

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

**DATES:** Comments must be received on or before May 5, 1997.

**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 commodity and 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 other compliance requirements for small entities other than the small organizations that will furnish the commodity and services to the Government.

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

3. The action will result in authorizing small entities to furnish the commodity and services 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 and services 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 commodity and services have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

#### *Commodities*

Master Baster  
M.R. 802

NPA: Winston-Salem Industries for the Blind, Winston-Salem, North Carolina

#### *Services*

Grounds Maintenance, U.S. Army Reserve Center, Parkersburg, West Virginia

NPA: SW Resources, Inc., Parkersburg, West Virginia

Janitorial/Custodial, VA Outpatient Clinic, Pensacola, Florida

NPA: Lakeview Center, Inc., Pensacola, Florida

Janitorial/Custodial, Beltsville Agricultural Research Center, Building 001, Beltsville, Maryland

NPA: Melwood Horticultural Training Center, Upper Marlboro, Maryland

Janitorial/Custodial, Veterans Center, Roanoke, Virginia

NPA: Goodwill Industries of Tinker Mountain, Inc., Salem, Virginia

Medical Transcription, Veterans Affairs

Medical Center, Alexandria, Louisiana

NPA: The Lighthouse of Houston, Houston, Texas

**Beverly L. Milkman,**

*Executive Director.*

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#### **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:** May 5, 1997.

**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 December 6, 1996, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (61 F.R. 64666) of proposed addition to the Procurement List. Comments were received from a foam fabricator which made the helmet liner when it was procured for developmental purposes. The commenter alleged that it would be severely impacted by the Committee's action, taking into account other items the Committee has added to the Procurement List which the commenter considered lost business opportunities.

The commenter also noted that it purchased a special machine to print the helmet liners, made expenditures for tooling, and entered into a long-term agreement for raw materials which required helmet liner production to keep prices low.

The Government's estimated quantity of helmet liners to be procured has been reduced to less than 5% of the initial quantity expected to be procured by the Government when the item was under development. Given the substantial decrease in the quantity being procured, the loss of sales by the contractor is not in the range the Committee considers severe, even when the impact of the one other Procurement List addition where the commenter was the current contractor is taken into account. That addition involved fuel tank inserts for military aircraft. The Committee does not agree with the commenter's contention that it was the contractor for a foam item for the U.S. Mint because it did not receive the award for that item.

Under the Government's competitive bidding system, no contractor is guaranteed a contract. Consequently, a firm assumes the risk of loss for new equipment purchases or commitments for raw materials in anticipation of receiving a new contract when the contract is awarded to another firm. Because this could occur regardless of the Committee decision to add the item involved to the Procurement List, the Committee does not consider losses that may be experienced related to equipment, tooling, and raw materials to constitute severe adverse impact on a particular 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:

Liner, Foam Impact  
8465-01-420-4920

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.*

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## 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 commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.  
**EFFECTIVE DATE:** May 5, 1997.

**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 December 20, 1996, January 17, 31, and February 14, 1997 the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (61 FR 67306, 62 FR 2644, 4722 and 6946) of proposed additions to the Procurement List.

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

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

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

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

### Commodities

Bucket, Plastic

M.R. 997

Office and Miscellaneous Supplies

(Requirements for the Naval Air Station, Corpus Christi, Texas)

### Services

Janitorial/Custodial, for the following Blaine, Washington locations:

Pacific Highway Border Station

Pacific Highway Border Station, Building #1

Pacific Highway Border Station, USDA

Building

Border Patrol Sector Headquarters and Annex

Peace Arch Border Station

Storage/Distribution of Badges, Insignia

Patches and Other Accouterments,

Defense Personnel Support Center,

Philadelphia, Pennsylvania

(25% of the Government's requirement)

Switchboard Operation, Cannon Air Force Base, New Mexico

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.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 96-00007.

**SUMMARY:** The Department of Commerce has issued an Export Trade Certificate of Review to the Committee for the Fair Allocation of Rice Quotas ("Committee"). This notice summarizes the conduct for which certification has been granted.

**FOR FURTHER INFORMATION CONTACT:** W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, 202-482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (1996).

The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under Section 305 (a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

### Description of Certified Conduct

#### Export Trade

#### Products

Semi-milled and wholly milled rice, whether or not polished or glazed (Harmonized Tariff Schedule 1006.30) (referred to as "milled rice") and husked (brown) rice (Harmonized Tariff Schedule 1006.20).

#### Export Markets

For purposes of administering the European Union's tariff rate quota: The countries of the European Union.

For purposes of Export Trade Activity and Method of Operation 3: All parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

#### Export Trade Activities and Methods of Operation

1. The Committee will administer a system for allocating the U.S. share of the European Union ("EU") tariff rate quotas ("TRQs") for milled rice and brown rice (roughly 38,000 tons of milled rice and 8,000 tons of brown rice) agreed to as compensation to the