



U.S. OFFICE OF
SPECIAL COUNSEL
WASHINGTON, D.C.

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UNITED STATES COMMISSION
FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

September 12, 2014

The Honorable Carolyn N. Lerner
Special Counsel
1730 M Street, NW, Suite 300
Washington, DC 20036-4505

Dear Special Counsel Lerner:

This is a supplement to my last report to you, dated May 23rd. Two issues remained to be resolved at the time of that report:

1. The redactions that the Commission had made to the letter submitted by the GSA Inspector General on April 15, 2013 and
2. The authority that the Commission has been using to procure services to support its mission.

As to the first issue, on September 3rd, the Commission forwarded to your staff an unredacted copy of the IG's letter.

With regard to the personnel issue, we returned to discussions with GSA, as recommended by your staff.

As a result of the discussions, GSA's Acquisition Management Division has agreed to use its contracting authority to, as soon as possible, secure services for the Commission sufficient to meet our ongoing assistance needs. The Division will engage a company or companies on its procurement schedule to provide personnel to render the necessary assistance. This arrangement will replace the current practice of our engaging service providers on a short-term basis without contracts.

To this end, on August 20th, the Commission submitted a requisition package to GSA that included the descriptions of services to be provided by a full-time accounting analyst, a full-time administrative clerk, and a part-time senior consultant.

The Commission has been working with GSA contracting officials to refine the package to ensure that it conforms to all applicable requirements. Under the procurement arrangement, contract personnel will not perform inherently

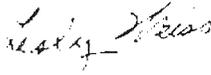
governmental functions and will provide services consistent with Federal Acquisition Regulation Subpart 7.5. I will submit to you a copy of the requisition(s) as soon as the package is finalized by GSA.

On a related matter, as of August 2nd, the Commission is no longer referring to a consultant as "executive director." The chair continues to exercise the duties normally associated with that title and, in form as well as fact, continues to be the only authority that binds the Commission in any respect.

I consider the contracting arrangement with GSA to be a temporary solution to the Commission's personnel situation. It is not ideal because it will require the Commission to pay GSA for its costs including those charged by the contractor(s). Ultimately, I am hopeful that ongoing efforts by Congress and the Office of Management and Budget will expand the Commission's contracting authority so that it can directly procure services as needed.

I hope that providing OSC with the unredacted IG letter and setting forth the details of our arrangements with GSA adequately addresses the remaining two issues identified above, and will resolve the matters raised in your referral. Please let me know if you need anything further.

Sincerely,



Lesley Weiss
Chair