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Sarbanes-Oxley and Government Contract Compliance

How Government Contractors can strengthen their compliance efforts through leveraging and integrating their understanding of the requirements of The Sarbanes-Oxley Act.

March 25-26, 2009 • San Diego, CA
May 19-20, 2009 • Washington, DC
October 14-15, 2009 • Las Vegas, NV
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Sarbanes-Oxley and Government Contract Compliance

Here is an opportunity to analyze the requirements of The Sarbanes-Oxley Act—whether you're covered by The Act or not—as it applies to Government Contractors. It is a way to strengthen your compliance program by examining the best methods, practices and procedures of Sarbanes-Oxley compliance and incorporating those practices into your own compliance efforts. You can leverage the effectiveness of Sarbanes-Oxley certifications and controls and apply them to your own internal controls and fraud prevention programs.

The course is designed for Government Contractors but will benefit both Sarbanes-Oxley (SOX) 404 and Government Contract professionals. Its purpose is to provide you with insight and practical approaches to both SOX and Government Contract compliance platforms. The key control environment is analyzed for both financial reporting and Government Contract compliance.

This will be accomplished through a distinguished faculty of practitioners with work experience in both SOX 404 and Government Contract compliance requirements. Their background sketches and a comprehensive course outline follow.

We look forward to your participation.

Course Faculty

John Van Meter is a Managing Director with Navigant Consulting, Inc. and is a national leader of their Government Contractor Practice. Previously, Mr. Van Meter was with KPMG for over 15 years and as a Managing Director with KPMG's Risk and Advisory Services provided buyers and sellers federal contract compliance, business system implementation and internal control oversight services.

Mr. Van Meter has directed significant SOX 404 projects for both commercial Fortune 500 firms and large government contractors. He brings a unique teaching perspective to this course through his knowledge and understanding of both government compliance programs and the SOX 404 internal control environment. Mr. Van Meter's SOX work has included all aspects of engagements from planning and scoping through evaluation of control deficiencies and the migration from manual detective controls to automated preventive controls.

In addition to his SOX 404 work, Mr. Van Meter works with contractor clients, focusing on procurement support, contract administration, cost accounting standards, accounting and pricing issues and self-governance programs. He has a bachelors degree from Arizona State University, is a CPA and a member of the National Contract Management Association (NCMA).

John Dyer is the founder and owner of a CPA firm focusing on assisting clients in managing their business risks and regulatory compliance requirements. He has extensive qualifications working with entities doing business with the public (government) sector. His firm's primary services are government contract accounting consulting and Sarbanes-Oxley (SOX) Section 404 consulting. Mr. Dyer's firm was selected to assist a major city in implementing 121 remedial items to reform the City's financial and managerial systems.

Prior to starting his firm, Mr. Dyer was a Senior Manager with KPMG's Government Contractor Practice. While with KPMG, he managed SOX 404 projects for both commercial Fortune 500 firms and large government contractors. He brings a unique teaching perspective to this course through his knowledge and understanding of government compliance programs and the SOX 404 internal control environment. Mr. Dyer's SOX work has included all aspects of engagements from planning and scoping through evaluation of control deficiencies and the migration from manual detective controls to automated preventive controls.

Mr. Dyer's experience includes positions as an instructor of Managerial Accounting at MiraCosta College and he was a Senior Auditor with the Defense Contract Audit Agency (DCAA). He has a masters degree from San Diego State University, a bachelors degree from Humboldt State University, is a CPA and a member of the American Institute of CPAs (AICPA) and the National Contract Management Association (NCMA).

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1. The Federal Contractor Compliance Profile

- a. Cost accounting systems
- b. Contract administration
- c. Compliance risk

2. Sarbanes-Oxley Overview

- a. Background
- b. Section 404
- c. Other Pertinent SOX sections

3. Methodologies Used for Compliance

- a. COSO Framework
 - Control Environment
 - Risk Assessment
 - Control Activities
 - Information and Communication
 - Monitoring
- b. COSO Framework for Small Business
- c. Other Acceptable Frameworks

4. SOX 404 Typical Annual Compliance Cycle

- a. Planning and Scoping
- b. Document Controls (key control discussion)
 - Example documentation
- c. Evaluate Design Effectiveness
- d. Evaluate Operating Effectiveness (Testing)
- e. Identify and Correct Deficiencies
- f. Management Report on Internal Controls
- g. Independent Audit on Internal Controls

5. Government Contract Accounting Systems

Requiring Internal Controls (key control discussion with example documentation)

- a. Billing
- b. Budgeting
- c. Compensation
- d. Cost Accounting (including CAS if applicable)
- e. Earned Value Management Systems (EVMS)
- f. Estimating
- g. Indirect Expenses
- h. Information Technology
- i. Labor
- j. Material
- k. Other Direct Costs
- l. Purchasing
- m. Subcontract Administration

6. Other Government Contractor Systems Requiring Internal Controls

- a. GSA Federal Supply Schedule
 - Price Adjustment Clause
 - Price Reductions Clause
 - Trade Agreements Act
 - Changes to Commercial Practices
 - Schedule vs. Open Market Sales
 - Teaming
 - Subcontracting Plans
- b. Special contract clauses (e.g. Service Contract Act)
- c. International Traffic in Arms Regulations (ITAR)
- d. Foreign Corrupt Practices Act (FCPA)

7. Leveraging SOX and Government Contract Compliance Programs

- a. Establish one compliance program for SOX and government contracts
- b. Many "key controls" among SEC SOX and government compliance are the same
 - Leverage these controls and document, test, remediate
- c. Leverage SOX 404 framework to document, test, and remediate government compliance controls that are "key" for government compliance
 - Compliance methodology accepted by public markets
 - Enhanced compliance
 - Cost/benefit return

8. Managing Data Control

The Government Contract Compliance Handbook, 4th

by Seyfarth Shaw, LLP

This comprehensive handbook is an essential guide for apprising government contractors of the latest compliance issues. It contains case studies, examples, and recommendations, plus current information on:

- *Offenses and penalties*
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Registration: 8:45 on the First Day

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