

Vic Avetisian  
President

P.O. Box 2517  
Agoura Hills, CA 91376

Cell: 818-632-4053  
Fax: 818-889-9459

- New FAR OCI clause, along with appropriate training of government and industry personnel on the purpose of the OCI Rule, will help consistency in the application of OCI Rule.
- New Standard FAR clauses should be included in all appropriate solicitations and contracts after the contracting officer has made determination as required by FAR Subpart 9.5.
- The standard clause should provide ground rules for OCI determination, mitigation and recommendation on mitigation strategies, **with examples of best mitigation plans. It should also establish sanctions for violations with severe consequences.**
- FAR should establish “Bright Line” criteria to eliminate potential OCI, and require mandatory disclosure by contractors of potential OCI.
- Revised FAR should retain current FAR 9.503 Waiver authority by the head of agency or designee.
- DoD, Congress and industry should work cooperatively together to review and assess whether current firewalls requirement and mitigation plans are appropriate under current environment to prevent OCI and recommend changes as appropriate.
- DoD should consider asking all offerers who have a potential OCI to provide a mitigation plan in their proposals to be considered by the contracting officer.
- Companies to establish separate independent unit/sector or segment, similar to wholly-owned subsidiary for all SETA and related contracts with potential OCI.
- The company should establish appropriate firewalls between corporate and business unit, such as non-disclosure--similar to current practices of restricting foreign owners from having undue control and access to classified information of their U.S. affiliate.
- DoD and industry potential OCI mitigation plan may include:
  - Special access designation to all SETA project employees and to exclude company management from same designation.
  - Provide separate secured workspace with restricted access to only cleared employees assigned to the SETA project.
  - Require SETA employees to comply with more restrictive personal conflict of interest (PCI) rules.