

## Resources

### Department of Justice Announces Strike Force to Combat Antitrust Crimes in Government Procurements

December 4, 2019

On November 5, 2019, the U.S. Department of Justice (DOJ) Antitrust Division announced the establishment of a Procurement Collusion Strike Force (PCSF) to deter, detect, investigate, and prosecute criminal schemes that undermine the integrity of the government procurement process. One of the highlights of the PCSF is to reprioritize prosecutions of cartel conduct after a several-year decline. In the announcement, Assistant Attorney General Makan Delrahim emphasized that criminal antitrust violations such as bid-rigging, price-fixing, and market allocation distort the free market and harm customers with high prices and lower quality goods and services.

Now, more than ever, government contractors should be vigilant and anticipate heightened scrutiny of their interactions with competitors, particularly in the bidding process. The PCSF aims to both identify potential bid-rigging, price-fixing, and other collusive conduct, as well as provide input to government programs to eliminate antitrust-related vulnerabilities in their acquisition procedures. While the PCSF announced an ambitious agenda, it is noteworthy that it will operate with no physical headquarters and will receive less than \$1 million in new funds.

The PCSF is a multiagency partnership involving 13 inaugural partner U.S. Attorney's offices, including those located in Los Angeles, Washington, D.C., Chicago, Detroit and Dallas which will emphasize deterrence, detection, investigation, and prosecution of antitrust crimes related to federally funded programs. The partnership combines resources from DOJ's Antitrust Division, select U.S. Attorneys' Offices, investigative partners from the Federal Bureau of Investigation, the Department of Defense, the General Services Administration, and the United States Postal Office, through liaisons appointed at each of their partner organizations. Some of the features include:

- Standardizing requirements;
- Training and education to government contractors, their trade associations, and public contract lawyers about criminal antitrust law;
- Improving data analytics to identify red flags of collusion in government procurement data; and
- Providing joint investigation and prosecution of potential criminal antitrust violations.

Dykema is well-positioned to advise its clients through its antitrust and government enforcement defense practices, as well as to provide training and assist our clients in the creation of policies and procedures to minimize risk.

For more information about the information in this alert, please contact Jason Ross (214-462-6417 or [jross@dykema.com](mailto:jross@dykema.com)), Jonathan Feld (312-627-5680 or [jfeld@dykema.com](mailto:jfeld@dykema.com)), any of the attorneys listed to the left, or your Dykema relationship attorney.

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Government Reorganization and Restructuring

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