

information contained in the households monthly report and the notice includes an explanation of the reason for such action and how the household can request a fair hearing to contest the action.

In order to implement Public Law 103-225, the State agency must modify the notice for households residing on reservations. Eligibility workers will only have to send the notice with the special language to households residing on reservations which fail to submit a timely or complete report. The current reporting burden estimate includes a local agency requirement to provide monthly reporting households with a notice. The burden associated with developing the special language for the notice for those residing on reservations is expected to be a one-time minimal burden. We expect that State agencies will automate generation and distribution of the notice when required.

Respondents: Local agency food stamp eligibility workers.

Estimated Number of Respondents: 1,776,000, based on an estimated 16% of the total caseload of 11,100,000 and assuming one eligibility worker per monthly reporting household.

Estimated Number of Responses per Respondent: One notice for each monthly reporting household that has a change in benefits.

Estimated Total Annual Burden on Respondents: 712,886 hours, based on 21,312,000 monthly reports expected annually. The estimate assumes that 30% of the households (6,393,600) will have a change in benefits. We assume that local agencies will generate this notice for these households at a rate of .1115 hours per response.

3. Model food stamp application (FCS-385):

Estimate of Burden: Public reporting burden includes household burden time to complete the application at initial application and recertification; to provide verification (usually from existing household documents); and to be interviewed by a caseworker, who may require the household to provide additional information. Pub. L. 103-225 requires that households residing on reservations be certified for two years. Therefore, these households will have to apply less often. However, we do not expect this to effect the current burden estimates for FCS-385 because the methodology used in developing the estimates takes into consideration increased or reduced application activity.

Respondents: Applicants for the Food Stamp Program.

Estimated Number of Respondents: 18,700,000 applicants for initial certification or recertification annually, as reported by State agencies on form FNS-366B, Program Activity Statement.

Estimated Number of Responses per Respondent: One annually, assuming one initial or one recertification application annually.

Estimated Total Annual Burden on Respondents: 4,282,300 hours, based on 18,700,000 responses at a rate of .2290 hours per response.

Combined Total Annual Burden: 5,114,000 hours for the notice of late and incomplete reports, adequate notice and application form.

Dated: August 8, 1996.
William E. Ludwig,
Administrator, Food and Consumer Service.
[FR Doc. 96-21212 Filed 8-19-96; 8:45 am]
BILLING CODE 3410-30-U

Natural Resources Conservation Service

PCS-25 Highway 384 Hydrologic Restoration Project; Cameron Parish, Louisiana

AGENCY: Natural Resources Conservation Service, USDA.

ACTION: Notice of a finding of no significant impact.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Natural Resources Conservation Service Guidelines (7 CFR Part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture, gives notice that an Environmental Impact Statement is not being prepared for the Highway 384 Hydrologic Restoration Project, Cameron Parish, Louisiana.

FOR FURTHER INFORMATION CONTACT: Donald W. Gohmert, State Conservationist, Natural Resources Conservation Service, 3737 Government Street, Alexandria, Louisiana 71302; telephone number (318) 473-7751.

SUPPLEMENTARY INFORMATION: The environmental assessment of the federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Donald W. Gohmert, State Conservationist, has determined that the preparation and review of an Environmental Impact Statement is not needed for this project.

This project proposes to restore a hydrologic regime similar to historic

conditions and in turn reduce wetland deterioration on approximately 1,125 acres of intermediate to brackish marsh in Cameron Parish, Louisiana. Project measures include the construction of flapped culverts with variable-crested weirs, channel liner, armored plugs, flow-thru culverts, perimeter levee maintenance and shoreline vegetative plantings.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various federal, state, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Donald W. Gohmert.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the Federal Register.

Donald W. Gohmert,

State Conservationist.

[FR Doc. 96-21101 Filed 8-19-96; 8:45 am]

BILLING CODE 3410-16-M

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 commodity to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

EFFECTIVE DATE: September 19, 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 May 24, 1996, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (61 FR 26167) of proposed addition to the Procurement List.

Comments were received from the current contractor for these flags and from two Members of Congress. The contractor claimed that addition to the Procurement List of another 20 percent

of the Department of Veterans Affairs (VA) requirement for interment flags would have a severe adverse impact on the company, and submitted the report of a financial expert to support that conclusion. The contractor also claimed that the Committee's method of assessing impact is insupportable because it ignores many factors which the contractor claims should be considered.

The contractor stated that it has suffered significant losses since the Committee added a portion of the VA requirement for interment flags to the Procurement List in 1993. The contractor claimed that it had been adversely impacted by previous Committee actions involving code signal flags, and that the new addition of interment flags would severely impact the company's employees because a significant number would immediately lose their jobs as a result of the Committee's actions and all would eventually be unemployed if the company failed. Using documents obtained through the Freedom of Information Act (FOIA), the contractor claimed that the Committee had abrogated its responsibility to make the contractor impact determination by allowing the central nonprofit agency (NISH) to participate substantially in the determination.

The contractor claimed that the nonprofit agencies do not meet the Committee's regulatory requirements as they are not performing the required percentage of the labor necessary to make the flags. The contractor also claimed that even if the Committee's "ludicrous" interpretation of the direct labor requirement is correct, the nonprofit agencies are not meeting the requirement. The contractor also claimed that the nonprofit agencies' requests for specification waivers prove that the nonprofit agencies are incapable of making the flags.

The contractor further claimed that the relationship of one of the nonprofit agencies with a for-profit flag manufacturer shows that the previous addition of a part of the VA requirement was little more than a diversion of that part from the contractor to one of its competitors. The contractor submitted documents obtained under FOIA which it claimed substantiated its case.

In conclusion, the contractor claimed that the Committee's 1993 decision to add 20 percent of the VA requirement for the interment flag to the Procurement List was based upon improper input from a central nonprofit agency with a financial interest in the proceeding. The contractor also claimed that Committee members have been

unfairly maligning the company by stating that VA is unsatisfied with the quality of the interment flags the contractor has provided.

The contractor was permitted to address the Committee at a meeting held soon after the close of the comment period for the addition proposal to elaborate on issues raised in the comments the contractor had submitted. In a followup letter after this presentation, the contractor raised two additional issues. The contractor claimed that if the additional interment flag requirement is added to the Procurement List, the total impact of the Committee's Javits-Wagner-O'Day (JWOD) Program on the contractor would represent five percent of the total portion of JWOD Program sales of commodities by nonprofit agencies represented by NISH. The contractor also indicated that the impact of the previous interment flag addition on the contractor had not yet occurred, but soon would as VA purchases declined, and the impact would be magnified by the 1996 addition.

The two Members of Congress, writing jointly, expressed concern over possible loss of jobs by the contractor's employees and the effects of this loss on the region where the contractor's plant is located. They also asked the Committee to consider alternatives to adding the additional interment flag requirement to the Procurement List.

The Committee retained its own financial expert to review the contractor's expert's report and assist the Committee in analyzing the impact claims made by the contractor. Our expert's report refutes the contentions of the contractor and its expert that the addition of an additional 20 percent of the VA requirement for interment flags to the Procurement List will have a severe adverse impact on the contractor. Our expert concluded that the contractor appears to have sufficient cash, capital and management expertise to withstand a decrease in annual sales in the range which the total impact of the Committee's actions would cause without a resulting severe adverse impact. The percentage decline in the contractor's sales which our expert predicted is well below the level which the Committee normally considers to be severe adverse impact, and below the level which a court decision found not to be severe adverse impact.

The contractor's gross profits, in fact, have increased substantially since 1989. The one year in which the contractor's financial statements show a loss, 1993, was a year in which the nonprofit agencies produced almost no flags, as they received their first contract late in

the year and their production was delayed by startup difficulties. The loss occurred because of a reduction in the contractor's bid price for the flag contract, a failure by the contractor to decrease its allocation for fixed costs in proportion to its declining sales volume, and because the family who owned the business took a large amount out of it for executive salaries and other expenses. In this regard, it should be noted that even the contractor's financial expert recommended that the company reduce its executive salaries.

The contractor has attempted to explain the fact that its sales have not declined despite the Committee's 1993 action in adding 20 percent of the VA interment flag requirement by stating that the VA's flag requirements will soon decline precipitously, as VA uses up the high number of flags it has bought in recent years. Information provided to the Committee by VA, however, demonstrates that VA flag requirements will not decline, but will increase through at least 2005 to meet the expected veteran mortality during that period. Accordingly, any impact which the addition of a second 20 percent of the VA interment flag requirement to the Procurement List might have will be somewhat mitigated by the rising interment flag market.

The contractor's expert contended that the contractor's financial position after the 1993 addition had become marginal, and that the second addition would so threaten the viability of the company that its auditors would likely issue a "going concern" opinion to warn of the likely failure of the company. Our expert's review of the contractor's financial statements indicated, however, that such an opinion could not be issued because the contractor's cash and accounts receivable were in such good condition that the projected sales loss was not critical, and the likelihood of the contractor going out of business was very small. Consequently, the possibility of extensive layoffs by the contractor, affecting both the employees involved and the economy of the region, is unlikely.

Our expert also rejected the contractor's contention that the Committee's method of assessing contractor impact is simplistic. Because of its contention that a proper assessment of impact required the Committee to examine ten specific factors enumerated in the contractor's comments, the Committee permitted the contractor to submit additional information on these factors as they related to the contractor's financial position, and this information was reviewed. However, as our expert noted,

many of the problems the contractor has experienced were due to management decisions, which no method of impact analysis could anticipate. Consequently, the Committee, and its expert, believe that the Committee's current method of assessing impact, which focuses on percentage of contractor sales represented by a proposed Procurement List addition and recent previous additions, as well as review of other information submitted by the contractor, is an appropriate one which the Committee should continue to use.

The code signal flags which the contractor claimed were impacting its sales have been on the Procurement List, in some cases, since 1973. The contractor brought this supposed continuing impact to the Committee's attention late last year. The Committee investigated and determined that the nonprofit agency was experiencing difficulties in supplying the Government, which had caused the Government to procure its requirements for these flags from commercial sources, including the commenting contractor. Because of this situation, the code signal flags were removed from the Procurement List in June 1996. Accordingly, the Committee does not consider the code signal flags to have any impact on the contractor at this time or in the future.

The Committee also examined the contractor's contention that it has suffered or will suffer the impact of losing commodities equal to five percent of NISH's commodities sales under the JWOD Program. NISH's nonprofit agencies, however, produce a fairly small portion of the commodities in the JWOD Program, as these nonprofit agencies mainly furnish services to the Government. The percentage of overall JWOD Program commodity sales which items lost by the contractor represent is less than 2 percent. The Committee does not believe this is a disproportionate amount for a company to experience, particularly one that is as dominant in its industry as the contractor.

For all these reasons, including those set forth in more detail in our expert's report, the Committee has concluded that addition of a second 20 percent of the VA requirement for interment flags to the Procurement List is not likely to have a severe adverse impact on the contractor. In reaching this conclusion, the Committee has also taken into account the contractor's long history as a supplier of interment flags to the VA and its resulting dependency on contracts for the flag.

The contractor's contention that the Committee abrogated its responsibility for making the contractor impact

determination on this addition to the Procurement List is based on documents in which NISH expressed its opinion on the impact. The determination, however, is made by the Committee as part of the decision to add the interment flag requirement to the Procurement List, and no special weight is given to opinions contained in information supplied by NISH or any other party who is required or permitted to submit information to the Committee in connection with a Procurement List addition. Because the structure of the JWOD Program requires the Committee to rely on NISH and NIB to submit much of the information used in making Procurement List addition decisions, the Committee has established procedures to specify and control what information they must submit before the Committee can begin the rulemaking process which leads to a Procurement List addition. The Committee is aware of the financial interest which NISH has in the outcome of the Committee's decision, but does not believe that interest prejudices the information NISH submits or influences the Committee's addition decisions.

The contractor's claim that the nonprofit agencies do not meet the statutory direct labor requirement is based on an argument that the JWOD Act requires nonprofit agencies to use people with severe disabilities to perform 75 percent of the direct labor involved in all aspects of producing the flag. The statutory requirement, however, is that 75 percent of all direct labor performed by employees of nonprofit agencies participating in the JWOD Program, including direct labor on commodities and services outside the JWOD Program, must be performed by people with severe disabilities. 41 U.S.C. § 48b(4)(C). There is no requirement that 75 percent of the total production process be performed by people with severe disabilities. The Committee's interpretation of the statutory requirement, far from being "ludicrous," has been confirmed by a court decision known to the contractor. At the present time, all three nonprofit agencies are in compliance with this requirement.

The nonprofit agencies experienced some difficulties in gearing up for full production of the flags in 1993. During that period, and in response to VA requests for suggestions to improve manufacturing efficiency and reduce costs, the nonprofit agencies submitted three requests for waiver of specification requirements, two of which were granted. After production began on the JWOD share of the 1993 VA flag requirement, two more requests were made, both of which were granted by

VA. No waiver requests have been made in connection with the current JWOD share of the VA flag requirement. During this initial period, the failure of a fabric supplier to provide conforming material in a timely manner caused the nonprofit agencies to miss some delivery deadlines. Since the startup period, the nonprofit agencies have experienced no significant quality or delivery problems in producing the flags. Accordingly, the Committee does not believe that the events just described affect the current capability of the nonprofit agencies to produce the portion of the VA interment flag requirement being added to the Procurement List.

One of the nonprofit agencies has long had a relationship with the commercial flag manufacturer identified by the contractor as a competitor, and the three nonprofit agencies did contract with that manufacturer for technical support, procurement of star fields, and production of stripe subassemblies during the startup phase of JWOD flag production. At that time, the contractor was given an opportunity to submit a bid for the star fields and stripe subassemblies, but declined to do so. The technical support contract ended in 1994, and since September 1994 only one nonprofit agency has continued buying stripe subassemblies from the commercial manufacturer. In the future, the nonprofit agency will produce the subassemblies in house. These stripe subassemblies represent only ten percent of the cost of a finished flag. Subcontracting at this level is within Committee guidelines. The Committee does not believe that this relationship has constituted an improper diversion of the JWOD share of the VA flag requirement to a commercial producer, nor does it agree that the relationship is a reason the additional flag requirement should not be added to the Procurement List.

To the Committee's knowledge, no Committee member during the current rulemaking procedure has maligned the contractor's ability to produce flags acceptable to VA. The rulemaking record for the 1993 addition and subsequent reconsideration does contain a July 1993 letter from VA to a Senator noting deficiencies in interment flags produced by the contractor. On the other hand, the contractor has furnished the Committee statements from VA employees indicating satisfaction with the contractor's product. VA has told the Committee only that it will continue to seek other sources for the flags. In any case, the quality of a competing commercial contractor's product is not a factor which the Committee considers in making a decision that a Government

supply requirement is suitable for production by nonprofit agencies employing people who are blind or have other severe disabilities.

The concern expressed by the two Members of Congress for the economic impact on a region of their State is based on taking at face value the contractor's claim that the Committee's action will cause the contractor to lay off a sizeable number of its employees. As discussed above, the Committee does not believe this will occur, or if it does, it will occur because of management decisions made by the contractor and not because of the Committee's actions. The alternatives the Congressmen suggested are the proposals the contractor made in 1993 and 1996 to provide work for people with severe disabilities if the Committee would decline to add the proposed VA flag requirements to the Procurement List. The Committee devoted considerable time and analysis to each of these proposals, and rejected them only because they had insurmountable flaws. In 1993, the contractor's proposal would have required a specification change which VA had stated it would not accept. In 1996, the proposal originally guaranteed to the nonprofit agencies a multiple of the number of jobs the 1993 addition was projected to create. The 1993 addition actually created nearly three times the number of jobs projected for people with severe disabilities. The Committee considered it improbable that the contractor could afford to guarantee subcontracting opportunities that would create three times this larger number of jobs for people with severe disabilities. This opinion reflected the Committee's knowledge that VA was seeking other contractors for the flags and that the contractor would have no guarantee of recapturing all of the interment flag business when it was procured on a competitive basis. In addition, accepting the 1996 proposal would have forced the nonprofit agencies to sacrifice work they had successfully geared up to do, and which had proven to create many jobs, in return for erratic and unspecified work as subcontractors to the commenting contractor.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodity and impact of the addition on the current or most recent contractors, the Committee has determined that the commodity 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 commodity to the Government.

2. The action will not have a severe economic impact on current contractors for the commodity.

3. The action will result in authorizing small entities to furnish the commodity 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 commodity proposed for addition to the Procurement List.

Accordingly, the following commodity is hereby added to the Procurement List:

Flag, National, Interment
8345-00-656-1432

(Additional 20% of the Government's requirement)

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

Beverly L. Milkman,
Executive Director.

[FR Doc. 96-21218 Filed 8-19-96; 8:45 am]

BILLING CODE 6353-01-P

DEPARTMENT OF COMMERCE

Bureau of the Census

Current Population Survey—Annual Demographic Survey for March 1997; Proposed Agency Information Collection Activity; Comment Request

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before October 21, 1996.

ADDRESSES: Direct all written comments to Linda Engelmeier, Acting Departmental Forms Clearance Officer, Department of Commerce, Room 5312, 14th and Constitution Avenue, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument and survey procedures should be directed to Oscar Perez, Bureau of the Census, FOB 3, Room 3340, Washington, DC 20233-8400, (301) 457-3806.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Census Bureau will conduct the Annual Demographic Survey (ADS) in conjunction with the March 1997 Current Population Survey (CPS). The Census Bureau has conducted this supplement annually for 50 years. The Census Bureau, the Bureau of Labor Statistics, and the Department of Health and Human Services sponsor this supplement.

The work experience items in the ADS provide a unique measure of the dynamic nature of the labor force as viewed over a one-year period. These items produce statistics that show movements in and out of the labor force by measuring the number of periods of unemployment experienced by persons, the number of different employers worked for during the year, the principal reasons for unemployment, and part-/full-time attachment to the labor force. We can make indirect measurements of discouraged workers and others with a casual attachment to the labor market.

The income data from the ADS are used by social planners, economists, Government officials, and market researchers to gauge the economic well-being of the Nation as a whole, and selected population groups of interest. Government planners and researchers use these data to monitor and evaluate the effectiveness of various assistance programs. Market researchers use these data to identify and isolate potential customers. Social planners use these data to forecast economic conditions and to identify special groups that seem to be especially sensitive to economic fluctuations. Economists use March data to determine the effects of various economic forces, such as inflation, recession, recovery, etc., and their differential effects on various population groups.

A prime statistic of interest is the classification of persons as being in poverty and how this measurement has changed over time for various groups. Researchers evaluate March income data for not only to determine poverty levels, but also to determine whether Government programs are reaching eligible households.