


Warner's Aerospace and Defense and Government Services Practice Group



## How Much Does Your Business Rely on Federal Policy?

Adam Bruski and Michael Stone  
March 23, 2021

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### Adam Bruski

- Adam assists clients with a wide array of government contracting and export control issues, along with export control litigation and dispute resolution
- Prior to joining Warner, Adam worked for the Department of Defense at the Pentagon in Washington, D.C.

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### Michael Stone

- Mike counsels businesses through the intricacies of federal government contracts and partnership agreements
- Assists clients with federal and state contracts for small Disabled Veteran Businesses, 8As and large global corporations
- Mike is a retired Major General from the U.S. Army with more than 30 years military experience

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### 'Made in All of America 1-25-21

'The US Government *should* whenever possible, procure goods, products, materials, and services *from sources that will help* American businesses compete *in strategic industries* and help American workers thrive'

'The head of each Agency shall...'

'Update and Centralize the Made in America Waiver Process'



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### Paris Climate Agreement

December of 1995 agreement by nations to:

- Reduce global temperature
- Increase adaptation to Climate change
- Make finances flow consistent with a pathway towards lower greenhouse emissions
- \$100B annual commitment by nations



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### Tackling Climate Crisis 1-27-21

Secretary of Defense Lloyd Austin issues a Statement that:

'I fully support the President's direction today to include climate considerations as an essential element of our national security and to assess the impacts of climate change on our security, strategies, operations, and *infrastructure*.'



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### Environmental

Presidential directive to review and reinstate more than 100 regulations

Emerging contaminants, like PFAS, will get increased attention

Clean Water: EPA announced the availability of \$2.7B for States to help provide safe drinking water this week



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### U.S. Supply Chains 2-24-21

President Ex Order: 'Resilient American supply chains will support small businesses, promote prosperity, advance the fight against climate change and encourage economic growth in communities of color and economically distressed areas.'

Supply Chain review by heads of agencies within 100 days (June '21 = Roadmap)



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### National Security Guidance 3-21

**Interim:** 'To protect the security of the American people...requires us to meet challenges...like climate change, infectious disease, cyberattacks, and disinformation'

'The future potential is enormous: advances in clean energy are essential to slowing climate change; biotechnology...next generation...(5G) infrastructure...'

Calls out China as a threat to open systems



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### Lessons Learned from The Wall

Congress controls the purse, but the Executive Branch controls the Execution:

SCOTUS upheld the Trump efforts to reprogram appropriations in July 2020: \$601M from Treasury Forfeitures; \$2.5B from DoD Counterdrug; and \$3.6B from DoD MILCON by **declaring a National Emergency**

1-20-21 Emergency Declaration terminated



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### How to get what you want faster

- Reprogram \$
- COVID and Federal Stimulus Bill (look to ARRA of 2009 for clues)
- Future Federal Budgets



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### What was old is new again

The American Recovery and Reinvestment Act of 2009: \$787B was the largest post-WWII, anti-recession Bill, at the time.

\$Bs for: Transportation, Public Infrastructure, Clean & Drinking Water; Renewable Energy, Energy R&D, Advanced Battery R&D, Smart Grid...



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### So How does this Effect me?

- Major Shift is spending priorities by Fed
- Surge in investment in Tech related to Carbon Capture, High Capacity Batteries, EV, Mobile Charging, Smart Grid, Clean/Renewable Energy, Clean Water, Environmental Remediation, Semiconductors
- Look for the June Supply Chain Report and how it aligns with the next Stimulus Bill



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### Human Resources

- Increased focus on eliminating pay disparity
- Federal paid family leave
- Increased restrictions on non-compete agreements and limits on non-compete
- Pro worker/Union legislation; "create good, union jobs" in the NSS
- Connect with Kiffi Ford [kford@wnj.com](mailto:kford@wnj.com)



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### Healthcare

- COVID 19 transformed tele-medicine
- Medicaid, Medicare, Tri-Care are all gravitating towards more tele-medicine
- "Huge Patchwork" of Federal and State laws must be addressed
- Connect with Jeff Segal [jsegal@wnj.com](mailto:jsegal@wnj.com)



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**False Claims Act**

Expect increased activity by DoJ

Multiple areas including:

- Healthcare (including telemedicine)
- Federal Contracting
- New Federal Priorities



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**Upcoming Events**

Aerospace & Defense Industry Events

- Michigan Defense Expo (MDEX) – May 25-27, 2021
- AUSA Annual Meeting – October 11-13, 2021
- GVSETS – August 10-12, 2021
- Michigan Aerospace Manufacturers Association (MAMA) North American Space Summit – August 31-September 2, 2021
- Air Force Association (AFA) Monthly Business Over Breakfast Series



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**Questions?**

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**Thank you!**



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