In my youth, Spam was something occasionally on the lunch menu at the school cafeteria (showing my age now). Even as a current euphemism for “junk” e-mail messages, it generates an equivalent reaction. The ABA serves so many interests and constituencies that its e-mail distributions can be daunting. Unfortunately, for many it has become so overwhelming that ABA communications have been relegated, en mass, to spam filters. Sadly, this sweeps in important communications from our Section. But, if you are reading this publication and this column, then I expect communications from the Public Contract Law Section are not what you are trying to avoid.

So, I want to alert you to a new cure for the problem. The ABA now permits members to manage their e-mail accounts in order to receive e-mails only from their chosen Sections. Although I am well known as a life member of the “analog caucus,” I am reliably assured that these simple instructions will permit you to implement this change: (1) at the top of the ABA’s website, click on the link for the “My ABA” page (you may need to sign in); (2) on the left of that page, click on “Email, Lists and Subscriptions”; (3) click on the tab for “My Communications Preferences”; (4) there you will find several choices, including “Customize my ABA Communications,” which will allow you to also indicate a preference to receive communications only from the Sections, Divisions, and Forums to which you belong. Easy!

And, for more communication and connectivity in this digital world, sign up for the ABA Section of Public Contract Law LinkedIn account. In due course, this account will increasingly feature notices of Section meetings, events, and recent developments. More social networking is in the planning stages. Tweets anyone?

Cool Club

Is it just me, or does the sometimes “geeky” world of public procurement seem to be something that more and more people are talking about. When it’s not a headline about cyber attacks, then the buzz is about sequestration and budget cuts, health insurance exchanges, human trafficking, or suspension and debarment. While the news has not always cast government contracting in a positive light, it has elevated in the public consciousness continued on page 27

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the important role this activity plays in executing and implementing public policy.

I am very proud that our Section is continuing its tradition of leadership on critical public procurement issues. A prime example is the work of the Section’s Task Force on Counterfeit Parts, which includes representatives from government, industry, and the private bar. It has produced a thorough and widely praised White Paper on the Department of Defense’s Implementation of Section 818 of the NDAA for FY 2012. This paper is available under the “News” heading on the Section’s website. If you have any interest in this issue, this comprehensive paper merits your attention. Much credit is due to all of the task force members who contributed to this product, and particularly its chair, Susan Ebner. This is a very troubling issue for the government and contractors alike, and will continue to receive much attention and debate within the Section over the coming months and years.

On another front, we joined with the Administrative Law and International Law Sections, and the Government and Public Sector Lawyers Division, in a letter to Senate and House Committee leaders urging repeal of the website disclosure and transaction reporting provisions of the Stop Trading on Congressional Knowledge Act of 2012 (the STOCK Act) to the extent they apply to career federal employees of both the executive and legislative branches. Within two days, Congress voted to postpone the public posting requirements. Draw your own conclusions about clout and influence (no references, please, to roosters and the sunrise).

Our Section is all over the “front lines” on the most topical issues. A few examples show how this is playing out in recent and upcoming meetings and programs throughout our organization.

- “Balancing Cybersecurity and Privacy in the Digital World” will be the topic of a program sponsored by our Cybersecurity, Privacy, and Data Protection Committee;
- “Sequestration, the Fiscal Cliff and Government Contractors” was the focus of a presentation at a meeting of the Accounting, Cost and Pricing Committee;
- A joint meeting of the Acquisition Reform and Emerging Issues and the Young Lawyers Committees similarly held a program on “Impact of the 2012 Election on Sequestration and Related Federal Contractor Issues”;
- The Battle Space and Contingency Procurements Committee held a joint meeting with the ABA’s Task Force on Human Trafficking regarding President Obama’s recent Executive Order Strengthening Protections Against Trafficking in Persons in Federal Contracts, with speakers from the Departments of State and Defense;
- Our State & Local Division sponsored a presentation on “The Business Case for Cloud Computing”;
- The newly appointed Air Force suspension and debarment official will be speaking at a meeting of the ABA PCL Suspension & Debarment Committee.

In the coming months, our Section will continue to provide opportunities for education and leadership on government efforts to protect against cyber threats and human trafficking, engage in new health-care contracting, and investigate and prosecute fraudulent conduct. With the election over, the government is back to business, and managing business with constrained resources, which means a lot of action for public procurement lawyers.

If this all sounds somewhat promotional, then by all means please share it with your colleagues who are not members of the Section. I’ve forgotten who first made the suggestion that it was akin to malpractice for a public procurement lawyer to not be active with our Section. Without debating that conclusion, the flurry of developments in our practice area makes professional engagement and awareness ever more important, notwithstanding tight budgets. So far this year I have asked our Section leaders and committees to step up their efforts to recruit and retain Section members, and I want to implore each current Section member to do the same. Our Section plays an important, nonpartisan, nonaffiliated role in promoting best procurement practices, and maintaining a robust membership is critical to that mission.