



NATIONAL ASSOCIATION OF BLIND MERCHANTS

Creating Traditional Randolph-Sheppard Opportunities on Military Bases

Require the Department of Defense to Comply with the Randolph-Sheppard Act

Hundreds of blind entrepreneurs manage and operate vending machines, micromarkets, C-Stores, and snack bars on federal properties, pursuant to the Randolph-Sheppard Act. However, they have been denied this right on the vast majority of military bases. The Randolph-Sheppard Act mandates that all federal departments and agencies establish one or more vending facilities to be operated by blind entrepreneurs on all properties they control. As a result, most buildings controlled by the General Services Administration, United States Postal Service, and other federal entities have vending facilities operated by the blind. Unfortunately, few such opportunities have been created on our nation's military bases.

Traditional vending facility services are different than contracted troop dining services. Troop dining is procured through a competitive process and is governed by a contract. Other vending facilities, including vending, micromarkets, C-Stores, and snack bars, are governed by a permit granted by the federal entity to the state licensing agency that administers the Randolph-Sheppard programs in each state.

The head of the local federal entity is responsible for providing space for a blind entrepreneur to manage and operate a vending facility. In very few cases has the local military installation reached out to the state licensing agency as required by the Act. This is due in part to lack of knowledge of the Act's requirements by appropriate personnel at the local installations. However, when state licensing agencies reach out to the military installation, they are most often rebuffed and denied the chance to create an opportunity for a blind person as required by the Act. The only way to resolve the conflict is expensive arbitration. This is an ineffective way to resolve such issues.

DOD has misinterpreted Randolph-Sheppard regulations promulgated by the Department of Education. Part of the problem is a genuine misunderstanding of current regulations, which DOD believes exempts most of its properties from the priority afforded to the blind by the Randolph-Sheppard Act. The National Association of Blind Merchants has discussed the misunderstanding with DOD but that has done little to encourage DOD officials to reach out to the Department of Education for clarification on the applicability of the regulations.

There is a perceived conflict between the military exchanges and Randolph-Sheppard. It is understood that the military post exchanges have a right to provide vending services on military bases. NABM does not wish to interfere with the exchanges' ability to provide vending facility services. However, the exchanges and Randolph-Sheppard can coexist. If DOD would commit itself to complying with the spirit and intent of the Randolph-Sheppard Act, more opportunities could be created for blind entrepreneurs while the exchanges continue to thrive.

The Departments of Defense and Education must work together to resolve the current conflict and to bring DOD into compliance with the Randolph-Sheppard Act. The federal bureaucracy is the biggest obstacle to progress in this matter. Congress should require the departments (Defense and Education) to work together to create a protocol on how the Randolph-Sheppard priority should be applied on military bases for traditional Randolph-Sheppard facilities. To achieve this, Congress should include the suggested language in the NDAA or the report language:

“Congress is concerned about the low number of opportunities being created for blind entrepreneurs to operate traditional vending facilities via permit on military bases. The Department of Defense is directed to work with the Department of Education to develop a protocol for how and when the Randolph-Sheppard priority is to be applied on military bases. The protocol should ensure full compliance with the Randolph-Sheppard Act.”

Add language to the NDAA that will assure compliance with the Randolph-Sheppard Act by DOD and maximize opportunities for blind entrepreneurs on military bases.

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