By Ty Hughes, Chair

As I complete my term as chair of the Section of Public Contract Law, I wish to extend my sincere thanks for all of the support I received this past year. Our Section Director, Patty Brennan, the Section officers, the Council, the executive officer mentees, the committee chairs and vice chairs, the program chairs and Section liaisons have done a superb job advancing the goals the Section.

For more than 30 years, the Section of Public Contract Law has been my professional home. It has truly been an honor to serve as chair. Even though the practice of public contract law is national in scope, the Section fosters close professional relationships among those of us who practice in this area. Our Section has many of the positive attributes of a small community bar. It encourages collegiality and collaboration and provides each of us with an invaluable network. I have learned a great deal about the practice of law from my colleagues in the Section and have benefited greatly from the countless personal and professional relationships I developed through the Section.

One of the longest-standing relationships many of us had in the Section was with our beloved previous Section Director, Marilyn Neforas. For 39 years, Marilyn was the point person for anything and everything having to do with the Section. She was the heart and soul of our Section even after her retirement in 2015. She was a friend to everyone she met. Sadly, Marilyn passed away on March 27, 2017. We miss her and remember her fondly, and continue to honor her legacy with the Marilyn Neforas Scholarship Fund.

It has been a productive year. The Section continues to serve as a vibrant resource of great relevance to government contract practitioners through our outstanding quarterly CLE programs, including the Fall Conference, the annual Federal Procurement Institute, the Spring State & Local Procurement Symposium, and the Annual Meeting. Our committees continue to keep Section members informed of new developments in public contract law coupled with practical insights. We published several new books this year and have several more in the pipeline.

Perhaps most encouraging for me is the influx of young lawyers who bring the same energy and enthusiasm for the practice of public contract law as those great lawyers who founded the Section over 50 years ago. The Young Lawyers Committee and our scholarship program continued on page 30.

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have provided numerous pathways to the Section. Our young lawyer members actively participate in our Committee meetings, present timely and substantive updates to our Council, author articles in our quarterly newsletter, participate as speakers and moderators at our quarterly CLE programs, and hold leadership positions at the program, Committee and Council levels. This degree of engagement and enthusiasm bodes well for the future of the Section.

**Annual Meeting.** Our Annual Meeting will be held in New York City from August 10-12. Annejanette Heckman Pickens, General Dynamics Mission Systems; Richard P. Rector, DLA Piper; and Jason N. Workmaster, Covington & Burling LLP, have put together an outstanding program. Here are some highlights:

- **Trends and Best Practices in Commercial Item Determinations.** The panel will discuss recent statutory and regulatory changes related to commercial item contracting, and the effects of those changes on both industry and government.
- **New Challenges for Supply Chains in Federal Contracting.** The panel will discuss recent and emerging changes in the supply chain area, including the increasing globalization of resources and suppliers.
- **Construction Issues in Federal Leasing.** The panel will focus on construction issues and disputes that can arise when the General Services Administration enters into a lease with a commercial landlord for space to house a federal agency, including the buildout and improvement of the leased facilities.
- **New Directions in Federal Government Procurement.** The panel will discuss political and policy developments impacting government procurement by both the Department of Defense and the civilian agencies in the Trump administration.
- **Capturing International Government Contracts.** The panel will feature a discussion of the many complexities and challenges that U.S. government contractors must address to successfully market and sell their goods and services internationally.
- **Practical Considerations for Managing False Claims Act Liability and Internal Investigations.** The panel will discuss best practices for achieving compliance, managing investigations and handling lawsuits brought by whistleblowers and the government.

Our keynote speaker for the Section luncheon will be Chief Judge Susan G. Braden, U.S. Court of Federal Claims. Judge Braden was appointed to the Court in 2003 by President George W. Bush and appointed Chief Judge in 2017 by President Donald Trump. We are delighted that Judge Braden has accepted our invitation to speak and enthusiastically look forward to hearing her remarks.

**Evolving Acquisition Policy.** As this column goes to press, it is too early to tell what impact the Trump administration will have on public contract law. No doubt there will be some.

The FAR Council and DAR Council have maintained a full docket, implementing the many provisions enacted by Congress over the past two years. I cannot recall a period in time when there have been so many new statutes and regulations involving public contract law. Both the government and contractors are experiencing difficulty assimilating and implementing these many changes. My personal view is that the procurement process would work much better if Congress and federal agencies focused on growing, training, and supporting the acquisition workforce. We need more emphasis on people and less emphasis on new rules.

The Section continues to play an important role in helping inform federal policymakers through our comment letters on proposed acquisition regulations as part of the rulemaking process. The co-chairs of the Regulatory Coordinating Committee, Craig Smith and Samantha Lee, both of Wiley Rein LLP, have done an amazing job of coordinating and filing Section comments in a particularly busy year. Also, Susan Warshaw Ebner, Fortney & Scott, and Dave Ehrhart, Lockheed Martin Corporation, have testified before the Section 809 Panel on ways to streamline and improve the defense acquisition.

In closing, I want to recognize and thank Jennifer Dauer, Diepenbrock Elkin Gleason LLP, whose three-year term as the Section budget/finance officer will conclude with the Annual Meeting in August. Jennifer has been an enthusiastic supporter of the Section and an active participant in Section activities. I also want to recognize the tireless efforts of Patty Brennan, who has picked up the mantle from Marilyn Neforas and has enthusiastically managed the Section. Patty has the same zeal and vision for the Section as Marilyn did when she was the director.

Please give your support to Aaron Silberman of Rogers Joseph O’Donnell PC as he steps into the role of chair. I know Aaron will do a great job, and I look forward to his year at the helm.

See you in New York City! 

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underway. Our Procurement Fraud and Debarment Committees are near completion of terrific new books, with International Procurement close behind. It’s time for all of our committees to get organized, motivated, and thinking about generating publications.

Working together in the Section we all can become the best government contracts lawyers we can be. I’m looking forward to a great year as your chair.