



Weekly Report 2/24/2017

GOVERNMENT CONTRACTS

Procedural Rules and Regulations

The National Labor Relations Board (“NLRB”) amended its procedural rules and regulations to (1) reflect modern technology, such as E-Filing, and eliminate references to telegraphs, carbon copies, and the requirements for hard copy submissions and multiple copies; (2) use more plain language and eliminate legalistic terms such as “therefrom,” “thereupon,” “therein,” “herein,” and “said;” (3) reorganize the rules and add headings so that the subject matter is easier to find; (4) incorporate current practices that had not been included in the published rules, such as the NLRB’s Alternative Dispute Resolution Program; and (5) update and streamline procedural provisions of the FOIA regulations. The amendments also clarify the document filing system and service process made by the parties and the NLRB. They also promote the parties’ use of E-Filing, which will facilitate sharing documents with the public. These revisions are procedural rather than substantive. This rule takes effect on March 6, 2017. [82 Fed. Reg. 11748](#).

Recognition of Tribal Organizations for Representation of VA Claimants; Delay of Effective Date

On January 19, 2017, the Department of Veterans Affairs (“VA”) issued a final rule amending its regulations concerning recognition of certain national, state, and regional or local organizations for purposes of VA claims representation. Specifically, the rulemaking allows the Secretary of State (“Secretary”) to recognize tribal organizations in a similar manner as the Secretary recognizes state organizations. The final rule allows a tribal organization that is established and funded by one or more tribal governments to be recognized for the purpose of providing assistance on VA benefit claims. In addition, the rulemaking allows an employee of a tribal government to become accredited through a recognized state organization in a similar manner as a County Veterans’ Service Officer may become accredited through a recognized state organization. This action delays the effective date of the final rule from February 21, 2017, until March 21, 2017. [82 Fed. Reg. 11151](#).

VA Veteran-Owned Small Business Verification Guidelines

This document implements a portion of the Veterans Benefits, Health Care, and Information Technology Act of 2006, which requires the VA to verify ownership and control of veteran-owned small businesses (“VOSB”), including service-disabled veteran-owned small businesses (“SDVOSB”) in order for these firms to participate in VA acquisition set-asides for SDVOSB/VOSBs. This interim final rule contains a minor revision to require re-verification of SDVOSB/VOSB status only every three years rather than biennially. The purpose of this change is to reduce the administrative burden on SDVOSB/VOSBs regarding participation in VA acquisitions set asides for these types of firms. This interim final rule became effective on February 21, 2017. Comments on the interim final rule are due on or before April 24, 2017. [82 Fed. Reg. 11154](#).

OTHER NEWS

“User Experience, Cloud Migration on To-Do List for SBA CIO.” *Federal News Radio*, February 23, 2017. Retrieved from <http://federalnewsradio.com>.

Speaking at a February 22, 2017 summit, U.S. Small Business Administration (“SBA”) Chief Information Officer Maria Roat said she is working on modernizing the agency and addressing management challenges. SBA stood up a digital service team about a year ago, with a focus on updating the agency’s website. Roat said she wants to develop a consistent look and feel across SBA’s website, so that users get a “unifying experience” when they visit the site. In that same vein, Roat said she is also looking at the applications running across SBA’s systems, and how they are talking to each other. “We do have separate systems right now, for tracking whether somebody’s interfacing with Program A, Program B, Program C, Program D,” Roat said.

“There’s different customer information in all of those right now. Being able to look across all of those so that we understand it’s the same customer but they’re using multiple programs; we don’t have a good handle on the identity management piece. We are working on that.”

“GSA Gives the ‘Dump DUNS’ Movement More Hope.” *Federal News Radio*, February 21, 2017. Retrieved from <http://federalnewsradio.com>.

The General Services Administration (“GSA”) released a request for information on February 10, 2017, asking vendors for details on other possible options than using the Dun & Bradstreet (“D&B”) Data Universal Numbering System (“DUNS”) for uniquely identifying federal government contractors across 39 federal agencies. By 2018, the GSA will have paid D&B more than \$131 million over the last eight years for access and use of DUNS. The Federal Acquisition Regulatory Council issued a proposed rule in November 2015 and then a final rule in September 2016 removing any references to DUNS and establishes definitions of “unique entity identifier,” and “electronic funds transfer indicator.” GSA’s 18F team is developing an identification code that would temporarily help agencies move from the nine-digit DUNS number to another standard.