VENABLE LLP business news digest

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Venable attorneys produce periodic alerts and newsletters covering a variety of topics and practice areas. For your convenience, we have assembled a collection of our best-reviewed alerts and newsletters from February 2014.

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Cybersecurity: Coming Soon to a Government Contract Near You

Do you want to be eligible for government contracts in the future? Per President Obama's **Cybersecurity Executive Order**, a DoD and GSA joint working group recently recommended how cybersecurity can be implemented in federal acquisitions. The White House has recommended that the joint working group move quickly to develop an implementation plan for these recommendations, and outreach efforts are currently underway. For starters, write Venable attorneys **Rebecca E. Pearson**, **William L. Walsh, Jr.**, and **Keir X. Bancroft**, all contractors must implement basic cybersecurity hygiene, take a close look at their supply chains, and ensure their workforce receives adequate cybersecurity training.

Click here to read the complete alert, including key recommendations for compliance with the Executive Order.

Recent National Defense Authorization Act Presents Opportunities for Small Business Contractors

The recently enacted National Defense Authorization Act for Fiscal Year 2014 contains provisions that will impact how small business contractors compete for and perform Federal contracts write Venable attorneys **Paul A. Debolt**, **George W. Wyatt**, and **Christina K. Kube**. The NDAA 2014 provisions relating to small business contracting reflect the continued efforts to assist small businesses in navigating the Federal procurement process with the ultimate goal of increasing competition by small businesses in the Federal marketplace.

Click here for more details on NDAA 2014.

Iran Sanctions Deal Does Not Alleviate Current U.S. Economic Sanctions: "Iran Is Not Open for Business"

On January 20, 2014, the P5 + 1 Agreement took effect reflecting the six-month interim sanctions deal with Iran that was negotiated in November by a U.S.-led coalition of states. For now, write Venable attorneys **Lindsay B. Meyer**, **Carrie A. Kroll**, and **Amanda C. Blunt**, the U.S. Government has emphasized that the P5 + 1 Agreement has little impact on trade restrictions currently limiting U.S. trade and investment with Iran.

Click here to learn more about the P5 + 1 Agreement and how it could affect your business.

BIS Proposes First Rewrite of Routed Export Rules in

Over a Decade

On February 6, 2014, the Commerce Department's Bureau of Industry and Security (BIS) published a Proposed Rule announcing its intent to clarify the responsibilities of parties involved in "routed exports." Venable attorneys **Lindsay B. Meyer**, **Ashley W. Craig**, **Carrie A. Kroll**, **Rachel Miras Fiorill**, and **Amanda C. Blunt** write that the Proposed Rule makes three important changes to the Export Administration Regulations.

Click here to read about the changes.

Winter 2014 Federal Copyright and Trade Secret Legislation Update

Several bills under consideration in the 113th Congress would establish or significantly amend certain federal statutes related to the protection, enforcement, and exploitation of trade secrets or copyrights write Venable attorneys **Armand J. (A.J.) Zottola** and **Robert F. Parr**. If signed into law, these bills would have important implications on a wide range of interested parties, including performing artists, entertainment industry or content right stakeholders, and any business intent on exerting greater control over its trade secrets.

Click here to read a current summary of some of the more significant bills.

Keeping It Clean: FDA Proposes New Food Transportation Rule

The FDA will publish the Sanitary Transportation of Human and Animal Food Proposed Rule after hosting a series of public meetings. This will be the seventh and final rule under the FDA Food Safety Modernization Act, write Venable attorneys **Todd A. Harrison**, **Claudia A. Lewis**, **Heili Kim**, **Ashley W. Craig**, **Elizabeth K. Lowe**, and **Matthew R. Rabinowitz**, and it would establish criteria for the sanitary transportation of human and animal food. The proposed rule would apply to all shippers, receivers, and carriers who transport food in the United States by motor or rail, whether or not the food enters interstate commerce.

Click here for an overview of the new requirements.

What's in the Box? FDA Proposes Revisions to Nutrition Facts

The FDA proposed three rules (found **here**, **here**, and **here**) that would make landmark revisions to the iconic black and white Nutrition Facts panel if finalized. The proposed changes affect all packaged foods, including dietary supplements where applicable, except certain meat, poultry and processed egg products regulated by the U.S. Department of Agriculture. The public comment period is currently scheduled to close in 90 days, and Venable attorneys **Todd A. Harrison**, **Claudia A. Lewis**, **Michelle C. Jackson**, and **Erin Elizabeth Warren** expect a vigorous debate.

Click here for a summary of the proposed modifications.

Labor Pains: GINA's Turning 6, and She's Learned How to Sue!

One of your employees (we'll call her "Gina") seems depressed, so you ask her "Is everything okay?" Gina responds that she's doing fine, considering that her father has diabetes. Ready to provide compassion and support, you ask Gina about her father's prognosis, treatment, and whether diabetes runs in her family. The following week, the Equal Employment Opportunity Commission sues your company for "genetic discrimination," extracts a six-figure settlement, and brags about it on their website. Science fiction? Venable attorney **Todd J. Horn** says "No."

Click here to find out how GINA can turn a casual conversation into a costly lawsuit.

Trojan Horse Privacy Laws: Facebook Snooping

Privacy laws that protect employees at work historically have been considered sparse and virtually toothless. Only employers that engaged in brazen acts of surveillance or intrusion into employees' narrow "zones of privacy" faced liability. While privacy protections have ballooned in the consumer, healthcare, and telecom sectors over the last decade, employee privacy rights largely stood frozen. As a result, businesses paid little attention to workplace privacy compliance obligations. That time, writes Venable attorney **Todd J. Horn** has passed.

Click here for an overview of the risks and possible solutions.

Upcoming Events

The OMB Super Circular: What the New Rules Mean for Nonprofit Recipients of Federal Awards - Washington, DC

Thursday, March 20, 2014 | 12:00 p.m. - 2:00 p.m. ET

As 2013 came to a close, the Office of Management and Budget issued the long-awaited final rule to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, more commonly known as the Super Circular. This rule streamlines eight Federal regulations into a single, comprehensive policy guide and affords the Federal government the ability to better administer the $600 billion awarded annually for grants, cooperative agreements, and other types of financial assistance. For any current or would-be federal award recipient, this is a program you will not want to miss.

Click here for more information and to register.

Government Contracts Symposium - Washington, DC

Thursday, April 10, 2014 | 8:00 a.m. - 4:00 p.m. ET

Get to know your Venable **Government Contracts Team** as we take an in-depth look at the landscape of federal procurement in 2014. There will be many opportunities for group and one-on-one discussions with Venable's government contracts attorneys and guest speakers from government, academia, and industry, as well as a networking reception at the close of the program.

Click here for more information and to register.

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