

115TH CONGRESS
2D SESSION

H. R. 5919

To establish the position of Senior Anticorruption Officer at the Department of State, the United States Agency for International Development, and the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2018

Ms. SHEA-PORTER introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the position of Senior Anticorruption Officer at the Department of State, the United States Agency for International Development, and the Department of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Contingency Operation
5 Waste and Fraud Prevention Act of 2018”.

1 **SEC. 2. ESTABLISHMENT OF SENIOR ANTICORRUPTION OF-**
2 **FICERS AND WORKING GROUP FOR ANTICOR-**
3 **RUPTION.**

4 (a) ESTABLISHMENT OF SENIOR ANTICORRUPTION
5 OFFICER FOR THE DEPARTMENT OF STATE.—Section 1
6 of the State Department Basic Authorities Act of 1956
7 is amended by adding at the end the following new sub-
8 section:

9 “(h) SENIOR ANTICORRUPTION OFFICER.—

10 “(1) IN GENERAL.—The Secretary of State
11 shall designate an officer or employee of the Depart-
12 ment of State to serve as the Senior Anticorruption
13 Officer to assist the Secretary in strategic, oper-
14 ational, and tactical planning relating to ongoing
15 and planned contingency operations, as such term is
16 defined in section 101 of title 10, United States
17 Code. The Senior Anticorruption Officer shall report
18 directly to the Secretary.

19 “(2) QUALIFICATIONS.—The Senior Anticor-
20 ruption Officer shall be selected from among individ-
21 uals who—

22 “(A) have prior specialized training and
23 expertise in anticorruption; and

24 “(B) are in the senior executive service of
25 the Department of State.

1 “(3) DUTIES.—The Senior Anticorruption Offi-
2 cer shall be a member of the Working Group for
3 Anticorruption established in section 2(d) of the
4 Contingency Operation Waste and Fraud Prevention
5 Act and shall carry out the following duties:

6 “(A) Assisting the Secretary to address
7 corruption with respect to programs, projects,
8 or activities during contingency operations, as
9 such term is defined in section 101 of title 10,
10 United States Code.

11 “(B) Developing and implementing an in-
12 tegrated anticorruption strategy for the dura-
13 tion of such contingency operations.

14 “(C) Conducting regular corruption risk
15 assessments for such contingency operations.

16 “(D) Providing expert opinions to the rel-
17 evant members of the National Security Council
18 with respect to the impact of the programs,
19 projects, and activities of the United States on
20 corruption in other countries, including an anal-
21 ysis of the likely success of such programs,
22 projects, and activities in light of such corrup-
23 tion.

24 “(E) Coordinating with appropriate offi-
25 cials of other countries and of multilateral insti-

1 tutions to seek to achieve unity of effort in pro-
2 grams, projects, and activities with respect to
3 addressing corruption.

4 “(F) Conducting regular outreach with rel-
5 evant civil society organizations working on
6 issues relating to human rights, civil rights, and
7 anticorruption.”.

8 (b) ESTABLISHMENT OF SENIOR ANTICORRUPTION
9 OFFICER FOR THE UNITED STATES AGENCY FOR INTER-
10 NATIONAL DEVELOPMENT.—

11 (1) IN GENERAL.—The Administrator of the
12 United States Agency for International Development
13 (USAID) shall designate an officer or employee of
14 USAID to serve as the Senior Anticorruption Officer
15 to assist the Administrator in strategic, operational,
16 and tactical planning relating to ongoing and
17 planned contingency operations. The Senior Anticor-
18 ruption Officer shall report directly to the Adminis-
19 trator.

20 (2) QUALIFICATIONS.—The Senior Anticorrup-
21 tion Officer shall be selected from among individuals
22 who—

23 (A) have prior specialized training and ex-
24 pertise in anticorruption; and

1 (B) are in the senior executive service of
2 the Agency.

3 (3) DUTIES.—The Senior Anticorruption Offi-
4 cer shall be a member of the Working Group for
5 Anticorruption established in subsection (d) and
6 shall carry out the following duties:

7 (A) Assisting the Secretary to address cor-
8 ruption with respect to programs, projects, or
9 activities during contingency operations, as
10 such term is defined in section 101 of title 10,
11 United States Code.

12 (B) Developing and implementing an inte-
13 grated anticorruption strategy for the duration
14 of such contingency operations.

15 (C) Conducting regular corruption risk as-
16 sessments for such contingency operations.

17 (D) Providing expert opinions to the rel-
18 evant members of the National Security Council
19 Deputies Committee with respect to the impact
20 of the programs, projects, and activities of the
21 United States on corruption in other countries,
22 including an analysis of the likely success of
23 such programs, projects, and activities in light
24 of such corruption.

1 (E) Coordinating with appropriate officials
 2 of other countries and of multilateral institu-
 3 tions to seek to achieve unity of effort in pro-
 4 grams, projects, and activities with respect to
 5 addressing corruption.

6 (F) Conducting regular outreach with rel-
 7 evant civil society organizations working on
 8 issues relating to human rights, civil rights, and
 9 anticorruption.

10 (c) ESTABLISHMENT OF SENIOR ANTICORRUPTION
 11 OFFICER FOR THE DEPARTMENT OF DEFENSE.—

12 (1) IN GENERAL.—Chapter 4 of title 10, United
 13 States Code, is amended by adding at the end the
 14 following new section:

15 **“§ 145. Senior Anticorruption Officer.**

16 “(a) SENIOR ANTICORRUPTION OFFICER.—There is
 17 a Senior Anticorruption Officer in the Department of De-
 18 fense, appointed by the Secretary of Defense, who shall
 19 assist the Secretary in strategic, operational, and tactical
 20 planning relating to ongoing and planned contingency op-
 21 erations. The Senior Anticorruption Officer shall report
 22 directly to the Secretary.

23 “(b) QUALIFICATIONS.—The Senior Anticorruption
 24 Officer shall be selected from among individuals who—

1 “(1) have prior specialized training and exper-
2 tise in anticorruption; and

3 “(2) are general officers or flag officers.

4 “(c) DUTIES.—The Senior Anticorruption Officer
5 shall be a member of the Working Group for Anticorrup-
6 tion established in section 2(d) of the Contingency Oper-
7 ation Waste and Fraud Prevention Act and shall carry
8 out the following duties:

9 “(1) Assisting the Secretary to address corrup-
10 tion with respect to programs, projects, or activities
11 during contingency operations.

12 “(2) Developing and implementing an inte-
13 grated anticorruption strategy for the duration of
14 such contingency operations.

15 “(3) Conducting regular corruption risk assess-
16 ments for such contingency operations.

17 “(4) Providing expert opinions to the relevant
18 members of the National Security Council with re-
19 spect to the impact of the programs, projects, and
20 activities of the United States on corruption in other
21 countries, including an analysis of the likely success
22 of such programs, projects, and activities in light of
23 such corruption.

24 “(5) Coordinating with appropriate officials of
25 other countries and of multilateral institutions to

1 seek to achieve unity of effort in programs, projects,
 2 and activities with respect to addressing corruption.

3 “(6) Conducting regular outreach with relevant
 4 civil society organizations working on issues relating
 5 to human rights, civil rights, and anticorruption.”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
 7 tions at the beginning of chapter 4 of such title is
 8 amended by inserting after the item relating to sec-
 9 tion 144 the following new item:

“145. Senior Anticorruption Officer.”.

10 (d) ESTABLISHMENT OF WORKING GROUP FOR
 11 ANTICORRUPTION.—

12 (1) IN GENERAL.—There is established an
 13 interagency committee to be known as the “Working
 14 Group for Anticorruption” (in this section referred
 15 to as the “Working Group”).

16 (2) DUTIES.—The duties of the Working Group
 17 shall be the following:

18 (A) Providing support for personnel en-
 19 gaged in contingency operations, as such term
 20 is defined in section 101 of title 10, United
 21 States Code, with respect to best practices for
 22 preventing corruption in the programs, projects,
 23 or activities of such personnel.

1 (B) Developing and implementing an inter-
2 agency anticorruption strategy for such contin-
3 gency operations.

4 (C) Maintaining and sharing records and
5 assessments of the forms of corruption in coun-
6 tries where such operations occur that pose im-
7 mediate, costly, or mission-critical threats.

8 (D) Collecting and consolidating research
9 and best practices in the field of anticorruption,
10 including the use of diplomatic, legal, con-
11 tracting, and development and other foreign as-
12 sistance tools to prevent corruption.

13 (E) Coordinating anticorruption policies,
14 programs, and practices across all relevant Fed-
15 eral departments and agencies.

16 (F) Analyzing initiatives in fragile states
17 and in countries where such contingency oper-
18 ations occur that have successfully addressed
19 corruption, and providing recommendations on
20 ways to implement similar initiatives with re-
21 spect to the programs and activities of the
22 United States.

23 (G) Identifying and monitoring appropriate
24 metrics to assess and mitigate the risks posed

1 by corruption to the programs, projects, and ac-
2 tivities of the United States.

3 (3) MEMBERSHIP.—The Working Group shall
4 be composed of 3 members as follows:

5 (A) The Senior Anticorruption Officer for
6 the Department of State, or a designee.

7 (B) The Senior Anticorruption Officer for
8 the United States Agency for International De-
9 velopment, or a designee.

10 (C) The Senior Anticorruption Officer for
11 the Department of Defense, or a designee.

12 (4) TERM.—Each member shall be appointed
13 for the life of the Working Group.

14 (5) MEETINGS.—

15 (A) IN GENERAL.—The Working Group
16 shall meet at least once every 90 days.

17 (B) ELECTION OF CHAIR.—Not later than
18 30 days after the first meeting of the Working
19 Group, the members shall elect a Chair from
20 among the members, who shall be responsible
21 for—

22 (i) coordinating the activities of the
23 Working Group; and

1 (ii) advising and providing support to
2 the chiefs of mission for contingency oper-
3 ations.

4 (6) REPORTS.—

5 (A) IN GENERAL.—Not later than 180
6 days after the date of the enactment of this
7 Act, and annually thereafter, the Working
8 Group shall submit to the appropriate congres-
9 sional committees a report including each of the
10 following:

11 (i) The activities undertaken by each
12 Senior Anticorruption Officer in the Work-
13 ing Group.

14 (ii) The activities of the Working
15 Group.

16 (iii) The status of corruption in any
17 country where contingency operations are
18 occurring and the manner and extent to
19 which such corruption is impacted by such
20 contingency operations.

21 (iv) The extent to which anti-corrup-
22 tion strategies have been implemented in
23 any such country.

24 (v) The challenges facing the imple-
25 mentation of such strategies and the rec-

1 ommendations of the Working Group to
2 address such challenges.

3 (B) CONSULTATION REQUIRED.—For pur-
4 poses of the report required by subparagraph
5 (A), the Working Group shall consult with the
6 chiefs of mission for contingency operations or
7 other appropriate United States officials to the
8 maximum extent practicable.

9 (C) GAO REPORT.—Not later than 1 year
10 after the date of first meeting of Working
11 Group pursuant to paragraph (5), the Comp-
12 troller General shall submit to the appropriate
13 congressional committees a report describing
14 the operations of and any challenges facing the
15 Working Group in carrying out its duties under
16 this section.

17 (7) APPROPRIATE CONGRESSIONAL COM-
18 MITTEE.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Armed Services, the
21 Committee on Foreign Relations, and the Com-
22 mittee on Appropriations of the Senate; and

23 (B) the Committee on Armed Services, the
24 Committee on Foreign Affairs, and the Com-

- 1 mittee on Appropriations of the House of Rep-
- 2 resentatives.

