



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
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WASHINGTON DC 20350-1000

SECNAVINST 4535.3B
ASN (M&RA)
26 Mar 2021

SECNAV INSTRUCTION 4535.3B

From: Secretary of the Navy

Subj: VENDING FACILITY PROGRAM FOR THE BLIND ON FEDERAL
PROPERTY

Ref: (a) 20 U.S.C. §107
(b) 34 CFR 395
(c) 32 CFR 260
(d) SECNAVINST 5430.7R
(e) SECNAV M-5214.1

1. Purpose. To implement the provisions, consistent with the guidance in references (a) through (c).

2. Cancellation. SECNAVINST 4535.3A.

3. Applicability. The provisions of this instruction are applicable to all U.S. Navy and U.S. Marine Corps activities in the 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, and the U.S. Virgin Islands.

4. Policy. References (b) and (c) require the establishment of a vending facility program for the blind on federal property. It is Department of the Navy (DON) policy to strive to provide blind persons with remunerative employment, economic opportunity, and financial self-sufficiency through the operation of vending facilities including stands, snack bars, cafeterias, and automatic vending machines. In addition to compliance with the policies and standards stated in references (a) through (c), the DON shall:

a. Deny any State Licensing Agency application for a permit, or proposal for a contract, that employs only non-blind individuals, or in which the State Licensing Agency subcontracts, assigns, or otherwise enters into arrangements with non-blind individuals, companies, organizations or other entities that fail to maximize employment opportunities for blind vendors.

b. Prohibit the establishment of 'strawman' or proxy arrangements in which blind persons are used as a pretense for obtaining a permit or contract, without the direct employment and substantial participation of such licensed blind vendor.

c. Provide maximum employment opportunities to blind vendors to the greatest extent possible.

5. Responsibilities

a. The Assistant Secretary of the Navy for Manpower and Reserve Affairs (ASN (M&RA)) will monitor the overall DON program per reference (d).

b. In monitoring the DON program, ASN (M&RA) will consult with the Principal Deputy Under Secretary of Defense for Personnel and Readiness on all determinations:

(1) That the granting of a priority to the blind would be adverse to the interests of the U.S.

(2) To suspend or terminate a permit to operate a vending facility.

c. The following actions will not be taken without the prior written approval of the ASN (M&RA):

(1) Disapproval of a State Licensing Agency application for permits and satisfactory sites.

(2) A final determination that the granting of a priority to the blind would be adverse to the interests of the U.S.

(3) Suspension or termination of a permit issued to a State Licensing Agency and termination of contracts to operate a cafeteria.

(4) Awarding of a contract for the operation of a cafeteria to an offer or other than a State Licensing Agency if the latter has submitted a proposal after formal solicitation.

d. The Chief of Naval Operations (CNO) and the Commandant of the Marine Corps (CMC) will:

(1) Take action as necessary to implement the provisions of this instruction and references (a) through (c).

(2) Provide further guidance, consistent with this instruction and references herein, to on-site officials delegated the authority to approve applications submitted by State Licensing Agencies for permits and satisfactory sites.

(3) Advise the ASN (M&RA) of the point of contact designated to administer the program within their respective Military Service.

e. Within 75 days after the end of each fiscal year, the CNO and CMC will forward to the ASN (M&RA):

(1) The total number of permit applications for vending facility locations received from State Licensing Agencies.

(2) The number of permit applications approved, the number denied, and the number still pending.

(3) The total amount of vending machine income collected, excluding income exempt from the income sharing requirements of references (a) through (c).

(4) The amount of such vending machine income disbursed to State Licensing Agencies in each state.

f. The CNO and CMC will be prepared to provide upon request the number of current blind vending facilities, their locations, and the date each was established.

6. Records Management

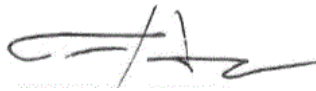
a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned according to the records disposition schedules found on the Directives and Records Management Division (DRMD) portal page:

<https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/SitePages/Home.aspx>.

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b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local Records Manager or the DRMD program office.

7. Information Management Control. The reporting requirement contained in paragraph 5 is exempt from information collection control in accordance with reference (e), Part IV, paragraph 7n and 7q.



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