

Army Regulation 210–25

Installations

Vending Facility Program for the Blind on Federal Property

**Headquarters
Department of the Army
Washington, DC
30 June 2004**

UNCLASSIFIED

SUMMARY of CHANGE

AR 210-25

Vending Facility Program for the Blind on Federal Property

This revision dated 30 June 2004--

- o Adds new entries to the glossary.
- o Corrects typographical errors throughout.

This revision dated, 14 June 2004--

- o Corrects USACFSC contract information.
- o Corrects typographical errors throughout.

This revision dated 14 April 2004--

- o Implements DOD Directive 1125.3, Vending Facility Program for the Blind on Federal Property.
- o Reflects current proponent and office symbols and corrects outdated addresses, and so forth.
- o Eliminates use of Inter-agency Report Control Number 1270 DE-AN.
- o Rescinds DA Form 4784-R, Status Report Randolph-Sheppard Act, 1 January 1979.

This is a new regulation dated 1 January 1979--

- o Implements DOD Directive 1125.3, Vending Facility Program for the blind on Federal property.
- o Establishes the use of Inter-agency Report Control Number 1270 DE-AN.

Effective 30 July 2004

Installations

Vending Facility Program for the Blind on Federal Property

By order of the Secretary of the Army:

PETER J. SCHOOMAKER
General, United States Army
Chief of Staff

Official:



JOEL B. HUDSON
Administrative Assistant to the
Secretary of the Army

History. This publication is an administrative revision. The portions affected by this administrative revision are listed in the summary of change.

Summary. This regulation implements the policies and procedures for the vending facility program for the blind on Federal property.

Applicability. The provisions of this regulation apply to all Department of the Army activities in the 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands and the US Army Reserve. This regulation

does not apply to installations and activities, or portions thereof, which have been licensed or transferred to the states, to the Commonwealth of Puerto Rico, or to the Territory of the Virgin Islands for use by the National Guard.

Proponent and exception authority.

The proponent agency of this regulation is the Assistant Chief of Staff for Installation Management. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or a direct reporting unit or field operating agency of the proponent agency in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

Army management control process.

This regulation contains management control provisions in accordance with AR

11–2, but it does not identify key management controls that must be evaluated.

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Assistant Chief of Staff for Installation Management (ATTN: DAIM-ZA), 600 Army Pentagon, Washington, DC 20310–0600.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to Commander, U.S. Army Community and Family Support Center, ATTN: CFSC-SP, 4700 King Street, Alexandria, VA 22302–4419.

Distribution. Distribution of this publication is available in electronic media only and is intended for command levels C, D, and E for the Active Army, the Army National Guard of the United States, and the U.S. Army Reserve.

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Glossary

1. Purpose

This regulation implements the policies and procedures for the vending facility program for the blind on Federal property.

2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

3. Explanation of abbreviation and terms

Abbreviations and terms used in this regulation are explained in the glossary.

4. Responsibilities

- a.* The Secretary of the Army (SA) will—
 - (1) Approve/disapprove State licensing agency applications for permits and the provision of satisfactory sites.
 - (2) Consult with the on-site official on determinations that granting a priority to the blind would be adverse to the interests of the United States and on termination of contracts to operate a cafeteria.
 - (3) Where circumstances warrant, suspend or terminate a permit to operate a vending facility.
- b.* The Assistant Chief of Staff for Installation Management (ACSIM) or designated representative is delegated approval authority for approving State licensing agency applications for permits and the provision of satisfactory sites. The SA retains disapproval authority.
- c.* The installation commander is designated the on-site official, the point of contact with State licensing agencies, and will—
 - (1) Consult with State licensing agencies on articles and services to be provided.
 - (2) Determine, when appropriate, that granting a priority to the blind would be adverse to the interests of the United States and justify this determination through the SA to the Secretary, Department of Education (DE).
 - (3) Notify State licensing agencies of the acquisition or substantial alterations or renovation of property.
 - (4) Ensure that operators are in fact State licensed blind persons and that sighted employees and assistants are utilized only to the extent reasonably necessary.
 - (5) Negotiate with State licensing agencies on other matters indicated in paragraph 6.
 - (6) Advise local Army and Air Force Civilian Welfare Fund (ACWF) or the Army and Air Force Exchange Service (AAFES) operations when these activities will be affected by either reduction of sales, loss of patronage or facilities, additional competition, and so forth, as appropriate.
- d.* Garrison commanders will designate a single point of contact on their Deputy Chief Staff, G-1 (DCS, G-1) for Director of Community Activities staff who will coordinate and monitor all actions, in coordination with the command engineers, including the provisions of satisfactory sites, resulting from implementation of this regulation on Army installations.
- e.* With respect to the provision of satisfactory sites in Army acquired or substantially altered or renovated building, specific instructions necessary to ensure that such sites included in the beginning process for construction or renovation will be published by the Headquarters (HQDA) Chief of Engineers.

5. Policy

In implementation of the Randolph-Sheppard Act, priority on DOD-controlled property will be extended to the blind as follows:

- a.* The blind will be given a priority in establishment and operation of vending facilities.
- b.* The blind will be given a priority award of contracts to operate cafeterias.
- c.* In conjunction with acquisition or substantial alteration or renovation of property, satisfactory sites will be given to State licensing agencies.
- d.* Certain income from vending machines operated on Army installations either directly or by contract will be given to State licensing agencies.

6. Requirements and operating procedures

a. The blind have a priority right to operate vending facilities on Army-controlled property when the opportunity to operate them becomes available. The priority extended allows blind licensees to be gainfully employed. While primary responsibility for carrying out this intent falls upon the State licensing agency, it is nevertheless a responsibility of the on-site official to ensure that the operator is in fact a State licensed blind person and that sighted employees or assistants are utilized only to the extent reasonably necessary.

(1) This priority will not be accorded when the on-site official determines, after conferring with the Commander, U.S. Army Community and Family Support Center (USACFSC), that the interests of the United States would be adversely affected if the priority were accorded.

(2) Any determination that according to the priority would be adverse to interests of the United States must be fully justified in writing through the SA (who will consult with the Office of the Under Secretary of Defense (Personnel and

Readiness) (OUSD(P&R)). This justification then will be sent to the Secretary, DE, who has authority to determine whether the failure to accord the priority is justified by the circumstances. This determination by the Secretary, DE, must be published in the Federal Register and is binding upon the Army.

(3) Applications for permits by the State licensing agency to operate vending facilities (except cafeterias) on Army-controlled property must be submitted in writing, through the on-site official, Installation Management Agency (IMA) Region and HQDA, IMA, to the Commander, USACFSC, ATTN: CFSC-SP, 4700 King Street, Alexandria, VA 22302-4419. When an application is not approved, the Commander, USACFSC will advise the State licensing agency in writing and will indicate the reasons for the disapproval. When issued, permits will describe the location of the vending facility and will be subject to the following requirements—

(a) The permit will be issued in the name of the State licensing agency.

(b) The permit will be issued for an indefinite period of time subject to suspension or termination upon failure to comply with agreed upon terms; and subject to termination by either party upon 60 days written notice to the other party in cases of inactivation of the installation or activity, loss of use of a building or other facility housing the vending facility, change in the Army's requirements for service, or inability of the State licensing agency to continue to operate the vending facility.

(c) The permit will provide that—

1. No charge will be made by the Army to the State licensing agency for normal sustainment, restoration, and maintenance (SRM) of the building, or for cleaning areas adjacent to the designated vending facility boundaries, or for trash removal from a designated collection point.

2. The State licensing agency will be responsible for cleaning and maintaining the appearance of and for the security of the vending facility within the designated boundaries of such facility, and for all costs of every kind in conjunction with vending facility equipment, merchandise, and other products to be sold, except as provided in subparagraph 5, below. Neither party will be responsible for loss or damage to the other's property, unless proximately caused by its acts or omissions. The State licensing agency will also be responsible for the acts or omissions of the blind vendor's employees or agents.

3. Articles sold at such vending facilities may consist of newspapers, periodicals, publications, confections, tobacco products, foods, beverages, chances for any lottery authorized by State law and conducted by an agency of a State within such State, and other articles or services traditionally found in blind-operated vending facilities operated under the Randolph-Sheppard Act as determined by the State licensing agency in consultation with the on-site official, to be suitable for a particular location (articles and services may be dispensed automatically or manually). The special items on which there has been consultation should be listed to avoid any later misunderstanding or confusion.

4. Vending facilities will be operated in compliance with applicable health, sanitation and building codes, ordinances, and regulations.

5. Installation, modification, relocation, removal, and renovation of vending facilities will be subject to the prior approval of the on-site official and the State licensing agency. Costs of installation, modification, removal, relocation, or renovation will be paid by the initiating party. In any case of suspension or termination of a permit to operate a vending facility on the basis of noncompliance by either party, the costs of removal from the building will be borne by the noncomplying party.

6. The permit will also contain appropriate requirements for reimbursement of direct payment for support services such as utilities and telephone service.

7. In the event the blind licensee fails to provide satisfactory service or otherwise fails to comply with the requirements of the permit issued to the State licensing agency, the on-site official will, after coordinating with USACFSC, notify the State licensing agency of this deficiency in writing and request corrective action within a specified reasonable time. The notice will indicate that failure to correct the deficiency will result in temporary suspension or termination of the permit, as appropriate. Suspension or termination action will be taken by the SA after consultation with the OUSA(P&R).

b. The blind have a priority right to operate cafeterias on DOD-controlled property, as set out in subparagraphs (1) or (2), below, when the cafeteria operation involved is contracted.

(1) Procuring activity solicitations, when issued, will establish basic requirements and the criteria for judging proposals. One copy of each solicitation will be provided to the State licensing agency for the blind. The criteria upon which proposals will be evaluated may include factors such as sanitation practices, personnel, staffing, menu pricing and portion sizes, variety, budget and accounting practices, fees, and other relevant considerations.

(a) If the State licensing agency submits a proposal and it is not within the competitive range established by the contracting officer, award may be made to another offeror following normal procurement procedures, but only after the on-site official confers with USACFSC for contracts using nonappropriated funds (NAF) and the Headquarters, Army Contracting Agency (ACA) for contracts using appropriated funds (APF).

(b) If the State licensing agency submits a proposal and it is within the competitive range established by the contracting officer, the contract will be awarded to the State licensing agency except as provided in subparagraph (c), below.

(c) The contracting officer may award to other than the State licensing agency when the on-site official determines

that award to the State licensing agency would adversely affect the interests of the United States and the Secretary, DE, approves the determination (processing will be in accordance with subparagraph a(2), above), or when the on-site official determines, after conferring with the USACFSC for contracts using NAF and the ACA for contracts using APF and the Secretary, DE agrees, that the blind vendor does not have the capacity to operate a cafeteria in such a manner as to provide food service at a comparable cost and of comparable high quality as that available from other providers of cafeteria services.

(2) Direct negotiations may be undertaken with State licensing agencies whenever the onsite official determines that the State licensing agency, through its blind licensee, can provide the cafeteria services required at a reasonable cost, with food of a high quality comparable to that available from other providers of cafeteria services. In the event direct negotiations fail to result in a contract with the State licensing agency, the procedures prescribed in subparagraph b(1), above, will be followed.

(3) The operation of a cafeteria by a blind vendor will be governed by contractual agreement, not by a permit. Normal contract administration procedures will apply, except that termination actions will not be taken without prior coordination with USACFSC for contracts using NAF and ACA for contracts using APF.

(4) All contracts for the operation of cafeterias on Army controlled property with other than State licensing agencies will, upon expiration, be processed under the above paragraphs unless the State licensing agency informs the onsite official that it is not prepared to exercise its priority at that time.

c. A sample of a permit designed by DE is at figure 1. Other terms and conditions to be included in all such permits appear at figure 2.

(Use Appropriate letterhead)

APPLICATION AND PERMIT FOR THE ESTABLISHMENT OF A VENDING FACILITY ON FEDERAL PROPERTY AS AUTHORIZED BY P.L. 74-792, AS AMENDED BY P.L. 83-865 AND TITLE II OF P.L. 93-516 (RANDOLPH-SHEPPARD ACT)

The _____ (designated State Licensing Agency) of the State of _____ requests approval of _____ (Federal Property Agency) to place a vending facility on the property located _____

SATISFACTORY SITE: It has been determined that this location meets the criteria of a satisfactory site as defined in 45 CFR § 1369.1(q). Any exceptions are documented in Attachment A.

TYPE, LOCATION AND SIZE OF FACILITY: Type of facility (defined in Instructions for Form OHD-PSA-15): _____; Facility location _____; Facility size _____ (floor plan, Attachment B). The types of articles to be sold and services to be offered are enumerated in Attachment C. The fixtures and equipment for this facility, including the responsibility for the provision thereof, are set forth in Attachment D. The location, type and number of vending machines which constitute all or a part of this facility are noted in Attachment E. The facility will operate _____ days of the week from _____ A.M. to _____ P.M. commencing on _____.

Approving Property Official

Approving Licensing Agency Official

Title

Date

Title

Date

Figure 1. Sample Application and Permit

OTHER TERMS AND CONDITIONS

1. No charge will be made by the DOD Component to the State licensing agency for normal repair and maintenance of the building, for cleaning areas adjacent to the designated vending facility boundaries, or for trash removal from a designated collection point.

2. The State licensing agency will be responsible for cleaning and maintaining the appearance of and for the security of the vending facility within the designated boundaries of such facility and for all costs of every kind in conjunction with vending facility equipment, merchandise and other products to be sold except as provided in 5 below. Neither party will be responsible for loss or damage to the other's property unless proximately caused by its acts or omissions. The State licensing agency will also be responsible for the acts or omissions of the blind vendor, his employees or agents.

3. Vending facilities will be operated in compliance with applicable health, sanitation and building codes, ordinances, and regulations.

4. Installation, modification, relocation, removal, and renovation of vending facilities will be subject to the prior approval of the on-site official and the State licensing agency. Costs of installation, modification, relocation, removal or renovation will be paid by the initiating party. In any case of suspension or termination of a permit to operate a vending facility on the basis of noncompliance by either party, the costs of removal from the building will be borne by the noncomplying party.

5. The DOD Component will provide utility support and bill the State licensing agency. The State licensing agency will cause payment to be made no later than 30 days after receipt of the bill.

6. This permit is issued for an indefinite period of time, subject to suspension/termination as follows:

a. Suspension/termination upon failure to comply with agreed-upon terms after notice to the other party and failure to cure noncomplying performance, or

b. Sixty days written notice in the event of inactivation of the installation or activity or loss of use of the building housing the vending facility, or inability of the State licensing agency to continue to operate the vending facility.

Figure 2. Sample of other Terms and Conditions

(1) The variable information indicated on the sample permit will be executed locally.

(2) Figure 1 will include, in addition a listing of types of articles and services to be offered, a detailed by item listing of specific articles and services. The purpose of this detailed listing is to prevent any misunderstandings subsequent to initial permit execution. The detailed listing may be amended at any time by the State licensing agency, provided such amendments do not involve the addition of specific articles and services which are not included in the listing of the general types of articles and services which may be offered.

d. Any Army acquired (purchased, rented, leased, constructed), or substantially altered or renovated building is required to have one or more satisfactory sites (as defined in the glossary) for a blind-operated vending facility, except as provided in subparagraph (1), below.

(1) The obligation to provide satisfactory sites for blind operated vending facilities applies to—

(a) Buildings occupied by 100 or more Federal employees working in the building during normal working hours. The computation will be made by adding the number of employees scheduled to work on each workday of a payroll

period and dividing the total by the number of workdays in the payroll period. Days on which only janitorial or maintenance personnel are present will be not be counted as workdays. A sample computation is at table 1.

Table 1
Sample computation

Normal Work Hours Workday	0700–1800 hours (Actual number of scheduled employees for each workday*)
Tuesday	90
Wednesday	85
Thursday	89
Friday	95
Saturday	122
Sunday	130
Closed Mondays	
Tuesday	90
Wednesday	85
Thursday	89
Friday	122
Saturday	130
Total employees scheduled for payroll period	1,222
Number of workdays in payroll period	12
Average number of employees per workday	101.8

Legend for Table 1:

*Include regular and temporary full-time, regular and temporary part-time and off-duty military personnel regardless of the number of hours scheduled.

(b) Buildings of 15,000 square feet or more which provide service to the general public. The 15,000 square feet criterion does not apply to Army facilities restricted to specifically authorized patrons or personnel.

(2) Correspondence between the installation and the State licensing agency, involving building to be acquired or substantially altered or renovated, will—

(a) Provide notification to the State licensing agency, at least 60 days in advance of the intended acquisition date or the initiation of actual construction, alteration, or renovation.

(b) Indicate that a satisfactory site or sites is included in the plans for the building, and a copy of a single line drawing indicating the proposed location of such site or sites will be forwarded.

(c) Assure the State licensing agency that, subject to approval, it will be offered the opportunity to select the location and type of vending facility to be operated by a blind vendor prior to completion of the final space layout of the building.

(d) Request that the State licensing agency advise the installation if it does not desire to establish and operate a vending facility. If there is no response within 30 days, the Army will construe that the State licensing agency made the determination that the number of persons using the property will be insufficient to support a vending facility or that there is no interest in operating a vending facility.

(e) Send a copy of written notice to the State licensing agency and the State's response, if any, is forwarded to the Secretary, DE.

(3) The following procedures will apply in correspondence involving the provision of satisfactory sites, When satisfactory sites are required in accordance with subparagraph b, above, commanders will send a letter of notification to the appropriate State licensing agency. The letter will be sent by certified or registered mail, return receipt requested. If the agency does not respond to the notification within 30 days of receipt, declines without explanation to establish and operate a vending facility, or declines indicating there are or will be insufficient personnel to support a blind-operated vending facility, the circumstances will be documented. Any positive response from the State licensing agency, indicating their intention to establish and operate a vending facility, will require that a satisfactory site be incorporated in the construction/renovation plans.

(4) The provisions of subparagraph (1), above, do not preclude arrangements under which vending facilities to be operated by blind vendors may be established in buildings of a size or with an employee population less than that specified. For example, if a building is to be constructed which would contain only 30 Federal employees, upon agreement of the on-site official and the State licensing agency, the Army may determine to provide a satisfactory site in which the blind have agreed to operate a vending facility.

(5) When the Army is leasing all or part of a privately owned building in which the lessor or any of its tenants have an existing restaurant or other food facility in a part of the building not covered by the lease, and operation of a vending facility would be in substantial direct competition with such restaurant or other food operation, the requirement to provide a satisfactory site does not apply.

(6) When the Army is leasing all or part of a privately owned building in which the lessor or any of its tenants have an existing restaurant or other food facility in a part of the building not covered by the lease, and operation of a vending facility would be in substantial direct competition with such restaurant or other food operation, the requirement to provide a satisfactory site does not apply.

e. Effective January 2, 1975, vending machine income generated by the Army will be shared with State licensing agencies for the blind and for the collection of, and accounting for, such vending machine income (as defined in app A) and for otherwise ensuring compliance with the requirements of this paragraph.

(1) The vending machine income-sharing requirements are as follows—

(a) One hundred percent of the vending machine income from vending machines in direct competition with blind-operated vending facilities will be provided the State licensing agency.

(b) Fifty percent of the vending machine income from vending machines not in direct competition with blind-operated vending facilities will be provided the State licensing agency.

(c) Thirty percent of the vending machine income from vending machines not in direct competition with blind-operated vending facilities and located where at least 50 percent of the total hours worked on the premises occurs during other than normal working hours (see the glossary) will be provided the State licensing agency.

(2) The determination of whether a vending machine is in direct competition with the blind-operated vending facility is the responsibility of the on-site official subject to the concurrence of the State licensing agency.

(3) These vending machine income-sharing requirements do not apply to—

(a) Income from vending machines operated by or for the AAFES.

(b) Income from vending machines, not in direct competition with a blind-operated vending facility, at any individual location, installation, or facility (see the glossary) where the total income of machines at such individual location, installation, or facility does not exceed \$3,000 annually.

(4) The payment to State licensing agencies under these income-sharing requirements must be made quarterly on a fiscal year basis. All quarterly payments will be made within 60 days after expiration of the applicable fiscal quarter.

7. Arbitration

Whenever any State licensing agency for the blind determines that any activity of the DOD is failing to comply with the provisions of the Act and all informal attempts to resolve the issues have been unsuccessful, the State licensing agency may file a complaint with the Secretary, DE, who will convene an ad hoc arbitration panel in accordance with the provision of 34 CFR 395.1(q).

8. Reports

At the close of each fiscal year, garrison commanders will forward to their IMA Region for consolidation and forwarding through HQ IMA to USACFSC within 60 days from the close of the fiscal year report (provided by USACFSC, CFSC-SP), which will include the total number of applications for vending facility locations received from State licensing agencies; the number approved; the number denied and number still pending; the total amount of vending machine income collected (excluding income exempt from the income-sharing requirements (see para 6e(3)(a), and (b), above) and the amount of such vending machine income disbursed to State licensing agencies in each State.

Appendix A References

Section I Required Publications

This section contains no entries.

Section II Related Publications

A related publication is merely a source of additional information. The user does not have to read it to understand this publication.

DODD 1125.3

Vending Facility Program for the Blind on Federal Property www.dtic.mil/whs/directives

Section III Prescribed Forms

This section contains no entries.

Section IV Referenced Forms

This section contains no entries.

Glossary

Section I Abbreviations

AAFES

Army and Air Force Exchange Service

ABF

Army Billeting Fund

ABO

Army Budget Office

AC

Active Component

ACA

Army Contracting Agency

ACF

area cost factor

ACOE

Army Communities of Excellence

ACRC

Army Central Reservation Center

ACS

Army Community Service

ACSIM

Assistant Chief of Staff for Installation Management

ACTS

Army Criteria Tracking System

ACWF

Army and Air Force Civilian Welfare Fund

APF

appropriated funds

DCS, G-1

Deputy Chief of Staff, G-1

DE

Department of Education

HQDA

Headquarters, Department of the Army

IMA

Installation Management Agency

NAF

nonappropriated funds

OUSD(P&R)

Office of the Under of Secretary of Defense (Personnel & Readiness)

SA

Secretary of the Army

SRM

sustainment, restoration, and maintenance

USACFSC

U.S. Army Community and Family Support Center

Section II**Terms****Blind licensee**

A blind person licensed by the State licensing agency to operate a vending facility on Federal or other property.

Cafeteria

A food dispensing facility which provides a broad variety of prepared foods and beverages (including hot meals) primarily through the use of a serving line where the customer serves or selects for himself/herself from displayed selections. A cafeteria may be fully automatic, self-service, or have limited waiter or waitress service. Table or booth-seating facilities are always provided. Army food dispensing facilities which conduct cafeteria-type operations during part of their normal operating day are not "cafeterias" if they engage primarily in full table service operations.

Direct competition

The presence and operation of an Army vending machine or a vending facility on the same premises as a vending facility operated by a blind vendor. Vending machines or vending facilities operated in areas serving employees, the majority of whom normally do not have access (in terms of uninterrupted ease of approach and the amount of time required to patronize the vending facility) to the vending facility operated by a blind vendor, will not be considered to be in direct competition with that vending facility.

Federal property

Any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States.

Individual location, installation, or facility

A single building or a self-contained group of buildings. A self-contained group of buildings means two or more buildings which are in close proximity to each other, and between which a majority of the Federal employees working in such buildings regularly move from one building to another in the normal course of their official business during a normal working day.

Federal employees

Civilian appropriated fund and nonappropriated fund employees of the United States.

License

A written instrument issued by a State licensing agency to a blind person, authorizing that person to operate a vending facility on Federal or other property.

Normal working hours

An 8-hour period between the hours of 0800 and 1800 hours, Monday through Friday.

On-site official

The individual in command of an installation or separate facility or location.

Permit

The official written approval to establish and operate a vending facility requested by and issued to a State licensing agency by the Army.

Satisfactory site

An area fully accessible to vending facility patrons and having sufficient electrical, plumbing, heating, and ventilation outlets for the location of vending facility in accordance with applicable health and building requirements. Effective 23 March 1977, a "satisfactory site" will have a minimum of 250 square feet available for sale of items and for storage of

articles necessary for the operation of vending facility, unless the SA and the State licensing agency agree that a smaller or larger facility is appropriate.

State

The 50 States, District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands.

State licensing agency

The State agency designated to issue licenses to blind persons for the operation of vending facilities on Federal and other property.

Substantial alteration or renovation

A permanent material change in the floor area of a building which would render it appropriate for the location and operation of a vending facility by a blind vendor.

Vending facility

Automatic vending machines, cafeterias, snack bars, cart service, shelters, and counters, which sell such items as newspapers, periodicals, confections, tobacco products, foods, beverages, and other articles and services to be dispensed automatically or manually and which are prepared on or off the premises in accordance with applicable health laws and further including the vending or exchange of chances for any lottery authorized by State law and conducted by an agency of a State with such State. "Vending facility" does not include food dispensing facilities (for example, food operations of Army clubs) which engage primarily in full table service operations.

Vending machine

For the purpose of assigning vending machine income, means a coin or currency operated machine which dispenses articles or services, except that machines providing services of a recreational nature, commonly referred to as amusement machines (for example, jukeboxes, pinball machines, electronic game machines, pool tables, shuffle boards, and so forth) and telephones, are not considered to be vending machines.

Vending machine income

Army receipt from Army vending machine operations on Federal property, after deducting all applicable costs incurred (costs of goods, service, maintenance, repair, cleaning, depreciation, supervisory and administrative personnel, normal accounting, accounting for income sharing, and so forth) where the machines are operated by any Army activity; or commissions received (less applicable Army costs) by an Army activity from a commercial vending firm which provides vending machines on Federal property for, or with the approval of, any Army activity.

Vendor

A blind licensee who is operating a vending facility on Federal or other property.

Section III

Special Abbreviations and Terms

This section contains no entries.

UNCLASSIFIED

PIN 037943-000