



Richard Johnson

Senior Counsel

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PRACTICES Litigation, Government Contracts, Government Enforcement and Litigation, Cost Accounting and Cost Allowability, Requests for Equitable Adjustment, Claims, and Litigation, Terminations, Federal Assistance: Grants and Cooperative Agreements

Richard Johnson has practiced in the area of government contracts for more than 40 years. He provides counseling default and convenience terminations, allowable cost issues, cost and pricing data, cost accounting matters, appropriations law and contract compliance issues. He has litigated major cases in these areas, as well as bid protests, before the Boards of Contract Appeals and the Court of Federal Claims and the General Accounting Office. He was lead counsel to the plaintiff in *General Dynamics v. U.S.*, 47 Cl. Ct. 514 (2000), in which the Court of Federal Claims upheld General Dynamics' breach of contract action based on the retroactive application to existing contracts of a congressional statute limiting executive salaries as allowable costs under government contracts. In this early Winstar case in the traditional government contracts area, the court strongly reinforced the sanctity of government contracts in the face of subsequent legislative or regulatory intrusion.

Richard's practice has included international construction contracts, as well as counseling European defense firms competing for United States defense contracts. He has worked on-site in Italy, Belgium, and Iran on major defense and construction contract matters.

Following law school, Richard was selected for the honors program in the Office of the General Counsel of the Air Force. After serving on active duty in the Air Force three years, he remained in the Office of General Counsel as a civilian another year. During this time, he began a practice of federal procurement law that he has continued since.

In 1966, Richard became assistant executive director, later acting executive director, of the Federal Power Commission (now the Federal Energy Regulatory Commission). He headed a study of air pollution and the regulated electric power and natural gas industries and spearheaded a program to bring a significant number of African-American professionals into the higher staff ranks, working closely with the EEOC. For this work he received the agency's Meritorious Service Award.

Richard has published many articles in scholarly legal journals, including the *Cornell Law Review*, *The Washington and Lee Law Review*, the *George Washington Law Review* and the *ABA Public Contract Law Journal*. He is a frequent lecturer for Federal Publications Seminars and other groups. Richard has a working knowledge of German, French, and Italian.

QUALIFICATIONS

EDUCATION

- LL.B., Harvard Law School, 1962, magna cum laude
- B.A., Harvard College, 1958, magna cum laude

LANGUAGES

- German
- French
- Italian

ADMISSIONS

- Virginia
- District of Columbia
- Massachusetts

COURT ADMISSIONS

- United States Supreme Court
- District of Columbia Court of Appeals
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Federal Claims
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Massachusetts
- U.S. District Court for the Western District of Texas

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “[The Doctrine Disfavoring Retroactive Cost Disallowance: Who Needs Estoppel Anyway.](#)” co-author, *Public Contract Law Journal*, Volume 52, Number 4, Summer 2023.

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Bar Association, Section of Public Contract Law
- Virginia State Bar
- District of Columbia Bar

AWARDS AND RECOGNITIONS

- *Virginia Super Lawyers*, Thomson Reuters, Government Contracts, 2007-2011
- *Washington D.C. Super Lawyers*, Thomson Reuters, Government Contracts, 2007-2011
- Harvard National Scholar, Recipient, Detur Prize for Academic Excellence, 1958
- Fulbright Scholar, 1958-1959
- *Harvard Law Review*, Board of Editors, Member