committee for Purchase from People who are Blind or Severely Disabled published notice (60 F.R. 50559) of proposed addition to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the service, fair market price, and impact of the additions on the current or most recent contractors, the Committee has determined that the service listed below is 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 service to the Government.