COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

41 CFR Part 51–5

Mandatory Source Requirement

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

ACTION: Proposed rule.

SUMMARY: This proposed rule revises the Committee's mandatory source requirement regulation to permit sales of Javits-Wagner-O'Day (JWOD) products to the Government through commercial distributors as well as the Committee's traditional sources of supply.

DATES: Comments must be submitted on or before September 26, 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: G. John Heyer, (703) 603–7740. Copies of this notice will be made available on request in computer diskette format.

SUPPLEMENTARY INFORMATION: Entities of the Government desiring to buy commodities and services which are on the Committee's Procurement List are required by law (41 U.S.C. 48) to buy them from a qualified nonprofit agency designated by the Committee at the fair market price established by the Committee, in accordance with the Committee's rules and regulations. The Committee has traditionally interpreted this statutory mandate as requiring a direct buying relationship between a Government entity and a nonprofit agency. The Committee's mandatory source requirement regulation, 41 CFR 51–5.2, is based on this interpretation.

In light of ongoing changes in Federal procurement, the Committee has reexamined its traditional interpretation of its statute and has concluded that the regulatory authority it has been granted allows it to prescribe by regulation that its products may be procured through commercial distributors. As Government distributors such as the General Services Administration and the Defense Logistics Agency have long been providing these products to Government agencies, the Committee does not believe that this new interpretation is a departure from the statutory scheme which Congress established for the Committee to create jobs for people who are blind or have other severe disabilities by requiring Government agencies to purchase commodities and services from nonprofit agencies which employ these people.

The current version of the mandatory source requirement regulation mentions the Department of Veterans Affairs (VA) as one of the Government central supply agencies which distribute commodities produced by the JWOD Program. Because VA has closed its depot system, a specific reference to VA does not appear in the proposed regulation. The proposed regulation retains the requirement that persons providing commodities to Government agencies by contract are required to order them from the same Committee-authorized sources the Government agencies would use if they bought the commodities directly.

Regulatory Flexibility Act

I certify that this proposed revision of the Committee regulations will not have a significant economic impact on a substantial number of small entities because the revision clarifies program policies and does not essentially change the impact of the regulations on small entities.

Paperwork Reduction Act

The Paperwork Reduction Act does not apply to this proposed rule because it contains no information collection or recordkeeping requirements as defined in that Act and its regulations.

Executive Order No. 12866

The Committee has been exempted from the regulatory review requirements of the Executive Order by the Office of Information and Regulatory Affairs. Additionally, the proposed rule is not a significant regulatory action as defined in the Executive Order.

List of Subjects in 41 CFR Part 51–5

Government procurement, Handicapped.

For the reasons set out in the preamble, Part 51–5 of Title 41, Chapter 51 of the Code of Federal Regulations is proposed to be amended as follows:

PART 51–5—CONTRACTING REQUIREMENTS

1. The authority citation for Part 51–5 continues to read as follows:

Authority: 41 U.S.C. 46–48c.

2. Section 51–5.2 is amended by revising paragraphs (b) and (c), removing paragraphs (d) and (e), and redesignating paragraph (f) as paragraph (d), to read as follows:

§ 51–5.2 Mandatory source requirement.

* * * * *

(b) Purchases of commodities on the Procurement List by entities of the Government shall be made from sources authorized by the Committee. These sources may include nonprofit agencies, central nonprofit agencies, Government central supply agencies such as the Defense Logistics Agency and the General Services Administration, and certain commercial distributors. Identification of the authorized sources for a particular commodity may be obtained from the central nonprofit agencies at the addresses noted in § 51–6.2 of this chapter.

(c) Contracting activities shall require other persons providing commodities which are on the Procurement List to entities of the Government by contract to order these commodities from the sources authorized by the Committee.

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Dated: July 25, 1995.

Beverly L. Milkman,

Executive Director.

[FR Doc. 95–18577 Filed 7–27–95; 8:45 am]

BILLING CODE 6820–33–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92–245; RM–8026]

Radio Broadcasting Services; Frederiksted, VI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal of.

SUMMARY: The Commission dismisses the petition for rule making filed by Jose J. Arzuaga, proposing the allotment of Channel 298A at Frederiksted, Virgin Islands, as its second local FM transmission service. *See* 57 FR 54543 November 19, 1992. The petitioner has abandoned its interest in a Class A allotment at Frederiksted, and there are no other timely expressions of interest for the channel. With this action, this proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order,* MM Docket No. 92–245, adopted July 14, 1995, and released July 25, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased

from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Andrew J. Rhodes,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95–18563 Filed 7–27–95; 8:45 am]

BILLING CODE 6712–01–F

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47 CFR Part 73

[MM Docket No. 95–123, RM–8669]

Radio Broadcasting Services; Winona, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by OARA, Inc. proposing the allotment of Channel 274A to Winona, Texas, as the community's first local aural transmission service. Channel 274A can be allotted to Winona in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 274A at Winona are 32–29–22 and 95–10–01.

DATES: Comments must be filed on or before September 15, 1995, and reply comments on or before October 2, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Ann Bavender, Fletcher, Heald & Hildreth, 1300 N. 17th Street, 11th Floor, Rosslyn, Virginia 22209 (Counsel for petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 95–123, adopted July 18, 1995, and released July 25, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Andrew J. Rhodes,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95–18565 Filed 7–27–95; 8:45 am]

BILLING CODE 6712–01–F

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47 CFR Part 73

[MM Docket No. 95–121, RM–8660]

Radio Broadcasting Services; Dearing, KS

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by William Bruce Wachter, proposing the allotment of Channel 251A to Dearing, Kansas, as the community's first local aural transmission service. Channel 251A can be allotted to Dearing in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 251A at Dearing are 37–03–31 and 95–42–47.

DATES: Comments must be filed on or before September 15, 1995, and reply comments on or before October 2, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Lauren A. Colby, 10 E. Fourth Street, P.O. Box 113, Frederick, Maryland 21705–0113 (Counsel for petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 95–121, adopted July 18, 1995, and released July 25, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Andrew J. Rhodes,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95–18561 Filed 7–27–95; 8:45 am]

BILLING CODE 6712–01–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 630 and 678

[Docket No. 950713178–5178–01; I.D. 062695D]

RIN 0648–AI10

Options for Establishing an Interim Permit Moratorium and Eligibility Criteria for the Atlantic Swordfish and Shark Fisheries

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Advance Notice of Proposed Rulemaking (ANPR); request for comments.

SUMMARY: NMFS is considering a temporary moratorium on the issuance of permits for the Atlantic swordfish