



September 26, 2019

The Honorable Johnny Isakson, Chairman  
Committee on Veterans Affairs  
United States Senate  
131 Russell Senate Office Building  
Washington, DC 20510

The Honorable Jon Tester, Ranking Member  
Committee on Veterans Affairs  
United States Senate  
311 Hart Senate Office Building  
Washington, DC 20510

The Honorable Mark Takano, Chairman  
Committee on Veterans Affairs  
United States House of Representatives  
420 Cannon House Office Building  
Washington, DC 20515

The Honorable Phil Roe, Ranking Member  
Committee on Veterans Affairs  
United States House of Representatives  
336 Cannon House Office Building  
Washington, DC 20515

RE: Department of Veterans Affairs "Rule of Two"

Dear Chairman Isakson, Chairman Takano, Ranking Member Tester, and Ranking Member Roe:

As you may know, Congress passed the Veterans Benefits Act in 2006, which created the "Rule of Two." This provision effectively creates a Department of Veterans Affairs (VA) contract set-aside for Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) when at least two SDVOSBs are identified as qualified bidders. A recent reinterpretation of the rule states that Congress intended for the "Rule of Two" to eliminate the contracts being performed for the VA by people who are blind through the AbilityOne Program. This reinterpretation of the "Rule of Two" threatens the jobs of over eight hundred blind Americans across the country, some of which are currently occupied by blind veterans.

The National Federation of the Blind respects and appreciates the drive to hire more veterans, but we also believe that this initiative should not come at the expense of jobs for blind Americans, some of whom are also veterans. According to the Census Bureau's 2017 American Community Survey (ACS), nearly 70 percent of Americans who report a visual disability are already unemployed or underemployed. The ACS also shows that this statistic, while still far too high, has been steadily declining since 2011. The new interpretation of the "Rule of Two" places all of that progress in jeopardy.

We urge you to initiate a review and reconsideration of VA's current policies and practices with regard to contracting with AbilityOne affiliated agencies. We further urge the adoption of contracting practices that recognize the complementary nature of the AbilityOne and Veterans First programs, as well as the frequently intersecting goals of both programs to create employment opportunities for veterans and people with disabilities. There is no need to raise up one of these populations at the expense of the other.

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We thank you in advance for your consideration of this urgent request. If there is any assistance that the National Federation of the Blind can provide to consider ways to craft policies that achieve all goals without putting any group of Americans at a disadvantage, then we are ready and more than willing to help. We look forward to hearing back from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Riccobono", with a long, sweeping horizontal stroke extending to the right.

Mark A. Riccobono, President  
National Federation of the Blind