

Ebner Co-Authors Column Advising Clients on Real-World Cybersecurity Requirements and Managing Cyber Risk

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Stinson LLP Partner [Susan Warshaw Ebner](#) co-authored an article for the American Bar Association Section of Public Contract Law's *The Procurement Lawyer*, "Advising Your Client on Real-World Cybersecurity Questions Using Fictional Scenarios Connected to the Department of Defense's Proposed Cybersecurity Maturity Model Program."

The article features hypothetical scenarios posing potential implementation issues under the current framework for the Cybersecurity Maturity Model Certification (CMMC) program. Ebner opines on the "The Critical Supplier" scenario where the prime contractor discovers a possible CMMC compliance issue with a lower-tier critical supplier that might not have the necessary cybersecurity clauses in its subcontract and may be handling controlled unclassified information without proper security measures.

Highlighting the importance of proactive compliance management and the potential risks of non-compliance, she emphasizes that the prime government contractor is obligated to ensure compliance with cybersecurity requirements throughout its supply chain and, where necessary, promptly report the matter to the Department of Defense. Ebner also provides guidance for mitigating risk and ensuring compliance within this complex and evolving regulatory landscape, underscoring the need for thorough and ongoing due diligence in connection with meeting the government's cybersecurity requirements, selecting subcontractors and managing cyber risks during the life of the procurement.

Ebner has deep and wide-ranging knowledge of government contracting matters and litigation. She is co-chair of Stinson's Government Contracts & Investigations practice group, where she represents large and small businesses, nonprofits and consortia clients across the spectrum of public contracting and grant matters, including new and emerging issues in government contracts, grants and other agreements.

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