



Weekly Report March 3rd, 2017

GOVERNMENT CONTRACTS

Presidential Executive Order on Enforcing the Regulatory Reform Agenda

This Executive Order instructs the head of each agency to designate an agency official as its Regulatory Reform Officer (“RRO”) within 60 days. Each agency RRO will oversee the implementation of regulatory reform initiatives and policies to ensure that agencies effectively carry out regulatory reforms including (1) offsetting the number and cost of new regulations; (2) regulatory planning and review; and (3) the termination of programs and activities that derive from or implement Executive Orders, guidance documents, policy memoranda, rule interpretations, and similar documents, or relevant portions thereof, that have been rescinded. The Executive Order can be read [here](#).

Purchases from Federal Prison Industries; Updated List of Federal Supply Classification (FSC) Codes to Be Completed

The Department of Defense (“DOD”) Office of Acquisition, Technology and Logistics, issued a memorandum providing an updated list of product categories for which the Federal Prison Industries’ (“FPI”) share of the DOD market is greater than five percent. This list is based on FY 2016 data from the Federal Procurement Data System. The product categories and the products within each of the identified product categories must be procured using competitive (or fair opportunity) procedures in accordance with Defense Federal Acquisition Regulation Supplement 208.602-70. Contracting officers shall consider a timely offer from FPI for any of the product categories on the list when conducting the competition. FPI must be included, even if the procurement would have been a small business set-aside in accordance with Federal Acquisition Regulation Part 19. The memorandum can be read [here](#).

SMALL BUSINESS ADMINISTRATION

“SBA Administrator Linda McMahon Appoints Mary Anne Bradfield as Chief of Staff.”

Small Business Administration Press Release, February 27, 2017. Retrieved from <https://www.sba.gov>.

Administrator Linda McMahon of the U.S. Small Business Administration (“SBA”) announced that Mary Anne Bradfield will serve as her new Chief of Staff. Bradfield brings experience in agency-level management, strategic budget development, public and congressional relations, and program implementation, as well as policy expertise in economic development and small business. These areas of competency directly correlate with her new role at SBA. Bradfield returns to SBA after serving in a senior program development role at ADS Corporation supporting the National Guard Bureau Joint Staff. Prior to that, she served as the Senior Advisor to the Chair and Agency Records Office at the U.S. Election Assistance Commission.

SMALL BUSINESS COMMITTEE

“Small Business Committee Approves FY 2018 Views and Estimates.” *Small Business Committee Press Release*, March 1, 2017. Retrieved from <http://smallbusiness.house.gov>. The House Small Business Committee (“HSBC”) unanimously approved its Views and Estimates for the FY 2018 budget. The Views and Estimates markup is an important step in the budget process in which house committees set the funding priorities for the federal agencies within their jurisdiction. The HSBC set the following priorities for the SBA: (1) increased transparency and accountability for capital access programs; (2) smarter investments in time-tested, proven entrepreneurial development programs; (3) dedication and focus in helping small businesses participate in the federal procurement marketplace; (4) improved SBA structure and management; and (5) regulatory reform and paperwork reduction. The Views and Estimates of the HSBC can be read [here](#).

OTHER NEWS

“House Votes to Create New Requirements for Writing Regulations.” *The Hill*, March 2, 2017. Retrieved from <http://thehill.com>. The House voted 246-176 to pass legislation aimed at increasing transparency in the regulatory process. The Regulatory Integrity Act (“RIA”), sponsored by Rep. Tim Walberg (R-MI), requires federal agencies to shed light on what happens behind the scenes when they are crafting new rules. Under the RIA, federal agencies would be required to publish online a list of regulations they are writing, a description of those rules, the status, and timeframe for when the agency started working on and expects to complete each rule. The legislation also prohibits federal agencies from advocating for their regulations and “appealing to the public” to support these proposed rules.

“Category Management Continues Efforts to Get Better Deal for Federal Bucks.” *NextGov*, March 1, 2017. Retrieved from <http://www.nextgov.com>. The federal government’s Category Management program continues to use its immense buying power to drive down acquisition costs and deliver better values to taxpayers—even without knowing whether the Trump administration will support the effort. Category Management is a federal-wide initiative that hones in on a series of common spend areas, including IT, professional services, transportation and logistics services and others, and seeks ways to get a better deal for the government. At a Category Management conference, Lesley Field, the acting Administrator for Federal Procurement Policy for the Office Management and Budget, said Category Management principles have saved taxpayers \$2 billion since 2012, with significantly more savings expected now that agencies “have built a solid foundation around category management.” In addition she said Category Managers have approved strategies for tackling their common spending areas, and common standards, including savings methodologies.

“House Votes to Repeal Obama-era Workplace Protections.” *The Hill*, March 1, 2017. Retrieved from <http://thehill.com>. The House voted to repeal an Obama-era workplace regulation by the Department of Labor’s Occupational Safety and Health Administration (“OSHA”). OSHA has long required companies to report workplace injuries and illnesses, but in December 2016 the agency extended the time

period during which companies can be penalized for failing to make these reports from six months to five years. The House voted 231 to 191 to roll back workplace protections under the Congressional Review Act.

“Navy Officially Adopts GSA Reverse Auctions Acquisition Platform.” *Federal Times*, March 1, 2017. Retrieved from <http://www.federaltimes.com>.

The Department of the Navy, looking for more efficiency in its acquisition process, has adopted the General Service Administration’s (“GSA”) Reverse Auctions eTool to increase savings on commonly purchased office products, equipment and services. Signing a memorandum of understanding on January 18, 2017, the two parties have extended a longstanding partnership for reverse auction procurements, where sellers compete to win business from agencies with prices decreasing as the competitive auction progresses. The eTool can be used to facilitate the request for and submission of quotes, offers or proposals for products, services and solutions through GSA Multiple Award Schedules and Blanket Purchase Agreements and Open Market (non-schedule) acquisitions. The Navy, including the Marine Corps, has worked closely with the GSA for more than three years as the Reverse Auctions platform has been enhanced, awarding over \$22 million in reverse auction procurements with average savings of 7.82% over standard pricing.