

AGGRAVATING AND MITIGATING FACTORS (FAR 9.406-1 and NCR §180.860)

YES/NO/NA

- The actual or potential harm or impact that results or may result from the wrongdoing; _____
- The frequency of incidents and/or duration of the wrongdoing; _____
- Whether there is a pattern or prior history of wrongdoing; _____
- Whether wrongdoing was pervasive in the organization; _____
- The kinds of positions held by individuals involved in the wrongdoing; _____
- Whether principals tolerated the wrongdoing; _____
- Whether there were effective standards of conduct and internal control systems in place at the time of the misconduct; _____
- The misconduct was brought to the attention of Commerce or another federal agency in a timely manner; _____
- The respondent investigated the circumstances surrounding misconduct and made the result of the investigation available to the SDO; _____
- Cooperation with the investigation; _____
- Paid or agreed to pay full restitution, as well as any investigative or administrative costs incurred; _____
- Took appropriate disciplinary action against the individuals responsible for the misconduct; _____
- Implemented or agreed to implement remedial measures; _____
- Instituted or agreed to institute new or revised review and control procedures and ethics training programs; _____
- Whether you are or have been excluded or disqualified by an agency of the Federal Government; _____
- Whether you have entered into an administrative agreement with a Federal agency or a State or local government; _____
- To what extent you planned, initiated, or carried out the wrongdoing; _____
- Has had adequate time to eliminate the circumstances within the respondent's organization that led to the misconduct; and _____
- Recognized and understood the seriousness of the misconduct and has implemented programs to prevent recurrence. _____