

**PiliroMazza Weekly Update for
Government Contractors and Commercial Businesses**
June 14, 2019

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FALSE CLAIMS ACT

Department of Justice – The DOJ [announced](#) that Richard Moore, the owner of Carolina Sodding Services, LLC, and Carolina Enterprises of the Lowcountry, LLC, agreed to pay \$1.6 million to resolve allegations that he and his companies violated the False Claims Act by submitting false invoices for materials that were never provided and false certifications that his companies were women-owned businesses.

DOJ FCA investigations – According to Bloomberg Government, a federal district court in Indiana granted a petition for summary enforcement of a civil investigative demand (CID) issued by the DOJ because it sought testimony relevant to its FCA investigation, offering “rare clues” as to the appropriate scope of CIDs under the DOJ’s expansive CID authority.

LABOR & EMPLOYMENT LAW

U.S. Supreme Court – According to Law360, the U.S. Supreme Court ruled that state wage-and-hour laws do not apply to drilling workers off the coast of California, finding that, where a federal law covers a particular issue, a state law on the same issue cannot be applicable to the Outer Continental Shelf.

Federal Bureau of Investigation – According to Law360, a federal district court ruled that a group of women accusing the FBI of allowing rampant bias in its agent-training program cannot press their proposed class action anonymously because their privacy does not outweigh the public’s interest in the suit.

WEBINAR: Employing Federal Contractors: An Overview of Labor and Employment Requirement for Government Contractors, June 19, 2019, Speaker, [Sarah Nash](#). [[More Info](#)].

Use It Or Lose It: U.S. Supreme Court Holds Employers Who Wait Too Long to Raise EEOC Claim Objection to Title VII Discrimination Lawsuit May Forfeit Objection, June 14, 2019, [Anthony M. Batt](#)
Recently, in Fort Bend County, Texas v. Davis, the U.S. Supreme Court was faced with a jurisdictional question: If a plaintiff fails to exhaust her remedies by first filing an Equal Employment Opportunity Commission (“EEOC”) claim, is she jurisdictionally barred from suing her employer for discrimination under Title VII of the Civil Rights Act of 1964 (“Title VII”)? In typical lawyerly fashion, the Supreme Court drew a distinction between “mandatory” and “jurisdictional” and answered with an “it depends.” This

blog addresses the importance of employers raising objections early when defending a case to avoid losing time and money. [\[Read More\]](#).

GOVERNMENT CONTRACTS LAW

Department of Defense, General Services Administration, and National Aeronautics and Space Administration – The DoD, GSA, and NASA issued a [final rule](#) amending the FAR to provide guidance to DoD, NASA, and the Coast Guard, consistent with section 822 of the National Defense Authorization Act for Fiscal Year 2017, and addressing the exception from certified cost or pricing data requirements when price is based on adequate price competition. The agencies issued Federal Acquisition Circular 2019-03 and the [Small Entity Compliance Guide](#) along with the final rule.

EVENT: Size and Status (Re)Certifications: Tripwires for Small Businesses, June 18-19, 2019, Speakers, [Tony Franco](#) and [Peter Ford](#). [\[More Info\]](#).

EVENT: WOSB Program Training, 2019 Women Impacting Public Policy (WIPP) Business Leadership Conference, June 24, 2019, Speaker, [Megan Connor](#). [\[More Info\]](#).

What Will Happen to the DoD's Mentor-Protégé Program? June 11, 2019, [Emily J. Rouleau](#)

As many of our clients know, there are several mentor-protégé programs run either by the SBA or specific agencies that are intended to help small businesses develop and enhance their ability to serve as a prime contractor or subcontractor in federal contracts. For example, the SBA has the 8(a) mentor-protégé program and the all-small mentor-protégé program, and it also approves agency mentor-protégé programs, such as the Department of Homeland Security's program, which is designed to help small businesses obtain and perform subcontracts under agency prime contracts. [\[Read More\]](#).

SMALL BUSINESS PROGRAMS & ADVISORY SERVICES

U.S. Senate – The Senate Committee on Small Business and Entrepreneurship held a hearing entitled “Reauthorization of the SBA’s Contracting Programs” on June 12, 2019. The archived webcast and copies of the panelists’ testimony can be found [here](#).