ICBV Office Update

August 8, 2017

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**\*\*1** Calendar of Events

**September 9, 2017 4:00 pm**

**NFBI Oktoberfest in September**

Location is 6919 W. Berwyn Ave. Chicago.

Cost is $25 per person plus 2 for each libation after the first.

Dear all, please mark your calendars. We are once again doing Oktoberfest in September at the Changs. This was a blast last year. Ron Cooper, has agreed to DJ again. He has awesome karaoke equipment and does a nice job. People will also bring their own instruments. We have beverages, brats, and burgers.

Proceeds go to the National Federation of the Blind of Illinois. This is an opportunity for fellowship and fun. Please bring a friend.

RSVP before September 3, 2017 to Patti at [pattischang@gmail.com](mailto:pattischang@gmail.com) or (773) 307-6440.

Please note that if you RSVP and do not cancel before September 3, 2017, we will expect payment as we purchase food based on RSVPs.

**September 12-15, 2017**

**NABM BLAST 2017**

Nashville Airport Marriott Hotel

Tradeshow September 13th

Visit [www.blindmerchants.org](http://www.blindmerchants.org) for more information as it becomes available. For more information, contact Nicky Gacos at [nickycolorado@netscape.net](mailto:nickycolorado@netscape.net) or call him at (908) 464-5359 or contact Terry Smith at [terrysmith@epbfi.com](mailto:terrysmith@epbfi.com) or 865-599-7148.

NABM is happy to announce that as a result of its relationship with NAMA, the Michigan State University Executive Leadership Program will be conducting a half-day of the BLAST training on Thursday morning. NAMA funds the program at MSU and it has provided leadership training to hundreds of supervisory personnel in the vending industry. Bonnie Knutson and William Donohue will provide quality training that will improve communication, enhance customer service, promote creativity, and help improve the bottom line. You don't want to miss this.

We have other outstanding general session presentations lined up as well as the best line-up of pre-Conference breakouts ever. These breakouts will start at noon on Tuesday, September 12th and will include a presentation by Mark Manney on theft prevention through effective hiring practices. John Pirtle of Tennessee will present on writing effective business plans for the Randolph-Sheppard vending facility. He will also do a creative presentation called "The Customer is Always #2." The Social Security expert NABM contracts with will do a presentation on SSDI. Scott Cass of the Hadley Institute will do a session on profit and loss issues for blind entrepreneurs. John Murn will talk about maximizing profits through rebates. Vend Engine will discuss commissary opportunities. We have sessions planned on micro markets and office coffee services. And we've asked Jesse Hartle of RSA to do a session for Elected Committee members. And there are more in the works. Your biggest problem will be deciding which ones to attend. Plan your travel to be thereby noon so you can take advantage of these great breakouts.

Staff will want to come in on Monday. We are working with NCSAB to plan an all-day staff training on Tuesday, September 12th. You won't want to miss this. It promises to be the best staff training we've ever done.

**October 27, 28, and 29, 2017**

**NFB of Illinois State Convention, Chicago Naperville Marriott**

From Denise Avant, Preside3nt NFBI:

I am pleased to announce that our national representative for the 2017 State convention is NFB President Mark Riccobono. We are looking forward to a great convention, and we are certainly excited to have President Riccobono as our national rep.

The cutoff date for hotel registration is October 6, 2017. The cutoff for meal requests is October 13, 2017., Our meal options are regular, vegetarian and kosher. You will need to turn in your meal request to Patti Chang at [pattischang@gmail.com](mailto:pattischang@gmail.com) by October 13, 2017. When you specify your meal option, please tell her what meals you are ordering (breakfast(s), student lunch or banquet, along with your meal option.

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**\*\*2** **Call to Action** – Nicky Gacos, President NABM

Dear Randolph-Sheppard Stakeholder: As we have told you over the last few weeks, momentum is growing for **commercialization of our interstate rest areas**. A bill has been introduced in the House of Representatives. The President’s proposed budget for FY 2018 communicated support for the idea. The infrastructure bill that will presumably be introduced next year is expected to include the option of commercialization of the rest areas through public private partnerships. Almost 400 blind entrepreneurs could lose their businesses. The threat is real.

We need your help in preventing this from happening. We need for you to contact your members of Congress today to tell them you oppose commercialization of the interstate rest areas. We’ve made it easy for you. Go to the link below:

<https://nfb.constituentvoice.net/nfbaction>

and send a letter to your two U.S. Senators and House member. The website will automatically find your members for you. It is as simple as 1-2-3-4.

1. Review the letter on the website that has been drafted for you to send;

2. Fill in all of the blanks with your contact information;

3. Click on “Preview Letters”;

4. Click on “Send All Letters”

It couldn’t be any easier.

But don’t stop there:

1. Get all of your friends and family members to send letters;

2. Poste the link on your Facebook Page or Twitter account and encourage followers to help out the cause;

3. Contact your member of Congress’ local office and ask for a meeting when they are home in a few weeks for the summer recess. We will be sharing talking points for such meetings or you can go to our website at [www.blindmerchants.org](http://www.blindmerchants.org) to review them.Talking points will be up soon.

We need every U.S. Senator and member of Congress to receive as many letters as possible and we need them from as many different addresses as possible. If every blind entrepreneur sends a letter and gets 4 other people to do the same, we will generate over 10,000 letters. We can beat that.

Nicky Gacos, President

NABM

Don’t sit on the sidelines. Get involved

**Note** – if you need assistance navigating the website to get this done Marco Giannotti or myself can be contacted help you get this done.

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**\*\*3** From John Pare, **NFB – Legislative Update**

Dear Fellow Federationists:

Thank you for all of your calls and emails since the last legislative alert. We are now up to thirty-four cosponsors on AIM HIGH, H.R. 1772, ten cosponsors on the Access Technology Affordability Act, H.R. 1734, and twelve cosponsors on the TIME Act, H.R. 1377. In the Senate, the Access Technology Affordability Act, S. 732, has one cosponsor. The complete list of cosponsors is included at the end of this email.

The House of Representatives adjourned on July 28 and will not return to Washington, DC until September 5. The Senate is still in session and will not adjourn until August 11. The Senate will then also return on September 5.

I have two recommendations. First, call your Senator immediately and ask him or her to cosponsor S. 732, the Access Technology Affordability Act. It would be terrific if we could grow the number of cosponsors before the Senate adjourns on August 11. Second, invite your member of Congress to attend a chapter meeting or other local NFB event while they are in the district. Alternately, you could ask to meet with them in their district office.

I also want to update you on H.R. 620, the ADA Education and Reform Act. Your calls and emails have significantly helped in this area. In addition President Riccobono wrote an op-ed published in The Hill on July 26, the twenty-seventh anniversary of the signing of the ADA into law.

Your calls and emails have also made a tremendous difference protecting Medicaid. As I mentioned in a previous alert, an estimated 38.8 percent of blind Americans rely on Medicaid for their healthcare according to the US Census Bureau. To learn more about this topic please read President Riccobono’s Saving Medicaid op-ed, also published in The Hill.

The Senate will be in session until August 11 but please try to make your calls or send your emails by Friday, August 4. A short summary of each bill is included below. I have also included a list of all the current cosponsors. The best way to contact your member of Congress is to call the Capitol Switchboard at (202) 224-3121 and ask for the office in question. Emailing your member of Congress is also a good idea. If you do so, please copy JPare@nfb.org.

Thanks for all you do!

Warm regards,

John G. Pare Jr.

(410) 659-9314 x 2218

National Federation of the Blind

Bill Summaries

Accessible Instructional Material in Higher Education Act, H.R. 1772 (AIM HIGH)

This bill will promote instructional technology and content that are accessible to the blind and other students with print disabilities. Read the AIM HIGH fact sheet to learn more.

Access Technology Affordability Act of 2017, H.R. 1734 and S. 732 (ATAA)

These bills will facilitate the purchase of access technology for blind people by creating a refundable, per person tax credit. Read the Access Technology Affordability Act of 2017 fact sheet to learn more.

Transitioning to Integrated and Meaningful Employment Act of 2017, H.R. 1377 (TIME)

This bill will increase employment opportunities by removing stigmas and low expectations propagated by section 14(c) of the Fair Labor Standards Act. Note that the bill now phases out subminimum wages over a six year period corresponding to the recommendation of the National Council on Disability. Read the TIME Act fact sheet to learn more.

Current Cosponsors

Accessible Instructional Material in Higher Education Act, H.R. 1772 (AIM HIGH) Current Cosponsors

Rep. Roe, David P. [R-TN-1] - Sponsor

Rep. Young, Don [R-AK-At Large]

Rep. Davis, Susan A. [D-CA-53]

Rep. Garamendi, John [D-CA-3]

Rep. Takano, Mark [D-CA-41]

Rep. Courtney, Joe [D-CT-2]

Rep. Lawson, Al, Jr. [D-FL-5]

Rep. Murphy, Stephanie N. [D-FL-7]

Rep. Ross, Dennis A. [R-FL-15]

Rep. Gabbard, Tulsi [D-HI-2]

Rep. Hanabusa, Colleen [D-HI-1]

Rep. Young, David [R-IA-3]

Rep. Kinzinger, Adam [R-IL-16]

Rep. Krishnamoorthi, Raja [D-IL-8]

Rep. Brooks, Susan W. [R-IN-5]

Rep. Visclosky, Peter J. [D-IN-1]

Rep. Yarmuth, John A. [D-KY-3]

Rep. McGovern, James P. [D-MA-2]

Rep. Moulton, Seth [D-MA-6]

Rep. Nolan, Richard M. [D-MN-8]

Rep. Kildee, Daniel T. [D-MI-5]

Rep. Harper, Gregg [R-MS-3]

Rep. Thompson, Bennie G. [D-MS-2]

Rep. Lujan Grisham, Michelle [D-NM-1]

Rep. Amodei, Mark E. [R-NV-2]

Rep. Stefanik, Elise M. [R-NY-21]

Rep. Price, David E. [D-NC-4]

Rep. Rouzer, David [R-NC-7]

Rep. Ryan, Tim [D-OH-13]

Rep. Thompson, Glenn [R-PA-5]

Rep. Gonzalez-Colon, Jenniffer [R-PR-At Large]

Rep. Cicilline, David N. [D-RI-1]

Rep. Green, Gene [D-TX-29]

Rep. Johnson, Eddie Bernice [D-TX-30]

Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

Access Technology Affordability Act of 2017, H.R. 1734 and S. 732 (ATAA) Current Cosponsors

Rep. Young, David [R-IA-3] - Sponsor

Rep. Roybal-Allard, Lucille [D-CA-40]

Rep. Bilirakis, Gus M. [R-FL-12]

Rep. Demings, Val Butler [D-FL-10]

Rep. Lawson, Al, Jr. [D-FL-5]

Rep. Hanabusa, Colleen [D-HI-1]

Rep. Schakowsky, Janice D. [D-IL-9]

Rep. Moulton, Seth [D-MA-6]

Rep. Ryan, Tim [D-OH-13]

Rep. Smucker, Lloyd [R-PA-16]

Rep. Cicilline, David N. [D-RI-1]

Transitioning to Integrated and Meaningful Employment Act of 2017, H.R. 1377 (TIME) Current Cosponsors

Rep. Harper, Gregg [R-MS-3] – Sponsor

Rep. Calvert, Ken [R-CA-42]

Rep. Swalwell, Eric [D-CA-15]

Rep. Murphy, Stephanie N. [D-FL-7]

Rep. Young, David [R-IA-3]

Rep. Schakowsky, Janice D. [D-IL-9]

Rep. Moulton, Seth [D-MA-6]

Rep. Pingree, Chellie [D-ME-1]

Rep. Lujan Grisham, Michelle [D-NM-1]

Rep. Kaptur, Marcy [D-OH-9]

Rep. Gonzalez-Colon, Jenniffer [R-PR-At Large]

Rep. Rice, Tom [R-SC-7]

Rep. Johnson, Eddie Bernice [D-TX-30]

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**\*\*4** Shared by Second Sense for Hadley Institute for the Blind and Visually Impaired - **Internet Essentials**

Are you looking for a way to ramp up your Internet skills? Hadley Institute for the Blind and Visually Impaired has a course you can complete right from your home! Internet Essentials is a four-lesson course providing you with the basic skills to use the Internet effectively on either a computer or mobile device. You’ll learn key strategies for getting online, searching for information and shopping. You’ll need access to a computer with a web browser, email program, Internet connection and appropriate adaptive technology. To learn more, visit [www.hadley.edu](http://www.hadley.edu) and enter Internet Essentials in the search box or call 800-323-4238.

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**\*\*5 This week on Eyes On Success**

**1731 Moving Experiences** (Jul. 26, 2017)

Hosts Nancy and Peter Torpey finally completed their move cross country from Rochester, New York to Golden, Colorado. They describe the experience highlighting aspects from the perspective of one who is visually impaired. Join them as they talk about selecting a house, packing and unpacking, making the trip, and even taking time to have a little fun!

**1732 College Bound (Aug. 2, 2017)**

Getting ready for and attending college can be a daunting process, even if

one is fully sighted. But what if one has a visual impairment? Hosts Nancy

and Peter Torpey talk with Ellen Trief, a Professor at Hunter College, about

her book "College Bound - A Guide for Students with Visual Impairments"

which offers practical advice for prospective and current students.

As usual, the audio and show notes can be found at:

[www.EyesOnSuccess.net](http://www.EyesOnSuccess.net)

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**\*\*6** Shared on vendtalk

ADA Title III News & Insights

**Justice Department Says Vending Machines Are Not Places Of Public Accommodation—And So Much More**

By Kristina M. Launey & Minh N. Vu on July 27, 2017

POSTED IN DEPARTMENT OF JUSTICE, LAWSUITS, INVESTIGATIONS & SETTLEMENTS

Seyfarth Synopsis: In amicus brief to the U.S. Supreme Court, the Justice Department agreed with the Fifth Circuit and defendant Coca-Cola that a vending machine is not a place of public accommodation and that public accommodations can comply with the ADA by providing assistance to customers in lieu of having accessible self-service equipment.

The Supreme Court recently asked the U.S. Department of Justice (DOJ) to weigh in on whether vending machines are places of public accommodation covered by Title III of the ADA. The Court’s request related to a pending a Petition for Certiorari filed by a blind plaintiff who unsuccessfully sued Coca-Cola for allegedly owning and/or operating vending machines that are not independently usable by the blind. Both the District Court and the Fifth Circuit had concluded that such machines are not public accommodations under the ADA.

The DOJ’s amicus brief unequivocally stated its position that vending machines are not public accommodations. The DOJ advanced a number of arguments in support of its position that a vending machine does not fall within any of the 12 categories of businesses that are considered public accommodations under the statute. Among other things, the DOJ stated that a vending machine is not a “sales establishment” covered by the law but rather a piece of equipment typically found within public accommodations facilities.

The most significant commentary from the DOJ’s brief concerns a public accommodation’s obligations with regard to self-service equipment provided for public use. The DOJ stated: the operator of a public accommodation in which the vending machines is located is better suited to determine whether such changes [(i.e. making the vending machines independently accessible by blind users)] are the most efficient means of complying with the ADA. When buying or leasing vending machines, some business owners may insist upon the inclusion of accessible features. Others, however, might choose instead to install the machines at locations within their establishments where their employees will be available to assist customers with disabilities. The business owner is better positioned than the seller or lessor of the machines to determine what method of ensuring accessibility will be most effective at a particular location.

In other words, it is the DOJ’s position that providing assistance to customers with disabilities is a lawful way to provide access in lieu of procuring accessible vending machines. Presumably this position would extend to all self-service equipment provided for customer use — at least when there are no privacy concerns. (In 2014, the DOJ had filed a Statement of Interest in a different case involving allegedly inaccessible point-of-sale devices where it took the position that a public accommodation must provide individuals with disabilities independent access to point-of-sale devices which require the entry of Personal Identification Numbers (PINs).)

Also significant was DOJ’s view that the Supreme Court should not grant review of the case in order to address the question of whether online-only businesses are covered by Title III of the ADA. The DOJ noted that while “questions concerning Title III’s application to non-physical establishments – including websites or digital services – may someday warrant” the Supreme Court’s attention, this case was not the time or place to do so since the plaintiff here encountered the machines in person, not via telephone or internet. The DOJ’s suggestion that the Court should defer on this issue suggests that the Department may be evaluating its prior position that online-only businesses are covered by the ADA.

Link: <http://www.adatitleiii.com/2017/07/justice-department-says-vending-machines-are-not-places-of-public-accommodation-and-so-much-more/?utm_source=Seyfarth+Shaw+-+ADA+Title+III+News+%26+Insights&utm_campaign=c05b6db1cf-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_decb46f1f5-c05b6db1cf-73100337>

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**\*\*7** From Vending Market Watch

**Chicago Soda Tax Kicks In On August 2**

AUG 1, 2017

The Chicagoist reports that Chicago's Cook County soda tax will be instated on August 2. The sugary-drinks tax was passed last November and was originally supposed to go into effect on July 1, but it was blocked on June 30 by a judge who ruled the tax failed to spell out how it would refund taxpayers in the event that it was judged unconstitutional. However, the same judge settled the unconstitutionality question on July 29. The city has estimated that it will bring in $200 million a year and hopes it will close the budget deficit.

**Shared by the Can the Tax Coalition:**

Dear Supporter,

Today, the Cook County beverage tax will go into effect thanks to a vote from your commissioner. They voted to increase the amount you will have to pay for more than 1,000 everyday beverages. This tax hits Cook County families with enormous price increases, places at risk 6,100 middle class jobs and $1.3 billion in economic activity, and will devastate our small businesses by sending shoppers to stores over the border. These are risks Cook County residents cannot afford and why County commissioners should act immediately to repeal the beverage tax.

We encourage you to write to your commissioner and tell him you oppose the beverage tax and his decision to vote for it.

What You Can Do - Tweet Your Receipt

The county needs to hear from you!

Take a picture of your receipt that shows the new beverage tax

Share the picture of your receipt on Facebook, Twitter and Instagram

Use the hashtag #CanTheTax and feel free to tag the Cook County Board @CookCountyBoard

Impact from the Tax - Media Stories

Elgin Courier News: Soda tax puts some Elgin businesses at ‘competitive disadvantage'

"The ruling certainly puts businesses selling soda in Cook County portions of Elgin at a competitive disadvantage to those selling similar products in Kane County," said Elgin Mayor Dave Kaptain. "There is no question customers will drive a few miles to save the additional costs."

Times of Northwest Indiana: Customers eye Indiana to avoid sugary drink tax

Strack & Van Til, the Region's largest locally owned grocery store chain, last week sent advertisements that target Illinois residents.

One advertisement reads "Short Drive. Big Savings. Shop Our Indiana Locations and Skip the Sweetened Beverage Tax." The ad lists how much people would save on various pop items.

Chicago Sun-Times: Sugary drink tax aimed at your wallet, not your waistline

You’ll pay a new county tax of a penny an ounce, supposedly to discourage you from drinking sweet stuff that’s bad for your health, even if you buy a diet drink, which puts the lie to that claim. This is really about money: the county wants more of yours.

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**\*\*8** From GMA SmartBrief

**Why you're paying more for bottled water in Washington**

Bryce Newberry, KING 2:21 PM. PDT August 03, 2017

If you've purchased a bottle of water this week, you might have paid a little extra for it.

That's because all bottled water sales in Washington State became subject to sales or use tax on Tuesday.

Bottled water is classified as any water that's sold in a safety-sealed container. It includes water that's delivered in a reusable container, but it does not include water that comes from a self-service dispenser.

All stores must collect the sales tax unless the purchase is made using the Supplemental Nutrition Assistance Program (SNAP), which used to be known as the food stamp program, according to the Washington Department of Revenue.

If you don't have a source of safe water, or if you have a prescription for bottled water, you can claim exemption from the sales tax and file for a refund. To be eligible for the refund, the total amount of sales tax paid on bottled water must exceed $25 and a receipt must show proof.

Learn more about the tax. <http://dor.wa.gov/Content/GetAFormOrPublication/PublicationBySubject/SpecialNotices/Bottledwater.aspx>

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**\*\*9** Shared by Terry Smith, NFBEI

**BLIND ENTREPRENEURS INITIATIVE - THE BLITZ**

Summer, 2017

​You have to love these lazy, hazy, crazy days of summer don’t you? You think things will slow down so you can enjoy some ice tea out on the patio. Instead, someone hits the accelerator and the Randolph-Sheppard Program is thrust into warp speed ahead. It’s hard to keep up. There has been so much going on that it’s hard to know where to start. But you have to start somewhere so here we go.

Register Now for the Music City BLAST – BLAST is just 6 short weeks away. Registration is still open so hurry and sign up. It will be a Music City BLAST September 12-15 at the Nashville Airport Marriott Hotel. We will be returning to the site of the 2011 BLAST. Nashville is a fun city and we plan on making it a fun and informative experience for everyone who attends. Plan on being there in time for the pre-conference breakout sessions that start at 1:00 CDT on Tuesday, September 12th. We have great sessions planed on how to improve the bottom line, theft prevention, micromarkets, office coffee services, SSDI, writing business plans, jail commissaries and more. We have invited Jesse Hartle of RSA to do a session for members of Committees of Blind Vendors. If you are a rest area vendor, you will want to attend a special meeting on Tuesday afternoon at 5:00 PM to discuss the pending threat of commercialization. We have some awesome general sessions planned highlighted by a half-day session being conducted by Bonnie Knutson and William Donohue of the Michigan State University Executive Leadership Development Program. And don’t leave early. We are saving many of our Randolph-Sheppard specific issues for Friday morning so we can have a thorough discussion. You don’t want to miss the Music City BLAST. Register now by going to our website athttp://blindmerchants.org/blast-only-2017-registration/.

Rest Area Commercialization Ramping Up – In the last issue of The Blitz, we reported about HR 1990 that was introduced by Congressman Banks that would allow states to commercialize the interstate rest areas. NABM representatives met with the Congressman’s office as well as the co-sponsor Congressman Courtney of Connecticut. President Trump released his proposed budget for FY 2018 and although no money was appropriated for such a project, the budget document stated the Administration supported the idea conceptually. From everything we hear, a rest area commercialization proposal will be included in the President’s much-anticipated trillion-dollar infrastructure bill. If this is true, Randolph-Sheppard proponents will have a serious challenge in defeating it. But the National Association of Blind Merchants and the National Federation of the Blind feel the community is up to the challenge.

​The Strategy – In order to preserve these locations for blind entrepreneurs, it will take a grassroots effort. That includes:

➢ In the next few days, you hear about a website NABM President Nicky Gacos has agreed to set up so you can send letters of concern to your members of Congress. It will be similar to the one we did last year when you helped us flood the Department of Defense with over 4,700 comments when it proposed rules that would have devastated opportunities for blind vendors on military bases. Rest areas commercialization would affect far more blind people so we anticipate having even more letters sent to Congress. Be on the look out for that notice in a matter of just a few days.

➢ Members of Congress will be taking their summer break in a couple of weeks. They will be back home in their states listening to constituents. They will undoubtedly hear a lot about Obamacare, immigration, tax reform, etc. We need to make sure they hear from you about the prospects of rest area commercialization. The issue may not be on their radar screen yet which is a good thing. The first they hear about it needs to come from us so we can help shape their opinions early on. When they are home, we want you to make an appointment and go talk with them in person. Go to their town hall meetings. Make sure they know who you are and how this bill could impact your life. In the next few days, we will be getting talking points out to help you.

➢ NABM and the NFB will continue to talk with the relevant committees in Congress and will continue to be part of the coalition that opposes rest area commercialization. We will be working on media stories, op-eds, and more in order to tell our story.

➢ We are already planning another D.C. Fly In for next spring. Rest area commercialization won’t be our only topic but it will be one of the most important.

➢ And finally, you should attend BLAST to be part of the discussions on this issue as we develop future strategies.

Another Word on Commercialization - You will recall from the last issue of The Blitz that we reported the New York Department of Transportation was pushing the envelope by setting up self-checkout stores at a few rest areas rather than selling products through vending machines as required by the law. The Federal Highway Administration intervened and told NYDOT that the micromarkets violated current law but agreed to let them continue to operate 2 sites until the FHWA could put out guidance. With the change in administrations, that guidance has not been issued and there is no timeline for when it will. We recently heard that now Minnesota wants to follow suit. When we heard about New York, NABM President Nicky Gacos wrote to the FHWA expressing concern. When we heard about Minnesota, Gacos requested a meeting with the FHWA. The FHWA was well aware of our issues and they complimented us on the job we were doing educating key players on the issue. The central issue here is whether or not a micromarket is a vending machine because only sales through vending machines are permissible without a change in the law. The FHWA could choose to define “vending machine” in a way that allows micromarkets at the rest areas. NABM and the NFBEI do not support such a definition.

Department of Defense: No Sign of Détente –Although there’s not a lot of bad news to report, the battle with the Department of Defense continues with no end in sight. It is a senseless battle with DOD seemingly thumbing its nose at the law. Here are a few developments:

➢ No Movement on DOD Regs – We have passed the one year mark since DOD published proposed regulations that would have severely limited opportunities for blind entrepreneurs to manage military dining contracts. The rules have not been finalized and do not appear to be close. Their website says they are still being edited so there has apparently been no decision to drop the effort. Not playing it safe, advocates continue to solicit support frommembers of Congress. One or our blind entrepreneurs in Texas, Harvey Johnson, has been successful in getting Congressman Pete Sessions of Texas involved. He has written letters to both DOD and to the Department of Education. He is a strongally.

➢ Fort Campbell – The Federal Court case is over and the State of Kentucky prevailed. The Randolph-Sheppard priority applies to dining facility attendant services (DFA). It appears the Army is prepared to accept the inevitable and has agreed to directly negotiate with the SLA for the provision of the DFA services. Congrats to the SLA.

➢ Fort Sill – In the last issue, I mistakenly stated we were still waiting on the decision in the Fort Sill arbitration case. We had actually received that decision prior to that issue of The Blitz going to press. And the good news is it was one of the strangest decisions we have gotten to date. The panel held that the Randolph-Sheppard priority definitely applies to DFA services. We think the panel got it right.

➢ Fort Riley – The Kansas SLA had challenged the Army’s attempt to award a contract to AbilityOne asserting that the Randolph-Sheppard priority did not apply since the contract had been changed from full food to DFA. Just like at Fort Sill, Fort Campbell, and Fort Stewart, an arbitration panel had a different opinion ruling that the priority does apply. It was just one more victory for the good guys.

➢ Vending at Issue – Kentucky isn’t satisfied with one victory in the troop dining case. It thinks the Army should comply with the Act and allow blind vendors to manage traditional vending facilities as well. The Army has taken the position that the priority does not apply because no building at Fort Knox has more than 100 employees. This of course is a mischaracterization of what the law says and the Kentucky SLA has filled for arbitration. Florida is doing the same thing. The SLA there is going after the vending at Tyndall and Eglin Air Force bases. The Florida SLA remains aggressive in pursuing opportunities that rightfully belong to blind. Kudos to the Kentucky and SLA’s. Creating vending facilities on military bases has been a priority for NABM and the NFBEI and we would like to see every state with a military base follow Kentucky’s lead.

➢ More Arbitrations in Process – We said there are no signs of detente. There are cases at various stages of the process in at least 6 different states. We applaud the SLA’s that are fighting the fight on behalf of blind entrepreneurs but call on DOD to end the madness and comply with the law.

➢ Marine RFP Coming Soon – It is expected that the Marines will be issuing an RFP any day now for its two multi-state troop dining contracts. One contract will cover bases in California and Arizona and the other will cover the Marine bases on the East Coast. We anticipate the RFP will come out with a Randolph-Sheppard priority. California and Arizona are working together to submit a joint bid and have selected Don James and FSIG as its teaming partner. South Carolina and North Carolina are working together with South Carolina taking the lead on the East Coast bid. We congratulate the states for working together on this endeavor and are confident that Randolph-Sheppard has a legitimate chance of getting one or both contracts.

NABM/NFBEI Fly-In a Huge Success- NABM sponsored its second D.C. Fly In in May and it was a huge success. 80 blind entrepreneurs, advocates, and other stakeholders showed up to let their voices be heard. The Fly In was supported by the National Federation of the Blind’s National Center which provided much needed logistical support and boots on the ground. We focused on the four following issues:

1. Rest area commercialization

2. DoD rulemaking

3. Traditional Randolph-Sheppard facilities on military bases

4. Department of Veterans Affairs

We focused on bringing in blind entrepreneurs who had members on key committees with jurisdiction over these issues. We believe tangible progress was made on several of these issues. If you are interested in learning more about the issues and our positions, go to http://blindmerchants.org/nabm-enjoys-productive-fly/ . The Fly In was so successful, plans are already underway for one next year.

American Heart Association Declaring War on Randolph-Sheppard? – Although there has been no formal declaration, it sure seems like the American Heart Association has declared war on Randolph-Sheppard. And it has changed its battle tactics to a more effective strategy. At first, the AHA was attempting to get bills introduced in state legislatures. However, once the blindness community and vending industries learned of such proposed pieces of legislation, they were able to mobilize and beat back these efforts. However, the AHA is now going state by state working behind closed doors to get governors to issue executive orders regarding healthy vending on state properties. On the surface it must sound like a good idea to governors. Who isn’t in favor of a healthy workforce? But they are not aware of the impact such actions have on blind entrepreneurs and they are being sold a bill of goods in terms of the health benefits of such an executive order. The dangerous thing is that the state BEP’s are not involved in many of these discussions. In fact, they may not even know conversations are taking place. The Louisiana Governor recently signed such an order and the SLA and blind entrepreneurs knew nothing about it until NABM and the NFBEI shared the already signed EO with them. That’s not a reflection on the SLA nor the blindness community. It is testament to the strategies of the AHA which apparently does not want public debate on their issues. Combine the AHA efforts with the different sugar and beverage tax initiatives we are facing, one can’t help but feel paranoid. The Cook County beverage tax just withstood a legal challenge so our vendors in Chicago will be paying a penny and a half tax on every ounce they sell. Seattle approved a 1.75 cent per ounce on sugary drinks. There are similar efforts underway in other municipalities. When such taxes are proposed, blind entrepreneurs must get involved in the political system and fight the taxes. NAMA is fighting against them and could use your help.

There’s Good News and Bad News When It Comes to State Laws – Well do you want the good news or bad news first? Let’s start with the good. Oregon blind entrepreneurs were successful in getting their Little Randolph-Sheppard Act updated and strengthened. They strengthened the priority and cleared up some ambiguities. The bad news is the Oklahoma legislature voted to remove the priority blind entrepreneurs had to manage inmate commissaries. The SLA had only one commissary but it was a large one at the Tulsa County Jail and the Sheriff there was successful in getting the law changed. The blindness community, including the Oklahoma NFB affiliate and blind entrepreneurs, rallied to oppose the bill but it wasn’t’ enough. Here is a link to a story about the Oregon bill: https://www.thelundreport.org/content/bipartisan-bill-passes-house-revamp-state’s-blind-vending-program

Merchants Meet at National Federation of the Blind National Convention – Approximately 75 persons attended the NABM division meeting held in conjunction with the annual convention of the National Federation of the Blind in Orlando in July. In all, almost 2,500 people attended the NFB convention. President Gacos had an impressive and relevant agenda for those who attended the merchants meeting. NABM elected 2 new board members at the meeting. They are:

​

​Zach Snow – Georgia

​Melba Taylor – Maryland

Congratulations to both. Congratulations also to Melba for starting an NABM Division in Maryland.

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NAMA News – NAMA continues to recognize the value blind entrepreneurs bring to their organization and the working relationship between NABM and NAMA just gets stronger. That is due in large part tothe fact NABM President Nicky Gacos sits on the NAMA board of directors.

o NAMA OneShow – The RSA Management Group and NABM sponsored a half-day training for Randolph-Sheppard entrepreneurs who attended the NAMA OneShow in Las Vegas in April There was a great turnout as approximately 60 people participated.

o NAMA Fly In –NAMA hosted its “NAMA Takes The Hill” event in July. There was a strong Randolph-Sheppard presence at the gathering. The 3 issues focused on calorie disclosure, deregulation, and tax reform. Blind entrepreneurs also took the opportunity to discussRandolph-Sheppard issues with their members of Congress. In all, over 300 people attended the fly-in which was NAMA’s third.

RSA News – Our federal partners at the Rehabilitation Services Administration are adjusting to the change in administrations but continue to stay busy on Randolph-Sheppard issues. NABM and the NFB met with the Acting Assistant Secretary in June to discuss Randolph-Sheppard areas of concern. Those included:

➢ RSA’s reluctance to intervene when it knows federal agencies are violating the Randolph-Sheppard Act;

➢ RSA’s position on military dining;

➢ RSA’s failure to provide guidance on important issues; and,

➢ The lack of staff support for Randolph-Sheppard

It was a very productive meeting and it will produce some fruit. Also, on the RSA front:

➢ RSA Commissioner – The President has not nominated anyone for the RSA Commissioner’s job yet. We were saddened to hear that Ed Anthony, RSA Deputy Commissioner and Acting RSA Commissioner, was resigning in June. We wish him well. We were happy that a veteran like Carol Dobak was appointed to serve as interim in both positions until they can be filled.

➢ Arbitration Archives – After strong encouragement from both NCSAB and NABM, RSA will soon be putting on its website archives of arbitration decisions. There has been a need for a long time for a clearinghouse so people researching cases could read the actual decisions in these cases and not just the summaries in the Federal Register. It will take some time for them to get the decisions up but they are starting with some of the more recent ones. Thanks to Jesse Hartle and Company for finally making this happen.

NCSAB News – The National Council of State Agencies for the Blind met in Bethesda in April following the meeting of the Council of State Administrators of Vocational Rehabilitation. CSAVR sponsored training for state attorneys and Terry Smith was one of the presenters on Randolph-Sheppard arbitrations. Then NCSAB did a full day of training on Randolph-Sheppard. Again, NABM and the NFBEI participated.

What To Do About Food Trucks – As the popularity of food trucks grows; we are getting lots of questions about how food trucks fit into the Randolph-Sheppard priority. First, let’s start with the basics. A food truck meets the definition of a “vending facility”; therefore, the SLA has the priority. If a federal entity wants food trucks on its property, it must first offer the opportunity to the SLA. The SLA and blind entrepreneur can then either arrange for a third party to provide the service with a commission going to the blind entrepreneur or figure out a way to allow the blind entrepreneur to operate a food truck. We understand the challenges of SLA’s buying food trucks but it is a much better option and creates far more income potential for the blind entrepreneur. If the SLA declines the opportunity, it has little ground upon which to base a challenge.

Need Assistance with Social Security? – A few months back, NABM President Nicky Gacos announced a new service we were providing to blind entrepreneurs who were having difficulty with Social Security over their SSDI. We are utilizing the services of Michael Dalto who is a nationally know Social Security expert. The response has been overwhelming. We are two months into the six-month pilot project and we are getting many inquiries. If you have questions about your SSDI or are having issues with the Social Security Administration, we can help. Contact Nicky Gacos at nickycolorado@netscape.netor call him at 1-888-687-6226 and press Extension “4”.

President Gacos Keeping Good Company – In the last issue of The Blitz, you saw NABM President Nicky Gacos pictured with New York Governor Andrew Cuomo and actor Robert De Niro. He stepped it up recently. Go to www.blindmerchants.org and you will see him pictured with former Vice President Joseph Biden. Gacos doesn’t involve himself in partisan politics but this again shows the stature of the National Association of Blind Merchants when its President is at the same functions as such high-level politicians.

Dates to Remember

➢ September 12-15, 2017 – BLAST, Nashville, Tennessee

➢ November 15-17, 2017 – National Council of State Agencies for the Blind Fall Conference – Greenville, South Carolina

On the Road Again – The last few months have been busy travel months. NABM and the NFBEI were in North Carolina, Maine, Ohio Missouri, and Arizona for annual BEP meetings. Terry Smith was in Delaware doing a program evaluation and in Pennsylvania working on rules. Toss in the NAMA OneShow, 2 fly-ins, and a national convention, a lot of miles were logged.

Use a Micro Chips to Pay for Your Snacks – Here’s an article you futurists may want to read. A Wisconsin company is giving its employees the option of implanting a microchip under their skin which they can then use to pay for food and do other things. Check it out at http://www.abc10.com/mobile/article/news/nation/wisconsin-company-to-install-rice-sized-microchips-in-employees/459086081

You Can Still Help – Do you like what NABM/NFBEI are doing to advocate for the program on a national level and to assist individual state programs and blind entrepreneurs? Do you enjoy reading The Blitz and being kept informed about what is going on in the Randolph-Sheppard community? If so, we can use your financial support. Over half of our support comes from the NFBEI subscriptions but we count on donations to make up the rest. If you would like to contribute to the cause, we would welcome your donation. You can donate by sending a check to:

National Association of Blind Merchants

7450 Chapman Highway, #319

Knoxville, TN 37920

Make the check payable to NABM and write “NFBEI” in the memo portion of the check. Your support is greatly appreciated.

You can also donate by going to our website at www.blindmerchants.org and we have a new way you can contribute. We can do bank drafts if you want to sign up for monthly giving. Contact Terry Smith if you are interested in setting up bank draft donations

If your state is one of the 14 that doesn’t subscribe to the services of the NFBEI, we’d welcome your involvement. Terry Smith would be happy to discuss the services with you.

Share Your News with Everyone- Help us keep everyone informed about what is happening around the country. Let us hear from you. Tell us what is going on in your state. What is happening in one state affects what is going on in another, and the NFBEI is the vehicle to keep everyone updated on what is going on out there.

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**\*\*10** **Broker News – Saverino & Associates**

**Forto Coffee**

2 ounce Forto Coffee 2x Energy Shots have an off invoice deal through August bringing the approximate cost to $0.93. There is a 2 case minimum purchase to get the off invoice deal but as long as you order two cases together you will automatically receive the deal. They are packed 6 boxes of 6, so 36 per case. the flavors are Sweetened Black Espresso, Mocha, and Vanilla. Mocha and Vanilla are made with Organic Milk, they are shelf stable until opened. Note the price of this item without the off invoice lists at like $1.68 each.

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**\*\*11** **Broker News – Hoffman Vogler**

Back to school season is here-

Welch’s 1.55 oz Fruit Snacks are FDA approved for schools

Make them part of your plan-o-gram

Planning Ahead-

Nothing says Fall like Pumpkins

American Classic 5oz Pumpkin Pound Cake is your go-to item for September and October

Pre-book your cases now to take advantage of the coming season. (Item # 800228)

White Castle is offering $.50 off on their Cheeseburgers this month Stock up on this iconic burger

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**\*\*12** **Broker News G&J Marketing**

Ladies and Gentlemen, Attached is the Pierre pre-book for August/Sept, Mrs. Freshley’s Sept/Oct promotion and my Brand sheet.

Take advantage of the savings!

Mrs. Freshley’s – Halloween item and a Fall item!

Brand Sheet – All the brands that I represent

$0.02 off invoice in September

48014970 LTO Pumpkin Spice Bar, 8/6/2.6 oz

48014972 FOA LTO Pumpkin Spice Bar, 8/6/2.6 oz

48014974 LTO Pumpkin Spice Bar Shipper, 8/6/2.6 oz

48014976 FOA LTO Pumpkin Spice Bar Shipper, 8/6/2.6 oz

Pierre - If you haven’t tried an item on the pre-book it is a great time to try something new.

Pierre Items – must be prebooked with G&J Tom Dolan 708-299-8363

|  |  |  |
| --- | --- | --- |
| **Fresh Cut ▪ $2.00 per case REBATE** | |  |
| 620001-012-1 | Chicken Caesar Wrap | 12/7.7 oz |
| 620002-012-1 | Southwest Turkey Wrap | 12/8.8 oz |
| 620004-008-1 | Italian Sub | 8/8.0 oz |
| 620005-008-1 | Smoky Ham & Natural Cheddar Sub | 8/6.9 oz |
| 620006-008-1 | Turkey Breast & Natural Cheddar Sub | 8/6.9 oz |
| 104070-011-1 | Ham & Swiss on Caraway Seed Bun | 11/8.0 oz |
| 104071-011-1 | Turkey & Cheese on Kaiser Bun | 11/8.0 oz |
| 104072-011-1 | Ham, Turkey & Cheese on Kaiser Bun | 11/8.0 oz |
| 104073-011-1 | Roast Beef & Swiss on Seeded Bun | 11/7.6 oz |
| **Landshire ▪ $1.00 per case REBATE** | |  |
| 102001-012-1 | All American Poor Boy Sub | 12/7.8 oz |
| 102235-010-1 | 8" Ham & Swiss - Butcher Wrap | 10/6.5 oz |
| **Like Mom's ▪ $1.00 per case REBATE** | |  |
| 302053-012-1 | Roast Beef Cheddar Onion Roll | 12/7.5 oz |
| **BIG AZ ▪ $1.00 per case REBATE** | |  |
| 1524 | Western Omelet Wrap Clear Wrap | 10/5.3 oz |
| 1576 | Twin Chili Cheese Dogs | 8/8.5 oz |
| **Hot 'N' Ready ▪ $1.00 per case REBATE** | |  |
| 0870 | Ham, Egg & Cheese Croissant | 12/4.1 oz |
| 0871 | Sausage, Egg & Cheese Croissant | 12/5.1 oz |
| 0964 | Sausage, Egg & Cheese Muffin | 12/4.8 oz |
| 0991 | Sausage, Egg & Cheese Biscuit | 12/6.4 oz |
| 0992 | Bacon, Egg & Cheese Biscuit | 12/5.6 oz |
| **Pierre Brand ▪ $1.00 per case REBATE** | |  |
| 0412 | Mini Cheeseburgers | 24/5.0 oz |
| 0423 | Mini Spicy Breaded Chicken Sandwiches | 24/5.5 oz |
| 0606 | Mini Sausage, Egg and Cheese Sandwiches | 24/6.3 oz |
| 1125 | Philly Style Cheesesteak Sandwich | 12/6.2 oz |
| 80304 | Classic Grilled Cheese Sandwich | 12/4.1 oz |
| **Fast Choice ▪ $1.00 per case REBATE** | |  |
| 1382 | Ham and Cheese | 12/4.5 oz |
| 1384 | BBQ Pork Rib with BBQ Sauce | 12/5.8 oz |
| 0624 | Spicy Chicken Sandwich | 12/5.1 oz |
| 1376 | BBQ Chicken Sandwich | 12/5.4 oz |
| 1380 | Breaded Chicken Breast Sandwich with Cheese | 12/5.3 oz |
| 1342 | Double Beef Stacker with Cheese | 12/6.0 oz |
| 1366 | Jalapeño Charbroil with Cheese | 12/6.0 oz |
| 1368 | Beef Charbroil with Cheese | 12/4.85 oz |
| **Total Cases** | | |

Let me know if you have any questions and or concerns.

Thank you for your business!

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**\*\*13 RSA Management Group Information**

**FRITO LAY 3rd QUARTER 2017 NEWS ITEMS**

In order to qualify for any 3rd quarter Frito rebate, you must take delivery of at least one of the items below before September 30, 2017.

Frito is offering a .04 cents per unit off invoice discount on Corn Chips Spicy Jalapeno delivered through July 31.

2 oz. Fritos Corn Chips Spicy Jalapeno - 64 count – UPC 92284

1.375 oz. Lay’s Kettle Chips 40 Less Fat Salt & Vinegar - 64 count – UPC 25113

**NEW DEALS THIS WEEK**

SAPUTO CHEESE

Deal Date: THROUGH INDEFINITE

Rebates Products

14% per case Frigo Cheese Heads Cheese Sticks – ALL PRODUCTS

WONDERFUL PISTACHIOS AND ALMONDS

Deal Date: INDEFINITE

Rebates Products

$23.60 per case 2.7oz. 144 ct. Roasted and Salted Pistachios

$15.15 per case 1.25 oz. 100 Calorie Pistachios

$15.15 per case 1.25 oz. Salt & Pepper and Sweet Chili Tube Packs

$15.15 per case 4.5 oz. Salt and Pepper and Sweet Chili Pistachios.

$10.35 per case 5 oz. Wonderful Almonds.

$9.20 per case 5oz. Roasted and Salted and Roasted and Unsalted Pistachios, $9.20 per case 4.5 oz. Salt and Pepper and Sweet Chili Pistachios.

$8.75 per case 1.5 oz. 96ct Raw Almond and Roasted and Salted Almond

$7.20 per case 2.5 oz. Roasted and Salted Shelled Pistachios

$6.15 per case 1oz. 96ct Roasted and Salted Pistachios

PEPSI INNOVATION PRODUCTS (Participating Bottlers Only)

Deal Date: THROUGH AUGUST, 2017 –DELIVERED BY SEPT. 7, 2017

Rebates Products

$1.00 per case Kickstart 12 oz. Hydration Raspberry Citrus

$1.00 per case Kickstart 16 oz. Mango Lime

$1.00 per case Starbucks 11 oz. Doubleshot w/ Protein – Caramel Flavor

$1.00 per case Lipton Tea House 14 oz. Glass Bottles – 4 Flavors

Deals ending in August

FERRERO

Deal Date: JUNE 15 – AUGUST 31, 2017

Rebates Products

$11.88 per case Nutella and Go– All Products – (PLUS RSA EXCLUSIVE 10% REBATE)

FRITO LAY – ITEMS MAY NOT BE AVAILABLE IN ALL MARKETS

Deal Date: AUGUST, 2017 – TAKE DELIVERY BY SEPTEMBER 17, 2017

Rebates Products

$3.20 per case LSS Miss Vickie’s Kettle Chips – ALL FLAVORS

$1.92 per case LSS Funyuns Onion Snacks (44399)

$1.92 per case LSS Frito Honey BBQ Corn Chip Twists (44353)

$1.92 per case LSS Rold Gold and Rold Gold Pretzel Thins

$2.40 per case 2 oz. LSS Grandma’s Mini Choco. Chip Cookies (61503)

$1.80 per case 2.5 oz. Grandma’s Big Cookie – 60 ct. – ALL FLAVORS

$5.00 per case Nut Harvest Nuts – ALL FLAVORS

$2.40 per case Gatorade Bar – ALL FLAVORS

GATORADE ORDER THROUGH AUTHORIZED PBC ONLY

Deal Date: THROUGH AUGUST, 2017 –DELIVERED BY SEPT. 7, 2017

Rebates Products

$1.50 per case 20 oz. Gatorade and G2 – ALL FLAVORS

PEPSI INNOVATION PRODUCTS (Participating Bottlers Only)

Deal Date: THROUGH AUGUST, 2017 –DELIVERED BY SEPT. 7, 2017

Rebates Products

$1.00 per case Kickstart 12 oz. Hydration Raspberry Citrus

$1.00 per case Kickstart 16 oz. Mango Lime

$1.00 per case Starbucks 11 oz. Doubleshot w/ Protein – Caramel Flavor

$1.00 per case Lipton Tea House 14 oz. Glass Bottles – 4 Flavors

PEPSI (Participating Bottlers Only)

Deal Date: THROUGH AUGUST, 2017 –DELIVERED BY SEPT. 7, 2017

Rebates Products

$1.50 per case 20 oz. Sobe Life Water – All Flavors

$2.00 per case 18.5 oz. Lipton Pure Leaf – All flavors

$3.00 per case 1L and 700ML Sport Cap Lifewtr

$2.00 per case 20 oz. Lipton Mango

STARBUCKS (Participating Bottlers Only)

Deal Date: THROUGH AUGUST, 2017 –DELIVERED BY SEPT. 7, 2017

Rebates Products

$2.00 per case Starbucks Energy plus Coffee – All Flavors

$2.00 per case 6.5 oz can Starbucks Doubleshot Expresso

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