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Diana Lyn Curtis Shutzer and Nick Solosky Map DOJ Fraud Risk for Government Contractors in Law360

Spencer Fane partners Diana Lyn Curtis Shutzer and Nicholas T. (Nick) Solosky authored the article DOJ Directive Gives Contractors A Fraud Risk Road Map, published by *Law360* on Oct. 27, 2026.

In their article, originally a firm blog post, Diana and Nick examine Directive 26-12, issued Oct. 1 by the U.S. Department of Justice's National Fraud Enforcement Division, which names procurement and government contract fraud as one of four enforcement priorities and identifies 10 factors prosecutors must weigh heavily when deciding whether to charge a company and in negotiating resolutions. They explain how factors such as management involvement, concealment from auditors, long-running schemes, and threats to safety or national security can elevate a contractor's enforcement risk, and why voluntary self-disclosure, cooperation, and remediation can still earn significant credit. They also offer practical guidance for contractors, including conducting a compliance gap assessment against the 10 factors, strengthening internal reporting channels, and reevaluating voluntary self-disclosure decisions.

"For government contractors, this is not just another policy memo to skim and file. The 10 factors function as a *de facto* scoring rubric for enforcement risk. Read them carefully, and you have a road map for an internal compliance audit that mirrors what a Fraud Division prosecutor will be looking for," the team wrote.

At the firm, Diana provides practical, business-focused counsel in the areas of government contracts, export controls, regulatory compliance, and federal construction, drawing on prior in-house experience managing compliance for a large national federal contractor.

Nick focuses his practice on federal government contracts, with a strong emphasis on bid protests and procurement disputes, including protests involving the Small Business Innovation Research (SBIR) program. Nick also handles Requests for Equitable Adjustments and Contract Disputes Act claims, and advises clients on federal ethics and compliance, internal investigations, and False Claims Act matters.

Read the team's full article here. Please note, a subscription may be required.