



Weekly Report for September 8, 2017

GOVERNMENT CONTRACTS

Department of Veterans Affairs Withdrawal of Proposed Rule. *Federal Register*, September 1, 2017. Retrieved from federalregister.gov

The Department of Veterans Affairs (VA) published a rule in the Federal Register on November 6, 2015, 80 FR 68795, which proposed amending its regulations governing its Veteran-Owned Small Business (VOSB) Verification Program. The proposed rule sought to clarify the eligibility requirements for businesses to obtain “verified” status, added and revised definitions, reordered requirements, redefined “control,” and provided explanations for information on VA’s examination and review processes and procedures.

Comments to the proposed rule were to be provided to the Office of Small and Disadvantaged Business Utilization on or before January 5, 2016. Due to the nature of the adverse comments received, VA has determined not to pursue implementation of the rule as originally proposed. Accordingly, the VA withdrew the proposed rule.

CAPITOL HILL

Shaheen Statement on Hurricane Disaster Aid. *U.S. Senate Committee on Small Business & Entrepreneurship Press Release*, September 7, 2017. Retrieved from sbc.senate.gov

Senator Jeanne Shaheen (D-NH), the lead Democrat on the Senate Committee on Small Business & Entrepreneurship and a member of the Senate Appropriations Committee, issued the following statement on September 7, 2017, after the Senate approved \$15.25 billion in emergency hurricane assistance, including \$450 million for the SBA’s disaster loan program:

“Hurricane Harvey was a terrible tragedy for millions of people on the Gulf Coast, and this emergency funding will help support our fellow Americans who face a long and steep road to recovery. With another hurricane bearing down on Florida, I am pleased Congress also approved \$450 million to bolster SBA’s disaster response through low-interest loans to flood victims.

SMALL BUSINESS ADMINISTRATION

“SBA Administrator Addresses Federal Regulatory Reform Small Businesses Encouraged to Comment on SBA Regulations.” *SBA Press Release*, August 28, 2017. Retrieved from sba.gov

Administrator Linda McMahon, head of the U.S. Small Business Administration, encouraged small businesses to comment on the Federal Register notice posted earlier this month. The notice is in response to President Trump’s Executive Order 13777 which aims to ease the burdens placed on America’s small businesses. Under this Executive Order all federal agencies are required to designate a Regulatory Reform Officer and develop a process of evaluating their existing regulations and determine which ones should be repealed, replaced or modified.

OTHER NEWS

“FLSA Overtime Rule Struck Down Leaving DOL and Employers in Limbo.” *PM Legal Minute Blog*, September 5, 2017. Retrieved from piliromazza.com

In a decision issued on August 31, 2017, Federal District Judge Amos Mazzant struck down as invalid the Department of Labor’s (DOL) new overtime exemption rule. The new rule would have significantly increased the salary threshold under the Fair Labor Standards Act (FLSA). As explained further in an article by Sarah Nash, a PilieroMazza attorney in our labor and employment practice group, it leaves DOL’s path toward a new overtime threshold in question, while also being a welcome decision for employers.