



Weekly Report for January 27, 2017

GOVERNMENT CONTRACTS

Executive Order Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects

On January 24, 2017, President Trump issued an executive order for agencies to streamline and expedite environmental reviews and approvals for all infrastructure projects, including projects that are high priority, such as improving the U.S. electric grid, telecommunications systems, and repairing and upgrading critical port facilities, airports, pipelines, bridges and highways. The executive order also directs the White House Council on Environmental Quality to decide within 30 days whether an infrastructure project qualifies as a “high priority” infrastructure project. The executive order can be read [here](#).

Presidential Memorandum Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing

On January 24, 2017, President Trump signed a memorandum directing executive departments and agencies to support the expansion of manufacturing in the United States through expedited reviews of, and approvals for, proposals to construct or expand manufacturing facilities and through reductions in regulatory burdens affecting domestic manufacturing. The memorandum instructs the Secretary of Commerce to conduct outreach to stakeholders concerning the impact of federal regulations on domestic manufacturing and to solicit comments from the public within 60 days. Furthermore, the memo directs the Secretary of Commerce to submit a report to the President setting forth a plan to streamline federal permitting processes for domestic manufacturing and to reduce regulatory burdens affecting domestic manufacturers within 60 days of the completion of the public comment period. The memorandum can be read [here](#).

Presidential Memorandum Regarding Construction of American Pipelines

On January 24, 2017, President Trump signed a memorandum to develop a plan under which all new pipelines, as well as retrofitted, repaired, or expanded pipelines, inside the borders of the United States—including portions of pipelines—use materials and equipment produced in the United States. The Secretary of Commerce is directed to submit the plan to the President within 180 days. The memorandum can be read [here](#).

SMALL BUSINESS ADMINISTRATION

Small Business Investment Companies: Passive Business Expansion and Technical Clarifications

On December 28, 2016, the Small Business Administration (“SBA”) published a final rule to expand permitted investments in passive businesses and provide further clarification with regard to investments in such businesses for the Small Business Investment Program, with an effective date of January 27, 2017. In the meantime, a memorandum dated January 20, 2017 from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” calls for agencies to temporarily postpone the effective date of rules not yet effective and to invite new public comment. In light of this development, SBA is delaying the effective date of this rule until March 21, 2017, and is inviting additional public comment on the final rule. Any timely public comments received will be considered and any changes to the final rule will be published in the Federal Register. Comments are due by February 19, 2017. [82 Fed. Reg. 8499](#).

OTHER NEWS

“President Appoints Philip A. Miscimarra NLRB Acting Chairman.” *National Labor Relations Board Press Release*, January 26, 2017. Retrieved from <https://www.nlr.gov>.

President Trump has named Board Member Philip A. Miscimarra Acting Chairman of the National Labor Relations Board. Miscimarra has served as a Board Member since August 7, 2013. He was nominated by President Obama on April 9, 2013, and he was approved unanimously by the Senate Committee on Health, Education, Labor and Pensions on May 22, 2013. He was confirmed by the Senate on July 30, 2013, and his current term expires on December 16, 2017.

“OMB Nominee Mulvaney Open to Expanding Hiring Freeze to Contractors.” *Federal News Radio*, January 25, 2017. Retrieved from <http://federalnewsradio.com>.

The Program Assessment Rating Tool (PART) is coming back. The Digital Accountability and Transparency (“DATA”) Act—a 2014 law requiring agencies to improve how they collect and make spending information accessible—needs more attention and the hiring freeze may end up applying to contractors, too. Those are some of the management high points Rep. Mick Mulvaney (R-SC) offered up during his two-committee marathon nomination hearings to be the next director of the Office of Management and Budget. Mulvaney testified before the Senate Budget Committee in the morning and then before the Senate Homeland Security and Governmental Affairs Committee in the afternoon. Mulvaney said he would help identify waste, fraud and abuse across agencies by bringing back the PART tool, or an updated version of the measurement initiative, first used during President George W. Bush’s administration. Mulvaney also said during both hearings that the key to improving spending is through better data. All of these efforts are tied together through the Act. Agencies have until May 2017 to get their financial data online in a standardized form, and many are struggling toward that deadline.

“WWE’s McMahon Still Standing after Positive Confirmation Hearing for SBA Role.” *Federal News Radio*, January 24, 2017. Retrieved from <http://federalnewsradio.com>.

According to Federal News Radio, an advocate for the underdog is what small businesses can expect if Linda McMahon is confirmed as the SBA’s new leader. During her appearance before the Senate Committee on Small Business and Entrepreneurship, McMahon pledged her support to level the playing field for women, service-disabled veterans and minority small business owners looking to contract with the federal government. McMahon said if confirmed, she would also make it a point to delve into the Office of Advocacy, an independent body within SBA, charged with helping guide small businesses through agency policies, and making sure their voice is heard. The hearing was less than two hours, with only one round of questions. Committee Chairman James Risch (R-ID) said the hope was to have her back for a committee vote next week, and McMahon was even introduced to the committee by former Senate race rivals, Sens. Richard Blumenthal (D-CT) and Chris Murphy (D-CT).