

## 8.704 Purchase priorities.

(a) 41 U.S.C. chapter 85 requires the *Government* to purchase *supplies* or services on the *Procurement List*, at prices established by the Committee, from AbilityOne participating nonprofit agencies if they are available within the period required. When identical *supplies* or services are on the *Procurement List* and the Schedule of *Products* issued by Federal Prison Industries, Inc., *ordering offices* shall purchase *supplies* and services in the following priorities:

(1) *Supplies*:

(i) Federal Prison Industries, Inc. (41 U.S.C. 8504).

(ii) AbilityOne participating nonprofit agencies.

(iii) Commercial sources.

(2) *Services*:

(i) AbilityOne participating nonprofit agencies.

(ii) Federal Prison Industries, Inc., or commercial sources.

(b) No other provision of the FAR *shall* be construed as permitting an exception to the mandatory purchase of items on the *Procurement List*.

(c) The *Procurement List* identifies those *supplies* for which the *ordering office* must obtain a formal waiver (8.604) from Federal Prison Industries, Inc., before making any purchases from AbilityOne participating nonprofit agencies.

**Parent topic:** Subpart 8.7 - Acquisition from Nonprofit Agencies Employing People Who Are Blind or Severely Disabled