



Weekly Report for May 10, 2019

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GOVERNMENT CONTRACTING

Department of Justice – The DOJ released guidance on how the targets of False Claims Act investigations can receive leniency in exchange for proactively disclosing misconduct. The guidance also explained how the DOJ awards credit to defendants who cooperate with investigations.

Department of Energy – The DOE [released](#) an acquisition letter to communicate revisions to contractual requirements related to contractor workforce restructuring and to require contracting officers to modify contracts, as appropriate.

Department of Defense – According to a Defense News [article](#), two senators—Senator Martin Heinrich (D-NM) and Senator Joni Ernst (R-IA)—introduced a bill titled the “Defense Small Business Advancement Act,” which would reauthorize and attempt to improve the Department of Defense Mentor-Protégé Program.

General Services Administration – According to Bloomberg Government, the GSA is competing on-ramps for three of seven pools on its major small-business professional services vehicle, OASIS SB. Bids for pools 1, 3, and 4 are due June 20, 2019.

NEWS: PiliroMazza Streamlines Novation Process For Government Contractors.

Acquisitions of government contractors present unique challenges, including recertification requirements and novation. Recently, we successfully guided a client on these nuances, including the novation process. [[Read More](#)]

LABOR AND EMPLOYMENT

Equal Employment Opportunity Commission – According to Law360, the U.S. Senate confirmed the nomination of Janet Dhillon to serve as chair of the EEOC, which gives the EEOC a three-member quorum.

Department of Labor – The DOL [announced](#) that WSP USA Services Inc.—who contracted with the Federal Emergency Management Agency to perform disaster-related housing inspections—paid over \$2 million in back wages to more than 6,400 employees for violating the McNamara-O’Hara Service Contract Act and the Fair Labor Standards Act.

[SMALL BUSINESSES](#)

Small Business Administration – The SBA [announced](#) the opening of the submission period for a grant opportunity through the State Trade Expansion Program, which would provide funding to eligible state entities who are interested in providing assistance, guidance, and tools to small businesses looking to engage in export-related activities.

[LITIGATION](#)

BLOG: Federal Appeals Court Gives \$34 Million False Claims Act Pay Day to Whistleblower and Takes it From Another

By [Matthew E. Feinberg](#)

"It was the best of times, it was the worst of times" Charles Dickens was not thinking of the False Claims Act when he wrote "A Tale of Two Cities," but the First Circuit Court of Appeals was when it decided *United States ex rel. McGuire v. Millennium Laboratories, Inc.* earlier this week. With the decision, a three judge panel of that Court moved over \$34 million in relator fees from one whistleblower to another, highlighting the risks—for both whistleblowers and government contractors—inherent in False Claims Act cases.

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