



## Weekly Report for December 9, 2016

### **GOVERNMENT CONTRACTS**

#### **Set-Asides under Multiple-Award Contracts**

The Department of Defense (“DOD”), General Services Administration (“GSA”), and National Aeronautics and Space Administration (“NASA”) are proposing to revise the Federal Acquisition Regulation (“FAR”) to implement regulatory changes made by the Small Business Administration (“SBA”) in its final rule (78 FR 61114), dated October 2, 2013, regarding the use of small business partial set-asides, reserves, and orders placed under multiple-award contracts. SBA's final rule implements the statutory requirements set forth at section 1331 of the Small Business Jobs Act of 2010 (15 U.S.C. § 644(r)), (“Jobs Act”). Section 1331 of the Jobs Act, which is the focus of this rule, provided authority for three acquisition techniques to facilitate contracting with small businesses on multiple-award contracts: (1) setting aside part or parts of the requirement for small businesses; (2) reserving one or more contract awards for small business concerns under full and open multiple-award procurements; and (3) setting aside orders placed against multiple-award contracts, notwithstanding the fair opportunity requirements of 10 U.S.C. § 2304c(b) and 41 U.S.C. § 4106(c), [81 Fed. Reg. 88072](#). Comments on this proposed rule are due by February 6, 2017.

### **OTHER GOVERNMENT CONTRACTING NEWS**

**“Trump Chooses Former WWE Exec McMahon for SBA.”** *Federal News Radio*, December 7, 2016. Retrieved from <http://federalnewsradio.com>.

President-elect Donald Trump selected wrestling executive Linda McMahon to his cabinet as leader of the Small Business Administration. McMahon and her husband, Vince, founded and built World Wrestling Entertainment, Inc., now a publicly traded sports entertainment company. In 2009, she stepped down as the company's chief executive and earlier this year launched a joint venture, Women's Leadership LIVE, which promotes opportunities for women in business and public service.

**“DC's Expansive Family and Medical Leave Policy Advances.”** *The Washington Post*, December 7, 2016. Retrieved from <https://www.washingtonpost.com>.

D.C. City Council members voted to move forward with the Universal Paid Leave Act, one of the nation's most generous laws guaranteeing family and medical leave, creating roughly \$250 million a year in new taxes on local businesses to fund two months of paid time off for workers to care for newborn or adopted children. The bill, which would apply to both full and part-time workers, also grants employees six weeks of paid leave to help ailing relatives and two weeks of personal sick leave per year. The bill must undergo a final council vote on December 20 before moving to Mayor Muriel Bowser (D) for a signature or veto.

**“Senate Backs Down from Attempt to Restrain Bid Protests, But Wants More Data.”** *Federal News Radio*, December 5, 2016. Retrieved from <http://federalnewsradio.com>.

This year's National Defense Authorization Act will give the Government Accountability Office (“GAO”) permanent jurisdiction to hear and decide bid protests of any task order worth more than \$10 million. The Senate also passed a stand alone bill that would grant the GAO permanent jurisdiction over civilian agency task orders, in addition to the GAO's permanent authority to hear protests of task orders on Defense Department contract vehicles. Congress moved to increase the threshold for the Defense Department task order protests to \$25 million.

**“Chairmen Ask Why Agency Failed to Issue Required Reports Two Years in a Row.”** *Small Business Committee Press Release*, December 5, 2016. Retrieved from <http://smallbusiness.house.gov>.

In a letter to the Office of Management and Budget (“OMB”), House Small Business Committee Chairman Steve Chabot (R-OH) and House Oversight and Government Reform Committee Chairman Jason Chaffetz (R-UT) demanded answers on the failure of the OMB to submit required annual reports to Congress on the federal government's efforts to reduce the paperwork burden on individuals and small businesses. The letter can be read [here](#).