

information on the FS-5700-20, Airplane Pilot Qualifications and Approval Record, and FS-5700-20(a), Helicopter Pilot Qualifications and Approval Record. Contract Officers' Technical Representatives use FS-5700-21, Airplane Data Record, and FS-5700-21(a), Helicopter Data Record, when inspecting the aircraft for contract compliance. A portion of the completed form is furnished to the contractor as proof of compliance.

Without the information supplied, Forest Service contracting officers and pilot and aircraft inspectors cannot determine if pilots and aircraft meet the detailed qualification, equipment, and condition requirements essential to safe, effective accomplishment of Forest Service specified flying missions. Without reasonable basis to determine pilot qualifications and aircraft capability, Forest Service employees using these resources would be unnecessarily exposed to flying hazards.

The completed forms are maintained in Forest Service Regional headquarters under the care of the Regional aviation pilot and aircraft inspectors. Copies of the forms may be shared with the Office of Aircraft Services, Department of Interior, since each organization accepts contract inspections conducted by the other as meeting their own requirements. The data collected from these forms will be used to document the basis for approval of contract pilots and aircraft for specific Forest Service aviation missions. Based upon the approvals documented on these forms, approval cards are issued to each contractor pilot and for each contractor aircraft. Forest Service personnel verify possession of properly approved cards before using contracted pilots and aircraft. Information will be collected and reviewed by Contracting Officers or their representatives, including aircraft inspectors, and will represent data that determines whether the aircraft and/or pilots meet all contract specifications in accordance with FSH 5709.16, Chapter 10, section 16.

*Estimate of Annual Burden:*

(1) FS-5700-20, Airplane Pilot Qualifications and Approval Record: 25 minutes.

(2) FS-5700-20a, Helicopter Pilot Qualifications and Approval Record: 25 minutes.

(3) FS-5700-21, Airplane Data Record: 35 minutes.

(4) FS-5700-21a, Helicopter Data Record: 35 minutes.

*Type of Respondents:* Aircraft vendors that wish to contract with the federal government for aircraft services and pilots.

*Estimated Annual Number of Respondents:* 2,100.

*Estimated Annual Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 1,058 hours.

Comment is invited on: (1) Whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the agency, including whether the information will have practical or scientific utility; (2) the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request for Office of Management and Budget approval.

Dated: January 3, 2005.

**Robin L. Thompson,**

*Associate Deputy Chief, State and Private Forestry.*

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**BILLING CODE 3410-11-P**

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

### Information Collection Submitted to the Office of Management and Budget (OMB) for Approval Under the Paperwork Reduction Act; Nonprofit Agency Recordkeeping Requirements

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Committee for Purchase From People Who Are Blind or Severely Disabled (The Committee) has submitted the collection of information listed below to OMB for approval under the provisions of the Paperwork Reduction Act. This notice solicits comments on that collection of information.

**DATES:** The Office of Management and Budget (OMB) has up to 60 days to approve or disapprove information

collection but may respond after 30 days. Therefore, to ensure maximum consideration, your comments should be received by OMB by February 7, 2005.

**ADDRESSES:** Mail your comments on the recordkeeping requirements to the Desk Officer for the Committee for Purchase From People Who Are Blind or Severely Disabled, OMB, Office of Information and Regulatory Affairs, via facsimile or e-mail using the following fax number and e-mail address: (202) 395-6566 (fax); [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov) (e-mail). Please provide a copy of your comments to Janet Yandik, Information Management Specialist, Committee for Purchase From People Who Are Blind or Severely Disabled, 1421 Jefferson Davis Highway, Jefferson Plaza 2, Suite 10800, Arlington, VA, 22202-3259; (703) 603-0655 (fax); or [rulecomments@jwod.gov](mailto:rulecomments@jwod.gov) (e-mail).

**FOR FURTHER INFORMATION CONTACT:** Anissa Craghead, Regulatory Affairs Specialist, Committee for Purchase From People Who Are Blind or Severely Disabled, 1421 Jefferson Davis Highway, Jefferson Plaza 2, Suite 10800, Arlington, VA, 22202-3259; phone (703) 603-0033; fax (703) 603-0655; or e-mail [acraghead@jwod.gov](mailto:acraghead@jwod.gov).

**SUPPLEMENTARY INFORMATION:** The Office of Management and Budget (OMB) regulations at 5 CFR part 1320, which implement provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (*see* 5 CFR 1320.8(d)). The Committee has submitted a request to OMB to renew its approval of the collection of information for nonprofit agency responsibilities related to recordkeeping. The Committee is requesting a 3-year term of approval for this information collection activity.

Federal agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is 3037-0005.

The Javits-Wagner-O'Day (JWOD) Act of 1971 (41 U.S.C. 46-48c) is the authorizing legislation for the JWOD Program. The JWOD Program creates jobs and training opportunities for people who are blind or who have other severe disabilities. Its primary means of doing so is by requiring Government agencies to purchase selected products and services from nonprofit agencies employing such individuals. The JWOD

Program is administered by the Committee. Two national, independent organizations, National Industries for the Blind (NIB) and NISH, help State and private nonprofit agencies participate in the JWOD Program.

The implementing regulations for the JWOD Act, which are located at 41 CFR Chapter 51, detail the recordkeeping requirements imposed on nonprofit agencies participating in the JWOD Program. Section 51-2.4 of the regulations describes the criteria that the Committee must consider when adding a product or service to its Procurement List. One of these criteria is that a proposed addition must demonstrate a potential to generate employment for people who are blind or severely disabled. The Committee decided that evidence that employment will be generated for those individuals consists of recordkeeping that tracks direct labor and revenues for products or services sold through a JWOD Program contract. This recordkeeping can be done on each individual JWOD project or by product or service family.

In addition, § 51-4.3 of the regulations requires that nonprofit agencies keep records on direct labor hours performed by each worker and keep an individual record or file for each blind or severely disabled individual documenting that individual's disability and capabilities for competitive employment. The records that nonprofit agencies must keep in accordance with § 51-4.3 of the regulations constitute the bulk of the hour burden associated with this OMB control number.

On October 4, 2004, we published in the **Federal Register** (69 FR 59185-59186) a notice requesting public comment on these recordkeeping requirements for 60 days, ending December 3, 2004. By that date, we received one comment. That commenter, a participating nonprofit agency, supported our efforts to renew this recordkeeping requirement.

The information collection renewal request seeks approval for the Committee to continue to ensure compliance with recordkeeping requirements established by the authority of the JWOD Act and set forth in the Act's implementing regulations. A renewal of the approval for this collection would also help ensure that the Committee has the ability to confirm the suitability of products and services on its Procurement List. The recordkeeping requirements described in this document are the same as those currently imposed on nonprofit agencies participating in the JWOD Program.

*Title:* Nonprofit Agency Responsibilities, 41 CFR 51-2.4 and 51-4.3.

*OMB Control Number:* 3037-0005.

*Description of Collection:* Recordkeeping.

*Description of Respondents:* Nonprofit agencies participating in the JWOD Program.

*Annual Number of Respondents:* About 650 nonprofit agencies will annually participate in recordkeeping.

*Total Annual Burden Hours:* The recordkeeping burden is estimated to average 5 hours per respondent. Total annual burden is 3,250 hours.

We invite comments concerning this renewal on: (1) Whether the collection of information is necessary for the proper performance of our agency's functions, including whether the information will have practical utility; (2) the accuracy of our estimate of the burden of the collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents.

Dated: January 4, 2005.

**Sheryl D. Kennerly,**

*Director, Information Management.*

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

### **Procurement List; Addition and Deletions**

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

**ACTION:** Addition to and deletions from Procurement List.

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

**DATES:** *Effective Date:* February 6, 2005.

**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, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail [SKennerly@jwod.gov](mailto:SKennerly@jwod.gov).

**SUPPLEMENTARY INFORMATION:**

### **Addition**

On November 5, 2004, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (69 F.R. 64562) of proposed addition to the Procurement List.

The following comments pertain to Body Fluids Barrier Kit:

Comments were received from the current contractor for this kit and from a district office of the Small Business Administration (SBA). The contractor addressed the impact of this addition to the Procurement List on the contractor's business, and set forth technical reasons why it does not believe the designated nonprofit agency and its blind workers can produce the kit in accordance with Government technical and health requirements.

The contractor claimed that it would be severely impacted by this addition to the Procurement List because the addition would make the difference between a net profit and a net loss for the company. The contractor stated that it operates on a narrow profit margin because it reinvests most of its profits in the company. However, the Committee's measure of contractor impact, as stated at 41 CFR 51-2.4(a)(4), is the percentage of the contractor's total sales represented by this addition, with consideration being given to the length of time the contractor has held a Government contract for the kit. That percentage of sales is very small (less than one percent), so even taking into account the length of time the contractor has held a contract for the kit, the Committee does not consider this addition to the Procurement List to have a severe adverse impact on the contractor, particularly as the contractor may vary its profit level by changing its profit reinvestment pattern.

The contractor claimed that the kit requires an FDA 501(k) certification, along with Letters of Certification/Compliance for each component in the kit. However, these requirements apply to the manufacturers of the kit and its components, not to the assembler, which is what the nonprofit agency designated by the Committee will be doing. The contractor also claimed that specifications for the kit require 100 percent visual inspection of components and the assembly operation. However, the Contracting Officer has informed the Committee that there is no such inspection requirement. In addition, inspections will be performed by the nonprofit agency's quality control personnel. The Committee's law, at 41 U.S.C. 48b(5), excludes inspection from the definition of direct labor tasks