

NAEPB Executive Session Minutes - Approved June 11, 2012

March 12, 2012

Teleconference

Call to Order

President John Mitchell called the meeting to order at 10:35 am EST.

Board Members in Attendance

Kirk Adams
Gidget Hopf
Jim Kerlin
Kevin Lynch, Ex-Officio
John Mitchell
Lou Moneymaker
Billy Sparkman
Dennis Steiner
Shelly Taylor

Board Members Absent

Dan Boucher
Mike Gilliam
Chuck Lange

GAO Study: Background, Discussion and Questions

President John Mitchell called an unofficial Executive Session to discuss recent news of the GAO Study of the AbilityOne Program. He noted that GAO activity is not unusual, citing the study carried out in 2006/2007. Mr. Mitchell referred to Kevin Lynch for further discussion.

Mr. Lynch responded to questions raised, to include where the request for the study originated from, for what reason(s), what can be expected based on previous studies, and what the best approach moving forward is:

- The request for a GAO Study came from the House Oversight Committee on Government and Reform, chaired by Congressman Darrell Issa (R-49th, CA.) Since assuming this office, the Congressman requested a great many GAO studies based on ensuring limitations on fraud, waste and abuse. Mr. Lynch believes the study is “business as usual” for Congress.
- Worth noting is that one of the staff people on the House Oversight Committee was also on the Senate Oversight Committee during modernization. He comes from small business, knows our program well, and has a history of advocating for greater oversight of the AbilityOne Program. If this staff person is behind the study, then it is likely that the emphasis is going to be on what the Commission is

doing to ensure appropriate oversight is in place, including but not limited to the protection of small business.

- Recommendations for the AbilityOne Program that resulted from the 2006/2007 GAO study included that the Committee for Purchase “ensure JWOD goals and measures are clear and measurable and strengthen its procedures for overseeing the JWOD non-profit agencies.” Mr. Lynch strongly believes NIB and its CNAs have positioned themselves well through marketing strategies that tell our great story, maintaining a good track record, providing upward mobility, implementing training programs, QWE and partnerships with small business.
- Concerns associated with the outcome of this study go back to issues raised during modernization talks: greater governance and oversight of the Program.

NIB and NAEPB will issue a joint communication to all NPAs in an effort to inform them, alleviate any anxieties associated with the study, reinforce NIB and NAEPB’s collaboration and will include:

- 1 GAO is conducting a study, not an audit, of the AbilityOne Program; this will involve visits to the Commission as well as the CNAs, and possibly some NPAs.
- 2 NPAs will be notified ahead of time of impending visits and GAO will specify exactly what they will be looking at.
- 3 NIB will work with an agency to prepare them if they are selected.
- 4 NIB has positioned itself well, has a very good track record and has ongoing contact with Representatives on the Hill.
- 5 The request for the study came out of the House Oversight Committee for the AbilityOne Program therefore NPAs need to let it go its course; agencies are encouraged to maintain contact as per normal with their legislators.
- 6 The GAO will issue a report with recommendations but does not have the authority to implement them; that is a Congressional function.

VA Small Disadvantaged Business Utilization

Lou Moneymaker provided a very brief update on the bid protest involving several SDVOSB (Service Disabled Veteran Owned Small Business) companies and the VA (Department of Veterans Affairs.) In general, the GAO is asking the VA 1) what its interpretation is of the Vets First Law is and 2) how it implements it. Bosma is directly involved because it is a vendor via the AbilityOne Program with the VA and the protests deal with Bosma’s lines of business (surgical gloves.) Mr. Moneymaker and his team attended a hearing dealing with Veterans and Service Disabled Veterans questioning whether the VA is properly interpreting and implementing that law, results of which are expected in early April with possibilities of appeals by either side. The VA’s position is that it wants to support VOBs, SDVOSBs and the AbilityOne Program. Mr. Lynch added that the Commission has strongly weighed in on this issue. During the Public Policy Forum, Mr. Lynch met with senators and congressmen on the veterans committees and requested a letter to be addressed to the VA Secretary outlining it was not Congress’ intent to take from one Program and give to another.

Retreat Update

President Mitchell is in the process of compiling feedback received from breakout sessions held during the Board and Business meeting in February; the summary will be shared with the membership by the end of March.

Adjournment

Meeting adjourned at 11:30am.

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