The Government Contracts Group
of Akerman Senterfitt invite you to join us for a seminar on

Mandatory Disclosure
of Crimes and Fraud –
What Every Federal
Contractor Needs To Know

on

Wednesday, February 4, 2009

at

Hilton Cocoa Beach Oceanfront
1550 North Atlantic Avenue
Cocoa Beach, Florida

8:30am-10:30am
Continental Breakfast

Register
www.akerman.com/events
866.235.8027
RSVP by Monday, February 2, 2009
Seminar Overview

New provisions of the Federal Acquisition Regulation (FAR), effective December 12, 2008, impose significant mandatory reporting requirements on all federal contractors. Whenever a federal contractor has “credible evidence” that an employee, agent, or subcontractor has committed a violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuities, or a violation of the civil False Claims Act, the federal contractor must “timely” report the violation to the Office of Inspector General (OIG) for the agency concerned. Federal contractors are also required to report any significant overpayment on a contract to the contracting officer. The new FAR provisions make non-compliance a perilous proposition—a knowing failure to timely disclose violations or overpayments may result in suspension or debarment from federal contracting. Because of these possible sanctions, federal contractors must fully understand their obligations under this new mandatory reporting regime.

As a result, Akerman Senterfitt’s Government Contracts group will present a breakfast seminar designed to give federal contractors working for NASA, DOD, or other federal agencies the detailed information they need to understand and comply with the mandatory reporting requirements.

At the seminar, Akerman Senterfitt attorneys will answer the following questions:

- Do contractors have to disclose violations if their current contracts do not require any disclosure?
- Do these requirements apply to commercial item contracts?
- Must contractors report violations that occurred prior to December 12, 2008?
- Must contractors report matters previously reported to the contracting officer but not to the OIG?
- What federal crimes must be reported?
- What is a violation of the civil False Claims Act?
- What constitutes “credible evidence” of a violation?
- How soon must a contractor disclose to be “timely”?
- Can a contractor choose not to disclose violations?
- Can a contractor investigate before making a disclosure report?
- Must a contractor investigate its subcontractors for possible violations?
- What specific information must a contractor disclose to the OIG?
- Will the Government treat the disclosure as confidential?
- Is a contractor subject to suspension or debarment if knowledge of the violation was confined to low level employees, rather than management?
- How should contractors change their ethics/compliance programs in light of these new reporting requirements?

Don’t miss out on this timely seminar that will help you understand your obligations under this new mandatory reporting regime. Register today!
About the Speakers

Claude P. Goddard

Mr. Goddard is the Head of the Akerman Senterfitt Government Contracts Business Team. His legal practice focuses on federal procurement law, and he has extensive experience in ethics and compliance matters. He represents clients in corporate internal fraud investigations; voluntary disclosures; Federal and state court actions involving false claims, agency suspensions and debarments; the review and implementation of ethics and compliance programs, and in conducting ethics and compliance training programs. Mr. Goddard is the author of Little Goes Too Far: Forfeiture of All Claims Is Not Required, Public Contract Law Journal, Volume 35, Number 2, Winter 2006, and “Business Ethics in Government Contracting,” Parts I and II, Briefing Papers, Second Series, West Publications (2003). He frequently lectures on business ethics and other government contracts topics. He is the Chair of Legal Committee of the Procurement Division of the National Defense Industrial Association (NDIA), and in that capacity he was the co-author of NDIA's comments on the proposed mandatory disclosure requirements. At the NDIA's 2008 Educational Seminar, Mr. Goddard was a panelist, along with the Head of the Department of Justice's Procurement Fraud Task Force, on the proposed regulations.

J. Michael Littlejohn

Akerman Shareholder Michael Littlejohn focuses on federal contract administration, claims, and bid protests. Michael advises clients in defense, homeland security, NASA, and civilian agency contracts for services, products, and construction. He has represented contractors in defense of allegations of false claims and has assisted contractors in voluntary disclosure of fraudulent activities. Michael was a judicial law clerk at the United States Court of Federal Claims and served as the President of the Boards of Contract Appeals Bar Association (BCABA) from 2007 to 2008 and President of the Federal Bar Association's Government Contracts Section. He is a member of the ABA's Public Contract Law Section, and the NDIA's Procurement Policy Committee.