

**Federal Bar Association
Government Contracts Section
Meeting Minutes for Thursday, March 12, 2026 at 12 pm EDT**

Minutes taken by John McMurray, Secretary-Treasurer

In attendance virtually (12): Lisa Brauner, Lisa Colon, Christopher Chaisson, Robby Dube (Chair), Jimmie Herring, Mike McCarthy, John McMurray, Jana Patterson, Vince Tese, Ralph Thomas, David Timm, Robb Wong. Not in attendance: Nicole Bacon, Kendra Perkins Norwood, Kara Sacilotto

Secretary-Treasurer Report

John McMurray reviewed the meeting minutes from the January meeting, which were approved. In the Treasurer report, he noted that year-to-date revenue is \$2,701 for the fiscal year starting on October 1, 2025 and that expenses for that same period are \$7,678. It was also noted that the section's \$500 request for a happy hour was approved.

Report from Mike McCarthy from FBA

Mike referenced the upcoming FBA leadership summit on March 26 as well as Capitol Hill Day as areas of interest for members. The annual meeting will be in September in Richmond, VA, and registration is now open, with a deadline of April 3 for CLE panel proposals. Members of the section are strongly encouraged to attend. There is a new membership platform, FBA Forum, where discussion posts can be made, and we can arrange for use by the Gov Con section leadership.

FBA's accounting team is continuing to work on the formatting to account for expenses that should be charged to the FBA budget allocation versus those which should be charged to the section surplus – those were expected to be ready by now, and they will be distributed when available.

Happy hour scheduled for April 23

A section happy hour was scheduled for April 23 at 5:30 pm at the Old Ebbitt Grill. It will be open to section members and students with the aim of getting those in DC to know each other. FBA will send a formal event announcement and then Robby will send a separate section invitation.

Christopher indicated that we would have nametags and an honor system to ensure membership, which also suggested not making the complete information available on LinkedIn. We want the event to be a recruitment tool where possible. Considering getting a separate room or using the side bar. Current plan is for the happy hour to be limited to section members, and the consensus was that there would be too many complications if it were to be opened up more widely.

David Timm's proposal on AI disclosure discussed

David has a proposal on AI disclosure which we may push out to the FBA membership. His formulation suggests that a procurement tribunal disclose when AI is used in a bid protest or claim and would include a certification that all citations verified by user. David's formulation doesn't prohibit use of AI, but it does warn *pro se* contractors that they could be sanctioned for misuse or inaccurate AI summaries of cases, thus helping to prevent use of cases which don't exist. David's

proposal conforms with GAO's view that improper use of AI is sanctionable. David thinks the proposal is simple and straightforward and will prevent big waste of resources when it does happen.

Robb countered by saying that humans need to verify anyway and that preventing use of AI is kind of like trying to prevent use of Internet. Vince agreed with Robb's premise that government should have a mechanism for preventing loss of time from spurious citations.

Robby indicated we can form a working group to discuss utility of David's proposal. David noted it's not a ban on AI, but there have been considerable cases involving AI coming up before procurement tribunals. David notes his proposal is two simple parts: certification and verification.

Notes from specialty areas and other miscellaneous topics

- Ralph Thomas spoke of tariffs being struck down on February 20. Of particular interest now is: how do you get a refund and what is the process? Lisa C. indicated that it is hard to get a refund and that Supreme Court did not give guidance on how to get one. There are 180 days to protest. The other way for redress is through the court system. Supreme Court did say Court of International Trade is proper forum. So, for a contractor in the construction space, what they are advising clients is to identify potential tariff claims and to document. Ralph Thomas also extended the discussion into how the Court of International Trade will function under the tariff refund process. Much remains up in the air. Robby suggests that it's very "wild west" about getting refunds and may not be until 2027 before anyone gets tariff money back.
- Ralph noted that Robby has been set up with president of UK Procurement Association.
- David noted that on course for 1,900 bid protests this year, up from 1,700 last year.
- Lisa B. has the section's LinkedIn spotlight this week.
- For the 2026 Showcase, no one reached out to plan so far. Otherwise, Robby will work with Mike for an event date. Still deciding whether the Showcase will be in-person or virtual. The expectation is to get an October date soon so we can market heavily.
- If have ideas for articles or webinars, contact Mike. *Federal Lawyer* publication is also a good way to get your name out there.

Next meeting was scheduled for May, with a date still to be determined.