



Weekly Report for February 3, 2017

GOVERNMENT CONTRACTS

Presidential Executive Order on Reducing Regulation and Controlling Regulatory Costs

On January 30, 2017, President Trump issued an executive order requiring for every one new federal regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process. In addition, for fiscal year 2017, the heads of all agencies are directed that the total incremental cost of all new regulations, including repealed regulations, to be finalized in 2017 cannot be greater than zero, unless otherwise required by law or consistent with advice provided in writing by the Director of the Office of Management and Budget (“OMB”). The executive order can be read [here](#).

The 2017 Adjustment of the Penalty for Violation of Notice Posting Requirements

In accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (“FCPIA”), which further amended the FCPIA Act of 1990, this final rule adjusts for inflation the civil monetary penalty for violation of the notice-posting requirements in Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Genetic Information Non-Discrimination Act. This final rule is effective March 2, 2017. [82 Fed. Reg. 8807](#).

OTHER NEWS

“House Votes to Repeal Obama ‘Blacklisting’ Rule.” *The Hill*, February 2, 2017. Retrieved from <http://thehill.com>.

The House of Representatives voted 236-187 for a resolution under the Congressional Review Act (“CRA”) that would block a rule that requires companies to report any labor law violation or alleged violation they’ve had in the last three years when bidding on federal contracts over \$500,000. The resolution now heads to the Senate, where it is expected to pass. CRA resolutions cannot be filibustered.

“Shulkin Promises Employee Accountability, VA Choice Redesign If Confirmed.”

Federal News Radio, February 2, 2017. Retrieved from <http://federalnewsradio.com>.

Dr. David Shulkin, President Trump’s pick to lead the Veterans Affairs Department (“VA”), assured senators at his nomination hearing that with his confirmation and

leadership, he wouldn't just be "more of the same." "There is no doubt that if confirmed as secretary, I will seek major reform and a transformation to the VA," Shulkin said during his nomination hearing before the Senate Veterans Affairs Committee. "There will be far greater accountability, dramatically improved access, responsiveness and expanded care options, but the Department of Veterans Affairs will not be privatized under my watch." Committee Chairman Johnny Isakson (R-GA) said he sees an easy path to Senate confirmation for Shulkin and hopes he could take the helm as the leader of the government's second-largest agency by the end of next week.

"Top Federal IT Contracts to Watch for in 2017." *Nextgov*, January 31, 2017.

Retrieved from <http://www.nextgov.com>.

This year will offer more contracting opportunities valued at far less than the number of contracts that went out to bid in 2016. Data from Deltek, an information solutions provider for government contractors, suggests industry will be able to compete on approximately 1,400 federal IT opportunities this year valued at approximately \$100 billion. The VA will be among the most active agencies in 2017, with a request for proposal ("RFP") on its \$64 billion community care network for professional services, and the upcoming release of an RFP for a follow-on to its commodity enterprise contract. The scorecard approach that the General Services Administration successfully used in creating Alliant 2 has also caught the attention of the U.S. Air Force, which is planning to release an RFP this year for its Small Business Enterprise Application Solutions. This will be a follow-on to the Air Force's Network Centric Solutions-2 small business companion contract, awarded in 2012 with an original ceiling of \$960 million. Deltek analysts estimate the amount for the new RFP will be the same as the original contract. The Defense Information Systems Agency ("DISA")—the IT arm of the Defense Department—is expected to release an RFP, worth an estimated \$7.5 billion, for its Systems Engineering Technology Innovation contract, which will provide support to the Pentagon's IT systems. It's a kind of companion contract to the \$17.5 billion Encore III contract that DISA tweaked and released last year after bid protests.

"Senate Panel Approves McMahon to Lead Small Business Administration." *The Hill*, January 31, 2017. Retrieved from <http://thehill.com>.

The Senate Small Business and Entrepreneurship Committee voted to approve former World Wrestling Entertainment head Linda McMahon to lead the Small Business Administration. The vote was 18-1, with the only "no" vote coming from Sen. Cory Booker (D-NJ). The nomination now heads to the full Senate for a final vote.

"Trump Orders Review of Military Readiness, Boosting Defense Funds in 2017."

Federal News Radio, January 27, 2017. Retrieved from <http://federalnewsradio.com>.

On January 20, 2017, President Trump signed a memorandum ordering the Pentagon to launch a 30-day examination of a broad set of measures of military readiness, from maintenance to munitions and infrastructure to manning and training. The Department of Defense ("DOD") will work with the OMB to draw up an emergency supplemental 2017 budget request. The funds would be used to pay for any immediate readiness gaps that the Pentagon review identifies, and the order also tells OMB and DOD to use

the results of the readiness review as a basis for defense budgets in 2018 and beyond. The memorandum can be read [here](#).