

The Access Board convened an ad hoc committee of Board members to review the Committee's recommendations. After reviewing the report in detail, the Board's ad hoc committee prepared recommendations for guidelines addressing accessibility in the public right-of-way. The Access Board has made the recommendations of the ad hoc committee available in the form of draft guidelines for public review and comment prior to issuing a notice of proposed rulemaking. A notice of availability of the draft guidelines and the October 8, 2002, meeting was published in the **Federal Register** on June 17, 2002 (67 FR 41206) and the draft guidelines along with supplementary information were placed in the rulemaking docket (Docket No. 02-1) for public review. The draft guidelines and supplementary information are available on the Access Board's Internet site (<http://www.access-board.gov/rowdraft.htm>). You may also obtain a copy of the draft guidelines and supplementary information by contacting the Access Board at (202) 272-0080. Persons using a TTY should call (202) 272-0082. The documents are available in alternate formats upon request. Persons who want a copy in an alternate format should specify the type of format (cassette tape, Braille, large print, or ASCII disk.) The Board will issue a notice of proposed rulemaking following a review of comments received.

In addition to welcoming written comments, the Board will hold an informational meeting to provide the public with an additional opportunity to provide input on the draft guidelines. The Board has revised the time of the meeting to 8:30 a.m. until 12 noon and from 1:30 until 4 p.m. The date and location of the meeting remain unchanged. Interested members of the public are encouraged to contact the Access Board at (202) 272-0011 (voice) or (202) 272-0082 (TTY) to preregister to attend the informational meeting. All meetings are accessible to persons with disabilities. Sign language interpreters and an assistive listening system will be available at the meeting. Persons attending the meeting are requested to refrain from using perfume, cologne, and other fragrances for the comfort of other participants.

Lawrence W. Roffee,

Executive Director.

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

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

ACTION: Proposed additions to and deletions from Procurement List.

SUMMARY: The Committee is proposing to add to the Procurement List products and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and to delete a service previously furnished by such agencies. **COMMENTS MUST BE RECEIVED ON OR BEFORE:** September 29, 2002.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

FOR FURTHER INFORMATION CONTACT: Sheryl D. Kennerly, (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.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice for each product or service will be required to procure the products 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. If approved, 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 products and services to the Government.

2. If approved, the action will result in authorizing small entities to furnish the products and services 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 products 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 products and services are proposed for addition to Procurement List for production by the nonprofit agencies listed:

Products

Product/NSN: Binder, Looseleaf
7510-01-368-3486.

7510-01-412-6338.

NPA: South Texas Lighthouse for the Blind, Corpus Christi, Texas.

Contract Activity: Office Supplies & Paper Products Acquisition Center, New York, NY.

Product/NSN: Dual Head Stethoscope
6515-00-NIB-0115.

NPA: Central Association for the Blind & Visually Impaired, Utica, New York.

Contract Activity: Department of Veterans Affairs Acquisition Center, Hines, Illinois.

Product/NSN: Easel, Wallboard, Magnetic
7520-00-NIB-1368.

7520-00-NIB-1369.

7520-00-NIB-1371.

NPA: The Lighthouse for the Blind, Inc., Seattle, Washington.

Contract Activity: Office Supplies & Paper Products Acquisition Center, New York, NY.

Product/NSN: Holder, Label, w/slit on a spool
9905-05-000-7417.

NPA: ODC Government Services, Inc., Wisconsin Rapids, Wisconsin.

Contract Activity: U.S. Postal Service, Topeka, Kansas.

Services

Service Type/Location: Grounds

Maintenance, U.S. Department of Agriculture, Phoenix, Arizona.

NPA: The Centers for Habilitation/TCH, Tempe, Arizona.

Contract Activity: USDA, Agriculture Research Service, REE, PWA, LSS, Phoenix, Arizona.

Service Type/Location: Janitorial/Custodial, Environmental Protection Agency, Standard Chlorine Site, Delaware City, Delaware.

NPA: The Chimes, Inc., Baltimore, Maryland.
Contract Activity: Environmental Protection Agency, Philadelphia, Pennsylvania.

Service Type/Location: Janitorial/Custodial, Stewart Newburgh USARC, New Windsor, New York.

NPA: Occupations, Inc., Middletown, New York.

Contract Activity: 77th Regional Support Command (DOC), Fort Totten, New York.

Deletions

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. If approved, 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. If approved, the action will result in authorizing small entities to furnish the service 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 service proposed for deletion from the Procurement List.

The following service is proposed for deletion from the Procurement List:

Service

Service Type/Location: Janitorial/Custodial, U.S. Federal Building, Minneapolis, Minnesota.

NPA: Tasks Unlimited, Inc., Minneapolis, Minnesota.

Contract Activity: GSA, Public Buildings Service.

G. John Heyer,

General Counsel.

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

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

ACTION: Additions to and deletions from Procurement List.

SUMMARY: This action adds to the Procurement List products and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List products previously furnished by such agencies.

EFFECTIVE DATE: September 29, 2002.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

FOR FURTHER INFORMATION CONTACT: Sheryl D. Kennerly, (703) 603-7740.

SUPPLEMENTARY INFORMATION:

Additions

On May 24, June 21, June 28, and July 5, 2002, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (67 FR 36567 42235, 43582, and 44808) of proposed additions to the Procurement List.

The Following Comments Pertain to CD-ROM Replication—Program A890-M

Comments were received from one of the two current contractors for this CD-ROM replication program, in response to a request for sales data. In addition to providing the sales data, the contractor indicated that losing the contract for this replication program would remove the sales volume needed for the company to make a profit. The contractor claimed to have lost the contract for another Government Printing Office (GPO) CD-ROM replication program to the same nonprofit agency under the Committee's program, and raised the possibility of losing a third program the same way. All these impacts, according to the contractor, would combine to cause severe financial impact and job loss for the contractor.

In a follow-up letter, the contractor raised several issues which it contended made this CD-ROM replication program inappropriate for addition to the Committee's program. The contractor contended that the manufacturing process is not suitable for people who are blind or have other severe disabilities and is actually dangerous for such people. The contractor stated that the replication program is designed for multiple contractors, with volume and turnaround demands that make it inappropriate for any one contractor, particularly a small operation like the designated nonprofit agency. The contractor further noted that GPO rules prohibit subcontracting of the manufacturing operation. Finally, the contractor proposed that the nonprofit agency devote its efforts to production of blank CD-R disks for the Government rather than CD-ROM replication programs, as these disks are produced by large multinational companies which would not be as severely affected by losing this work as would the commenting contractor if the CD-ROM replication program at issue were added to the Committee's Procurement List.

In regard to the contractor's impact claims, the contractor was not the current contractor at the time the Committee added the other CD-ROM replication program to the Procurement List. Because the contractor lost the contract to another vendor, it only had a hope of regaining it through the competitive process, and losing this hope is not considered severe adverse impact by the Committee. However, even if the value of the contractor's former contract for the other replication program were to be added to the value of its contract for the replication program at issue in this Procurement

List addition, the percentage of the contractor's total sales which the two contracts represent does not reach the level of impact which the Committee normally considers to be severe.

The Committee is not processing the third replication program mentioned by the contractor for addition to the Procurement List at this time.

Consequently, the only impact which the Committee's program can take into account in calculating impact on the contractor is that of the A890-M CD-ROM replication program which is being added to the Procurement List by this notice. The sales which the contractor will lose because of this action are well below the level which the Committee normally considers to constitute severe adverse impact on a contractor. The Committee staff, acting through the cognizant central nonprofit agency, has conferred with GPO contracting personnel and the designated nonprofit agency about the issues raised in the contractor's follow-up letter. Both organizations are satisfied that the nonprofit agency can meet the volume and turnaround requirements of this replication program, without resorting to a subcontractor. The nonprofit agency has modified the replication equipment to allow it to be used safely by people with visual impairments, and is successfully using people with visual impairments in all phases of CD-ROM production, order fulfillment, and packaging except disk printing, which it will be able to do safely in-house by January 2003. The equipment which the nonprofit agency has is not suitable for production of blank CD-R disks, so the contractor's alternative proposal would not be feasible.

The Following Material Pertains to All of the Items Being Added to the Procurement List

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