

Kevin Minor: 0:04

Welcome back to the NASPO Pulse podcast. It's your go-to source for all things state procurement. I'm your host, Kevin Miner, and we have yet another episode of in-depth discussion and expert insight on the latest trends and topics in public procurement. Today, part two of our conversation with Daniel Glad. Dan is the director of the Procurement Collusion Strike Force, or PCSF, with the Department of Justice. We're also joined by my good friend and director of legal education, Megan Smith. If you haven't already, make sure you go back and listen to part one of our conversation with Dan, where we discuss the origins of the PCSF, what the ultimate mission of the Strike Force is and the effectiveness of the PCSF. Spoiler alert pretty effective.

Kevin Minor: 1:07

In part two today, Dan offers up some more stories from his career, including, but not limited to, bid rigging and bribery schemes. We're going to talk about the second section of the Sherman Act. Dan talks about needing the states as partners and we're also going to discuss how NASPO members can access Dan and the Strike Force. But before we get into that, make sure you subscribe to us on Apple Podcasts, Spotify, Google or wherever you get your podcasts. Leave us a review or send me an email. Podcast at naspo.org, whether you're a procurement professional or just interested in how state government works. You don't want to miss a beat, so sit back, relax and join us as we take the pulse. So you were in middle school during that case, but do you have any other case examples that you could share with us that you worked on?

Daniel Glad: 2:07

Some that I've worked on and some that the strike force has handled. I think I have a couple that are going to be really interesting to your audience. The first one I think of when I think about state purchasing is our Caltrans investigation. So Caltrans is the California Department of Transportation, so Caltrans is the California Department of Transportation, and I will say I really love this investigation because it really kind of shows how the strike force is working and working working in all the right ways. And this was ultimately resolved in the fall of 2022. The strike force had a joint investigation and included our colleagues from the US Attorney's Office for the Eastern District of California, so that's Sacramento and the FBI.

Daniel Glad: 2:45

And last fall, in the fall of 2022, we got the third guilty plea, what I think is going to be the last guilty plea in this ongoing investigation into a bid rigging and bribery scheme that targeted federally funded projects that Caltrans administered. So that goes back to your earlier question, Megan sort of what's the jurisdictional look? Well, the first hook is it's federally funded. The second hook is the conduct here that all the participants plead guilty to was violating the antitrust laws which apply to the market generally. What happened here is that a government official. He was a contract now former contract contracting former contracting official for the state for Caltrans. This is someone all your folks know their first duty is to the public and to the trust placed in them and to the trust placed in them. Instead of honoring that oath and that first duty, what he did is he set up a bid rotation, or he was instrumental in putting together a bid rotation conspiracy among competitors for certain construction projects related to state highways.

Daniel Glad: 4:00

So you have the government insider and then you have the contractors on the outside, all of whom have been charged and pleaded guilty, to be clear.

Daniel Glad: 4:15

And what this state official did is he essentially demanded a sales commission in exchange for undermining not undermining, completely destroying the competitive process.

Daniel Glad: 4:20

They were deciding in advance who was going to win and who the state was going to pay and at what price. So in

that case, the government official was charged not only with a Sherman Act violation for bid rigging, but also for bribery, theft or bribery from a federally funded program, because when you're a government employee, you don't get to charge a sales commission. You're not working at Best Buy. That's called a bribe. That's what we charged him with and he pleaded guilty to, as well as the contractors who provided it as well, and this can be seen in the charging documents when our law enforcement partners were able to find a large amount of cash in the government official's home and we seized that cash, and that cash is going back to the state government and there is just sort of showing the next steps. The criminal case is pretty much over, but the state of California is pursuing civil damages to be made whole, because the state of California and ultimately the taxpayers were victimized by this.

Megan Smyth: 5:31

And that's, and so that's an unfortunate story of a procurement official who didn't do the right thing. I think more often we don't hear about the procurement officials that do do the right thing and do say, hey, this doesn't look right to me or don't agree to participate in things like that, even though public procurement officials are not making millions of dollars right, but they still do the right thing. And we really appreciate that about some of our members and I want to sort of transition to maybe you talking about that piece of it and what our procurement officials, who care about the integrity of the process and keeping taxpayer money as safe as it possibly can be and spent well, what can they do from your end to prevent this sort of thing?

Daniel Glad: 6:22

It's a good question. It's a good point Just to sort of you know pause. On that I agree. The vast, vast, vast majority of government employees at all levels are doing the right thing, the right way for the right reason. That is sort of the unofficial model of the Department of Justice, I think for most of us who work for the government, we took an oath, we chose public service and for the most part, the absolute most part, that's what people do. And, to be clear, the government contracting community also, the majority of folks are doing the right thing, the right way for the right reason.

Daniel Glad: 7:01

And we have stories and we have recent cases where members of the government contracting community alerted law enforcement to attempts to engage in crime. And I think that's sort of the first piece for anyone who works. You know, the good, honest, conscientious government employee the contracting officer is to just be alert. Government employee the contracting officer is to just be alert, be alert and be ready to report any suspicions. When I talk with procurement officials contracting officers like the ones who actually do the work, do the work, the files I'll often say do you ever open, before you open, a bid package, whether it's the old-fashioned way of a bunch of envelopes or sort of going into your portal. Do you ever just know? You just know in your gut who's going to win. I tell people to sort of take a beat pause. As Obi-Wan Kenobi said in Star Wars search your feelings, because humans are pattern recognition machines and sometimes we recognize patterns. We can't articulate what it is we've recognized, and that could be a sign that something is afoot.

Daniel Glad: 8:15

You can also listen to your gut, search your feelings and then sort of do what you can do a little bit deeper dive and then report as consistent with your own agency, your own state's rules and regulations, the Department of Justice. We're standing by, operators are standing by. We have a website and maybe we can throw that in the show notes. We have an email address where people can report things. Work through your things and report things. Work through your things, things to look for, patterns in the bits, in the pricing. One thing that procurement officials can do and look for is does it all even out Over time?

Daniel Glad: 8:59

Because these are iterative crimes Again, no crime of passion, it happens over time. Does the split by market share or by money spent does it all even out among a particular set of competitors, um, or are there clear patterns of rotation most peak, most. Most of the time it's not going to be as simple as dan kevin megan, dan kevin megan

there that people will be a little bit more sophisticated than that. So it's the pattern of rotation. You'll have to take a look for it.

Megan Smyth: 9:32

They're guessing that you're not paying attention. Right, that's their whole scheme is based on the public procurement people not paying close attention and truly, if you have turnover in your procurement office and you don't have the same person looking at those over time, you know I could see how that could fall under the radar. But it's good to know what to look for.

Daniel Glad: 9:57

Yeah, I think there's an assumption of you know that they can just kind of get away with it and hide in plain sight and as they, as folks, see success. You know, success breeds success, you know. Here I want to be clear the success is successfully the successful completion of a criminal conspiracy.

Megan Smyth: 10:14

Right, the bad kind of success Thinking about paying attention.

Daniel Glad: 10:19

And that kind of gets me into another thing I think folks can look for it's one of my favorite things, you know, the, the stupid criminal tricks, aka the dumb things people do that you can catch. And these can be really really powerful, both for the law enforcement side of things and also sort of on the contracting official side. And it makes me think about something that my first chief ever said to me, which is the criminals have to be right every time. They have to be perfect all the time. We only have to get lucky once to get to sort of get the clue and get moving and open an investigation and start looking further.

Kevin Minor: 10:58

So a lot of the odds are on our side, so when I'm talking, about clues.

Daniel Glad: 11:04

It could be the patterns in the bids and in the pricing, but I'm also talking about anything that indicates that the competitors are anything but Signs that they're working together. Identical language, especially typos. I realize this is an audio medium, so if this were a visual medium, I would show you an example of the same typo in two different letters, and it's really clear. It's copy paste, right? Oh, wow, certain sloppiness spread all across the bids. Certain thing someone's saying sort of industry, this is the industry standard price, or this is the industry standard price list, or prices all going up the same amount at the same time without any corresponding reason in the market. Sometimes prices go up because the price of inputs changes, and that's a real reason. We saw \$7 a gallon gas a year or so ago, at least in Chicago. We saw \$7 a gallon gas a year or so ago, at least in Chicago. So things that would have a petroleum input would probably all be going up at the same time in the same way.

Megan Smyth: 12:14

So those are things folks can look for as well, and this is encouraging, I think, our listeners, our public procurement officials, to be aware, right, situationally aware, of what's going on and who these vendors, suppliers, are, who are the other people in the community. I I think that that's an element of this job, that we don't talk about a lot, just being aware of your industry and what common practices are. Um, and when you see something off, yeah, you know, say something yeah, search your feelings.

Kevin Minor: 12:44

Also, I think Obi-Wan said use the strike force.

Megan Smyth: 12:48

Oh, that is good. I never thought of that.

Daniel Glad: 12:51

I didn't want to leave that one out. That is now going in my email signature.

Megan Smyth: 12:55

Absolutely. We're going to make t-shirts with that on it. Glad I could contribute.

Daniel Glad: 12:58

That is awesome.

Megan Smyth: 12:59

Excellent.

Kevin Minor: 13:00

So we talked about Monopolies, both the board games and the scary groups of sophisticated companies. First section of the Sherman Act. Can we talk a little bit about the second section of the Sherman Act?

Daniel Glad: 13:14

Absolutely so everything we've been talking about so far price fixing, bid rigging, market allocation those are all offenses located in Section 1. At the same time, section 1 was enacted in 1890, congress also enacted Section 2. Congress also enacted Section 2. And Section 2 makes it a crime to do, among other things and to be clear, these are all felonies attempt to monopolize or conspire to monopolize. And I think the best way to sort of get into this is to sort of talk about a very recent case to really kind of provide folks with an example. Yeah, please.

Megan Smyth: 14:02

Ripped from the headlines, ripped from the headlines.

Daniel Glad: 14:04

indeed, and this happened this past fall, october 2022. And in October 2022, the strike force was directly responsible for the first criminal charge under Section 2 of the Sherman Act since the 1970s an attempt to carve up highway projects, state highway projects in Montana and Wyoming.

Daniel Glad: 14:24

I think we're kind of getting into the heartland of what your listeners really care about. So this was the charge was attempted monopolization. And it was a joint, it was really truly a joint effort with the Antitrust Division, the US Attorney's Office for the District of Montana and our good friends and really long-term partners, the US Department of Transportation Office of Inspector General. So what did this group, this sort of supergroup of enforcers, find out? They found out that the defendant, who was the owner of a highway construction company, that the defendant, he didn't want to compete on the merits, he didn't want to put in bids and see whether or not he got the lowest qualified bid, and so what he did is he attempted to cheat that competitive process. And to be clear, these are public projects funded by taxpayer dollars at the federal, state and local level, projects funded by taxpayer dollars at the federal, state and local level. The defendant, who was based in Montana, contacted a competitor at a paving company who owned a paving company in South Dakota, and he proposed what he called a quote-unquote strategic partnership. It was all a ruse. It was something that the owner, the competing owner in South Dakota realized right away. This strategic partnership was not that it was designed to eliminate the only competition for a particular kind of highway project work. The South Dakota owner did the right thing. He immediately contacted the government and started working with law enforcement. It recorded more than a dozen calls with the defendant based in Montana, and over the course of these calls the defendant set out what he wanted he would stop bidding in South Dakota and Nebraska and in exchange, the other owner would stay out of

Wyoming and Montana and in exchange for sort of each going back to their own state and staying out, the defendant would make a payoff of \$100,000. Now you can't just, it's very difficult to just sort of transfer that kind of money without paperwork. And so what the defendant proposed doing is well, you'll sell me an asset, find any rusting piece of junk in your yard, and I'll pay you \$100,000 for it. And I want to be clear, make no mistake, this was all about making more money.

Daniel Glad: 16:39

We have the recorded calls and one of the things the defendant said is and this is a quote my biggest thing is you know, if we weren't fighting over states and jobs, the margins would go up to a much more livable wage. You know a livable number. He also said, quote you guys are the only ones who can compete with us, and I would much rather get along with you guys in particular and come to some agreement than buttheads. Buttheads you mean compete to provide a lower price for the state government, to provide a lower price to provide those lane miles.

Daniel Glad: 17:10

And you know both this case and our Caltrans case all both come from highway projects, which is sort of part of sort of traditional infrastructure spending, a large part of any state government's purchases. And I know in the States different sometimes there's procurement and transportation. They're separated. But this is overall, it's a big lift for the taxpayers and our work here is something that I really think about and is our ongoing commitment to protecting infrastructure projects and funds. Megan, I think, as you know, there's this \$1.2 trillion authorized in the bipartisan infrastructure law. You take that \$1.2 trillion and you apply that 20 percent collusion tax we talked about earlier.

Megan Smyth: 17:55

Yeah, yeah.

Daniel Glad: 17:56

Oh, I didn't think about that. I'm a lawyer and I was promised there was no math, but even I can do that. 240 billion, 240 billion dollars at risk from that collusion tax.

Megan Smyth: 18:08

And what we already know happened with covid relief money.

Megan Smyth: 18:12

Yeah, I think 50 percent was the estimation that went to fraud. And so and I think what you're really getting at here, dan, with this stuff, is the general feeling that you know the corporate profit greed idea from from Gordon Gekko and wall street in the eighties. You know that doesn't, that doesn't fly in this economy with this level of inflation and I think people see that and they get angry. And I think it's good that there's someone out there enforcing these laws, because businesses need to be held accountable.

Kevin Minor: 18:50

Sure level of sophistication too. Right yeah, there's a level of sophistication.

Daniel Glad: 18:54

And we need the states as partners to protect these funds, whether it's from the bipartisan infrastructure law, which covers a lot more than highway, like highways, highway lane miles and bridges. There's a lot in there, a lot of different programs in there.

Megan Smyth: 19:09

Yes, and, if you're interested, we have a whole podcast episode. I didn't even know. I didn't even know, I didn't even know I was plugging a prior episode of the Pulse it's a wonderful episode. We did not pay him to say that.

Daniel Glad: 19:22

But the Inflation Reduction Act, the CHIPS Act. There's a lot of spending in there, and with the infrastructure law in particular, the states are going to be crucial because so much of the money is going to sort of come from the United States Treasury. Make a stop at some of the departments and go directly to the states. Megan, I don't know if you remember this, but the day the president signed the bill into law, I was actually with NASPO in Arizona and he signed the bill into law the night before I was giving a talk, and so I had to stay up late to kind of like okay, obviously this is something I need to talk about now.

Daniel Glad: 19:57

Change some of the things I talked about and I still remember this. Um, then the morning, the morning I was going to sort of talk at that, uh, that great, that great place in Arizona um, a chief procurement officer from an unnamed state came up to me and said this, this, this infrastructure thing, huh, I said yeah, and he goes. It's going to be like covid, uh, but last for years. Um, and the concern was sort of there was going to be a, a tremendous inflow of money. Um, there were going to be a lot of, a lot of risk areas. There was going to be, um, a desire to desire to sort of spend that money, start turning shovels, as they say, and a concern that fraud and other schemes were going to be afoot.

Daniel Glad: 20:46

We had a great conversation about this and it was really really crucial and it is really really crucial that the states are sort of aware of these sort of these risks and these, these offenses and I'm not trying to make anyone into, you know, anyone paranoid and seeing, seeing ghosts around every corner, but know that these risks are there and know that there are sophisticated, sophisticated criminals targeting, you know, targeting the spending. It goes back to that. That quote, you know, bears to honey. I mean, this is a this is a trillion dollar government program. The bears are already coming for the honey Sure.

Megan Smyth: 21:20

And your, your listeners have little little honeypots.

Daniel Glad: 21:23

They do I mean they're they're coming. We already. We already have evidence. What I can say is we already have evidence of this new spending being the motivation for new conspiracies.

Megan Smyth: 21:35

Absolutely. Do you think that this kind of fraud and collusion generally disenfranchises small women, minority-owned businesses?

Daniel Glad: 21:50

Absolutely. It's actually part of our mandate. So we've talked a lot today about the antitrust laws and obviously that's sort of our North Star at the antitrust division. But at the Strike Force our mandate is really to go after any conduct and charge any crime that targets, subverts, perverts, distorts, destroys the competitive process, perverts, distorts, destroys the competitive process. So we look at any kind of different conduct, different fraud schemes.

Daniel Glad: 22:18

At the federal level we have something called the Procurement Integrity Act. We're also looking deeply at set-aside programs I'll use that sort of catch-all term for either small business, the SBA's 8A program for women-owned business enterprises, for minority-owned enterprises, veteran-owned minority enterprises, and there's real, real harm done when folks, when the bad guys, target those programs. To give you again, almost ripped from the headline, an example from last summer, so June of 22, we had a case go to trial down in Texas and the defendant was the owner of a company that had that received two hundred and forty million dollars actually more than two hundred forty million dollars in set aside contracts that were set aside for disabled veterans. The owner is a person

who did not serve, was not injured, was not entitled to participate in those contracts and when he set up a scheme and there are a couple different ways this works and I don't know if I want to go into the details. I'm not trying to make a better class of criminals, talking about nominees and casters and figureheads.

Kevin Minor: 23:34

We do not support the tips this is not a how-to this is not crime for dummies.

Daniel Glad: 23:40

I don't want to do that, but through this scheme that lasted for several years, this owner got a whole bunch of more than \$240 million in contracts and the government got the goods and services that this company owner provided. Who was harmed? The people that these programs were designed to lift up, the people these programs were designed to help. And we see it. We see far more of it than we really should. There are, there are a number of these programs and you know they are far, far older and more established and I think a lot of people realize I mean the very first one.

Daniel Glad: 24:22

It's more than a hundred years ago that the United States, at the federal level, certain, certain programs were established to increase participation in the economy by by the, by those from Indian reservations or Native American populations, and that's really. President Biden signed an executive order about trying to use you know, looking at these set-aside programs and using government procurement to ensure that all Americans can participate in the economy and have a shot at selling to the government. So that is also an area of intense focus for us and it's an area where I don't have a stat. I don't have my 20% collusion tax stat for you, but it's an area where there's a lot of misconduct, and I work for the federal government now. I certainly see it here from this vantage point. I also saw it when I worked for the city of Chicago. Um, there were a lot of, a lot of schemes, um, where programs to, to lift to, to, to provide assistance to, for example, women owned business enterprises, um uh, were being, were being abused or minority owned business enterprises were being abused.

Megan Smyth: 25:35

Yeah, so it's not just the money, it's people's lives, it's livelihoods, it's opportunities.

Daniel Glad: 25:42

I mean I don't want to, I don't, I don't, I don't want to get corny here, but it's the American dream Like this is a way of trying to help people reach the American, the American dream and what you have. You have for folks who are cheating it. And it's serious. And just to kind of close out, that company owner in Texas with more than \$240 million in disabled veteran contracts that he wasn't entitled to, he was sentenced to 27 months in the Federal Bureau of Prisons. He is now, or he soon will be, a federal inmate. This causes real harm, sure.

Kevin Minor: 26:21

And then a felon for the rest of his life. After that, correct.

Megan Smyth: 26:25

Yeah, wow, I mean I think that it's good that we punished that.

Kevin Minor: 26:28

I mean stolen valor is a whole other thing. But even on top, of that.

Megan Smyth: 26:32

Yeah, it's like sort of a double Sure. That's a great, these stories that you have. Dan, I feel like you should write a book. You really should when you retire.

Kevin Minor: 26:42

Or start a podcast. Or start a podcast.

Daniel Glad: 26:44

I mean what it is is True crime. I mean it's a reflection of all the great work that's happening around the country and in some cases around the world. With our teams we have just this dedicated crew. We have, at my last count, we had more than 600 federal prosecutors, federal agents, investigators, auditors, people from the state level sort of working on this effort, and I mean the stories I'm able to tell reflect all of this hard work and creativity. And it also reflects sort of our trying to get out there and educate folks like procurement officials, like this conversation we're having today, because in many ways we're enlisting sort of the first line of detection, the eyes and ears who can, if they see something, can say something, because I and my colleagues at the Department of Justice we can't be everywhere, we're not looking at every contract. We only know something is happening, we only know something is afoot if it's brought to us.

Daniel Glad: 27:50

We had a case in North Carolina last year. That was only that we learned by virtue of someone in the state sort of raising a hand, saying something is not right here. What we uncovered was like basically a decade-long fraud scheme more than 300 lies under oath and it was a fraud and a bid rigging scheme. And also these defendants know these things are wrong. You can see it at the time we get some of the things they say. You can also see in this North Carolina case. I'm thinking of as soon as they learned anyone was looking. That's when the email started getting deleted, the text started getting deleted, people started taking hammers to phones. I said I wasn't going to give people advice on how to be better criminals. Most of those things don't work. People know that this is wrongful conduct and they engage in obstructive activities.

Megan Smyth: 28:49

Well, everybody hit that subscribe button so you can get our true crime, white collar true crime white collar yes. White collar true crime podcast with Dan.

Kevin Minor: 28:56

And, more importantly, use the strike force. Use the strike force, that's right.

Megan Smyth: 29:01

So, dan, you shared with us about your team and all these wonderful people that work on this, on these projects.

Kevin Minor: 29:14

Can you share with our members how they could get access to you and your team, and?

Daniel Glad: 29:16

these resources that you have available, the true gold nuggets, yes, so I mean the one really easy way is to email our complaint center, our citizen center, pcsfusdojgov. We also have a public-facing website where we have some educational materials. I think we're going to put a link to that in the show notes. Absolutely, we are happy to offer training, we are happy to engage. I mean, so much of what I do and our 22 squads right throughout the country are doing is answering that first phone call and trying to triage to figure out whether there's something there. I think it's really critical for your folks to be paying attention to the bids, looking for the patterns and reporting the suspicions, and the one thing I want to say is it doesn't need to be a perfect case. I don't expect none of us expect a contract official, a procurement officer, to bring us a perfect, chargeable case. What we're looking for are your suspicions, the things you're seeing, and we can have that conversation. We consider opening it. The other thing that your folks can do, whether it's contacting us or just sort of improving their own system, think about your investment in data analytics and I, both the systems and the people yeah, this is going to be, this is the future developing data analytics to detect collusion, in the same way that data analytics are very are robust and mature

when it comes to detecting insider fraud, whether it's in the public sector or the private sector.

Daniel Glad: 30:55

Your listeners, their agencies, collect so much information when vendors submit bids and folks are coming into the market, and there's a lot that can be distilled from there. You can spot those patterns, the things we talked about. Does it all even up over time? Is there some sort of rotation pattern? There's a lot of really interesting work happening in this space at various departments at the federal level, and part of my job is to talk to my colleagues around the world, and there are some really, really interesting things happening in jurisdictions around the world thinking about data and how we can use this data. And here in the United States we have both the blessings and curse of federalism, and by that I mean we have at least 51 different systems for doing things. You've got the 50 states.

Daniel Glad: 31:47

Don't we know it, the federal government, and I don't mean to forget our friends in the territories when I come up with that 51 number. And that is distinct from other countries that have a unitary system of government. And so that is. It makes it a challenge to create an all-encompassing data analytics system, sort of the monolith, the panopticon that can see everything. But it also presents all of these opportunities for what they call the laboratories of democracy. I'm sure you remember that from law school, Megan.

Megan Smyth: 32:18

Yes.

Daniel Glad: 32:18

And so there are these sort of in a very narrow way. There are all these opportunities for California to try one way of enhancing detection and North Carolina to try a different way, and those are attuned to the specific conditions of those states and my home state of Illinois could try yet a different way. So there are some real opportunities there. I'm not a data scientist, I'm not an expert in creating the data science, but I'm working with a lot of those experts. It's a really exciting time.

Megan Smyth: 32:52

Oh, for sure. So let me get this straight. You're saying that our members or state procurement attorneys could call up your office and say, hey, could you come do some training for our officers on what to look for to spot collusion or bid rigging.

Daniel Glad: 33:08

Yes, they absolutely can. And what I, what I would try to do is match your procurement officials with people who are sort of either in their state or as close to their state as possible, because it doesn't do as much good. I try to match people so they can meet their friendly local federal prosecutor. Friendly local federal agent prosecutor, federal prosecutor. Friendly local federal agent these are going to be the people who are going to be sort of responding to the things your listeners are hearing, and I think it's good to sort of build that relationship. Also. To that end, we've been working with the state attorneys general, just because I kind of know how the state government of Illinois works, because it's my home state. I honestly have no idea. I have no idea how the how the Commonwealth of Kentucky does things. I truly don't, and so I don't either.

Daniel Glad: 34:06

Yeah, right, but there are these experts that sort of know where are highway grants and the contracts for highway projects done in Kentucky and where does Kentucky? How does Kentucky get involved in the purchase of generic pharmaceuticals, a market where we've had an investigation into price fixing. Or where does the Kentucky Department of Corrections, if that's actually a department purchase its food? We've had bid rigging investigations into prison food supplies. Or does the state of Kentucky, either for its schools or its prisons or other institutions, buy

packaged seafood, aka cans of tuna fish, a place where we've had a successful price-fixing investigation into a multi-year price-fixing? I don't know that, and that's where your listeners are really going to be key, because they understand that context. I guess I'd say I'm just smart enough to know that. I don't know how those things work and that's why we really need this partnership.

Megan Smyth: 35:17

Well, that means that you are a smart person, because a wise person can know when they don't know something. And honestly, I'm going to go Google tuna fish conspiracy as soon as this podcast.

Kevin Minor: 35:26

Oh, I have a litany of things I have to Google after this episode that I heard.

Kevin Minor: 35:35

Well, and we hope that if you are listening and you've made it all the way to the end of the podcast, congratulations. And I am hoping that through this episode, people can start to if they haven't already noticed the patterns. Our membership and those in the procurement office, and even just anyone who deals with contracts, can start to notice these patterns, maybe start to pick up on something just through this conversation. So we really appreciate everything that you've shared with us today. Yes, well, thank you both.

Daniel Glad: 36:02

So much for having me. It's been a real pleasure talking with you and I'm hopeful that the listeners found this at least somewhat interesting, and I hope that our inbox starts dinging Again. That's PCSF at USDOJgov.

Kevin Minor: 36:19

Yes, and we'll make sure that we put those in the show notes, Dan, before we go. What's one piece of advice you can offer our listeners, and this can be anything professional or personal.

Daniel Glad: 36:35

Professional or personal? This is more personal than professional, but I've used it in my professional life as well. A really smart supervisor once told me don't assume intent when negligence will do, and it was really sort of not everyone's out to get you, not everyone means to do what you think they mean.

Daniel Glad: 36:55

Sometimes people just are careless and that's all it is, and sort of that piece of wisdom has. You know, I'm not big on, like you know, reciting mantras, but that has given me some comfort where it's like no, that just negligence, wasn't intent. Wow. As a criminal prosecutor, however, I must stress, my job is to prove intent, and so I have to find a way to do it.

Kevin Minor: 37:17

That's a good one. Well, it's not a competition, but if it were, I think that you probably would have won for the year. Well, thank you, I appreciate that. Yeah, no, thank you, dan, we really appreciate your time today.

Megan Smyth: 37:31

Yes, thank you, thank you. No, thank you, dan.

Kevin Minor: 37:32

We really appreciate your time today. Yes, thank you, thank you. Excellent. Truer words of wisdom may never have been spoken on the Pulse. That will do it for us today. We really appreciate you listening. We'll be back next month, right before the NASPO REACH Conference held in Cleveland, ohio. The NASPO REACH Conference leverages the collective experience of state procurement staff by sharing best practices and innovative approaches to state

procurement. Reach provides education for frontline staff to learn from and replicate back in their states. I'm Kevin Miner. Until next time, thank you.