

JONI ERNST, IOWA, CHAIR
EDWARD J. MARKEY, MASSACHUSETTS, RANKING MEMBER

JAMES E. RISCH, IDAHO
RAND PAUL, KENTUCKY
TIM SCOTT, SOUTH CAROLINA
TODD YOUNG, INDIANA
JOSH HAWLEY, MISSOURI
TED BUDD, NORTH CAROLINA
JOHN R. CURTIS, UTAH
JAMES C. JUSTICE, WEST VIRGINIA
JON HUSTED, OHIO

MARIA CANTWELL, WASHINGTON
JEANNE SHAHEEN, NEW HAMPSHIRE
CORY A. BOOKER, NEW JERSEY
CHRISTOPHER A. COONS, DELAWARE
MAZIE HIRONO, HAWAII
JACKY ROSEN, NEVADA
JOHN W. HICKENLOOPER, COLORADO
ADAM B. SCHIFF, CALIFORNIA

MEREDITH WEST, REPUBLICAN STAFF DIRECTOR
SEAN MOORE, DEMOCRATIC STAFF DIRECTOR

United States Senate
COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP
WASHINGTON, DC 20510-6350
TELEPHONE: (202) 224-5175

March 27, 2026

The Honorable Linda McMahon
Secretary
U.S. Department of Education
400 Maryland Ave SW
Washington, DC 20202

Dear Secretary McMahon:

For decades, the Randolph-Sheppard program has opened doors for blind Americans to build successful small businesses and gain independence and financial stability. These entrepreneurs do not just change their own lives — they hire local workers, strengthen local economies, and proudly serve our men and women in uniform. On December 23, 2025, you changed the Randolph-Sheppard priority for blind entrepreneurs to operate dining facilities on U.S. Army installations nationwide. This action halts blind entrepreneurs from serving our servicemembers and puts in jeopardy at least 24 dining contracts at 22 Army installations. The Department of Education (“the Department”) provided little evidence or justification for this change, which shows a deep disregard for the history and purpose of the Randolph-Sheppard program. We should be expanding employment opportunities for people with disabilities, not rolling it back. I urge you to immediately rescind the December 2025 limitation notice and restore full application of the Randolph-Sheppard priority for military dining facilities at Army installations. I further urge you to uphold this priority for all military dining locations.

Since its passage in 1936, the Randolph-Sheppard Act has created meaningful job opportunities for trained and licensed blind vendors in competitive integrated employment. The Act requires federal agencies to prioritize blind vendors in the operation of vending facilities, including the operation of cafeterias, on federal property. The Act was enacted to help level the playing field and reduce the disparately high unemployment rate for people with disabilities, which is twice that of individuals without disabilities.¹ About 1,400 blind entrepreneurs nationwide participate in the Randolph-Sheppard program.² For almost 90 years, blind vendors have demonstrably fulfilled the responsibilities of the program with excellence, generating reliable revenue for their local economies and dignified livelihoods for themselves and their employees.

¹ Table A-6. Employment status of the civilian population by sex, age, and disability status, not seasonally adjusted, U.S. Bureau of Labor Statistics, (Feb. 11, 2026), <https://www.bls.gov/news.release/empsit.t06.htm>.

² National Federation of the Blind, Statement on Federal Notice Limiting Randolph-Sheppard Priority for Department of the Army Dining Facility Contracts (Dec. 23, 2025), <https://nfb.org/about-us/press-room/statement-federal-notice-limiting-randolph-sheppard-priority-department-army>.

Your approval of a limitation on the Randolph-Sheppard priority as applied to all Army dining contracts marks the first time in history that such a categorical exemption spanning multiple facilities has been granted.³ The resulting effect is to displace experienced blind entrepreneurs and jeopardize the financial stability of these vendors and their employees. It is also extremely disheartening to see that such a decision has been made without providing adequate justification or supporting documentation, despite being required to do so.⁴ In fact, contrary to the Department's assertion that the Randolph-Sheppard priority "adversely affects the interests of the United States" at Army installations,⁵ Randolph-Sheppard vendors have consistently earned awards and recognition from the Army for their outstanding performance.⁶

Moreover, this decision undermines the bipartisan legacy of the Randolph-Sheppard program, which Congress has repeatedly reaffirmed over many decades as a model for providing meaningful employment and entrepreneurial opportunity to blind individuals. The Department's abrupt departure from that commitment erodes public trust in the Department and adds further arbitrary barriers to success for blind Americans.⁷ The Randolph-Sheppard program does not provide handouts; instead, it offers a hand-up to individuals seeking entrepreneurship and economic self-sufficiency.

To help me better understand your decision to dismantle this program, please respond in writing to the following questions by April 10, 2026:

1. Are you committed to complying with the Randolph-Sheppard Act of 1936?
2. Have any Randolph-Sheppard Army dining contracts not been renewed since the limitation issued by the Department? If so, please provide a list of each non-renewal and subsequent location.
3. How many blind vendors participating in the Randolph-Sheppard program have been awarded permits in accordance with the Randolph-Sheppard priority each year from 2021 through 2026?
4. How will you ensure that Randolph-Sheppard participants are not discriminated against based on their disability status during contract award processes with this limitation in place?

³ National Federation of the Blind, National Federation of the Blind and Blind Entrepreneurs File Federal Lawsuit Challenging Army-Wide Waiver of Randolph-Sheppard Act (Jan. 30, 2026), <https://nfb.org/about-us/press-room/national-federation-blind-and-blind-entrepreneurs-file-federal-lawsuit>.

⁴ 20 U.S.C. § 107(b).

⁵ 34 CFR Part 395 Limitation of the Randolph-Sheppard Vending Facility Program Priority for the Department of the Army, 90 Fed. Reg. 60078 (Dec. 23, 2025), <https://www.federalregister.gov/documents/2025/12/23/2025-23761/34-cfr-part-395-limitation-of-the-randolph-sheppard-vending-facility-program-priority-for-the>.

⁶ National Federation of the Blind, Letter to Secretary of Defense Regarding the Randolph-Sheppard Program (Aug. 20, 2025), <https://nfb.org/programs-services/advocacy/policy-statements/letter-secretary-defense-regarding-randolph-sheppard>.

⁷ Table A-6. Employment status of the civilian population by sex, age, and disability status, not seasonally adjusted, U.S. Bureau of Labor Statistics, (Feb. 11, 2026), <https://www.bls.gov/news.release/empsit.t06.htm>.

The Honorable Linda McMahon

Mar. 27, 2026

Page 3

5. Will the Department support blind vendors who lose their contracts as a result of your approval of the limitation for Army locations? If so, how?
6. Provide documentation that the Randolph-Sheppard priority imposes a threat to the Army.
7. What specific threat or risk of harm prompted the Department to issue this policy change with nationwide scope?
8. Is this limitation of the Randolph-Sheppard priority an effort toward eliminating small business participation in government contracting? If not, how will you ensure that small businesses are not disadvantaged following this limitation?

Ensuring blind individuals continue to have the opportunity to operate and manage the facilities that our servicemembers rely on is essential to upholding the economic independence and civil rights of blind Americans who have faithfully served their communities and country. Thank you for your attention to this critical matter.

Sincerely,



Edward J. Markey

Ranking Member, Committee on Small
Business and Entrepreneurship

CC: The Honorable Daniel P. Driscoll, Secretary of the Army, Department of the Army