As this edition of The Procurement Lawyer was going to press, we received the sad news that Marilyn Neforas, our beloved Section Director for 39 years, passed away on March 27, 2017. Marilyn was the Section’s heart, soul, and guiding light. She was beloved by everyone she encountered, and she had a tremendous spirit—which we will all remember. Please see the tribute to Marilyn on page 11.

As the Section passes the midyear mark of the 2016–17 Section year, I am pleased to report that the Section leadership has been actively engaging our members from both the private and public sectors in substantive discussions, programs, and projects. The programs at both the committee and Section level have been top-notch.

Federal Procurement Institute. By every measure, the 23rd Annual Federal Procurement Institute (FPI) in Annapolis in March was a great success. The program co-chairs, Amy Conant, K&L Gates; John McCarthy, Jr., Crowell & Moring; David Robbins, Crowell & Moring; and Bryant Snee, PAE, planned and executed an exceptional two-day program that drew 300 attendees. There were many new faces at FPI, particularly young lawyers who have joined and are actively participating in the Section. For the first time this year, some of those young lawyers served as co-moderators for the various substantive panel presentations.

Kenneth Patton, Managing Associate General Counsel for Procurement Law in the Office of the General Counsel of the U.S. Government Accountability Office, was our keynote speaker. Ken gave an inspiring presentation on the importance of diversity and inclusion and how the Section can continue in its efforts to foster both.

If you have not attended FPI, you are missing a great event. Not only does it provide an opportunity to network with our government contract colleagues, but the CLE program also always offers an insightful look at what is currently happening in federal procurement and what we can expect for the future. It is much more than just a year in review.

I want to acknowledge the generosity of our Gold and Silver Program Sponsors whose support enables the Section to provide cost-effective quarterly CLE programs to our members. Both WilmerHale and PwC hosted receptions at FPI. Past Chair Sharon Larkin once again hosted the women’s networking event at her Annapolis home, along with sponsors Baker Tilly, Berkeley Research Group, continued on page 27
and Steptoe & Johnson. Additionally, we had 56 sponsors for our Section reception. To all our hosts and sponsors, thank you very much!

Council Meeting. Here are some of the highlights from the Section Council Meeting on Saturday after the Federal Procurement Institute. The full Council agenda book with committee reports can be downloaded from the Section website.

We had two excellent presentations by members of the Young Lawyers Committee. Christian Curran, Blank Rome LLP, explained the tension between a contractor’s disclosure obligations and DoD’s proposed rule regarding “Withholding of Unclassified Technical Data and Technology from the Public Disclosure.” Ashley N. Amen, Smith Pachter McWhorter PLC, discussed the current state of the law on statute of limitations under the Contract Disputes Act, following the Federal Circuit’s December 2014 decision in Sikorsky Aircraft Corp. v. United States, 773 F.3d 1315 (Fed. Cir. 2014). The handouts for both presentations can be found on the Section website.

The Publications Board reported that the fourth edition of the Government Contract Law has been published. John Jones and Robert Wu collated and edited the deskbook’s individual chapters, which were prepared by various Section members. This deskbook was originally created by the faculty at the U.S. Army Judge Advocate General’s School as a resource for U.S. Army JAG officers and civilian attorneys in the field. The Section has updated it and added some new content. The deskbook is an excellent resource for government contracts practitioners with references to statutes, regulations, and cases.

The Publications Board also reported that three other publications are slated for publication later this year. These include a contract claims deskbook edited by John Prairie and Paul Debolt, an international procurement monograph edited by Andy Irwin, Marques Peterson, and Erin Felix, and a suspension and debarment manual edited by Mike Wagner and Fred Levy. Finally, the Procurement Fraud Committee is working on a False Claims Act monograph that we hope will be ready in the fall.

Separately, the Council endorsed the creation of a Mergers and Acquisitions Committee. The new committee will track developments in mergers and acquisitions as they relate to government contracts, such as novation procedures, organizational conflicts of interest, corporate responsibility, past performance ratings, and transfer of facilities clearances.

Scholarships. The Section has always made diversity and inclusion a priority. To that end, the Section has several types of scholarships, including two-year scholarships that reimburse the cost of attending the Section’s programs and Council meetings. Additional scholarships will be rolled out later this year. If the cost of participating in the Section has been a limiting factor, please look at the scholarship page on our website.

Comment Letters. The Section’s Regulatory Coordinating Committee (RCC), led by co-chairs Craig Smith and Samantha Lee, performs an invaluable service to the Section by identifying proposed regulations and circulating them to the appropriate committees for review and potential comment. The co-chairs spend countless hours coordinating the drafting, review, voting, and submission of these comments. While challenging, it is important for each committee to put forth the effort needed to ensure that the Section continues to submit thoughtful comment letters when appropriate. The Section applauds the RCC co-chairs and each of the participating committees for their hard work and diligence. The most recent comment letters can be found on the Section website in the Council agenda book.

Annual Meeting. The Annual Meeting will be held in New York City from August 10–12, 2017. Co-chairs Annejanette Heckman Pickens, Richard Paul Rector, and Jason Nicholas Workmaster are working diligently to assemble a dynamic program featuring six CLE panel discussions on the following topics:

- Practical Considerations for Managing False Claims Act Liability and Internal Investigations
- Trends and Best Practices in Commercial Item Determinations
- Capturing International Government Contracts: Key Considerations for U.S. Government Contractors Seeking International Business Opportunities
- New Challenges for Supply Chains in Federal Contracting
- Construction Issues in Federal Leasing
- New Directions in Federal Procurement

Detailed information regarding the Section’s CLE program will be available on the Section website.

Membership. Increasing membership in both the ABA and the Section remains a top priority. I encourage each member of the Section to tell non member colleagues of the many advantages of joining the Section. If you are in a position in your organization to facilitate membership and participation in the Section, please do so.

I want to close with a thank you to everyone who has taken an active role in the Section. It makes a huge difference. Our committees continue to track developments in procurement law and to share that information with Section members. Our program co-chairs work hard to plan excellent programs. And, our Director, Patty Brennan, has worked closely with the program co-chairs at all stages of the planning process to bring about successful programs.

See you in New York City!