

Ethics Advice & Compliance Audits and Plans

Government contractors are subject to a wide array of statutes and regulations that impose strict ethics and integrity-related obligations. Government scrutiny of contractors' ethics and integrity has increased dramatically due in part to high-profile criminal and civil matters involving government contractors. It is now more critical than ever to ensure that your company's procurement policies, practices, and procedures conform to current federal and state laws and regulations.

Wiley attorneys have extensive experience advising clients on the application of ethics statutes and regulations and addressing allegations of non-compliance identified in connection with internal and government investigations. This includes, where appropriate, advising clients as to whether disclosure is required under the Federal Acquisition Regulation (FAR). Where an internal investigation has been initiated in connection with a government investigation, we also collaborate with the contractor to develop and implement the corrective action plans and other remedial measures critical to mitigating the risk of suspension or debarment. We routinely advise clients on establishing and enhancing their ethics and compliance programs and provide ethics and compliance training tailored to their employees and management at all levels and in functionalities of a contractor organization.

Representative experience includes:

- Establishing, enhancing, and updating contractor ethics and compliance programs for contractors of all sizes with varying levels of government contracting experience.
- Training management, operations and procurement personnel on standards of conduct for the federal marketplace.
- Conducting detailed on-site compliance reviews, involving assessment of current government contracts policies through policy and training review as well as interviews of management and staff; identification of risk areas; implementation of plans to diminish risk; and targeted periodic reviews or training.
- Assisting a small, socioeconomically disadvantaged small business respond to a government investigation of allegations of fraud, including by conducting the internal investigation necessary to respond to document requests and helping to enhance and update the contractor's code of conduct.
- Developing internal investigation protocols and policies for use by contractors in enhancing the effectiveness of in-house internal investigations.

Along with our colleagues in the White Collar Defense & Government Investigations Group, who bring years of experience with the False Claims Act, congressional investigations, and the Foreign Corrupt Practices Act; in the International Trade Practice, who lend additional expertise on export control issues; and in the Election Law & Government Ethics Practice, who counsel clients on political ethics, including lobbying, we help contractors ensure that their compliance policies are current and robust.