

115TH CONGRESS
1ST SESSION

H. R. 3064

To develop an anticorruption strategy, establish Offices for Anticorruption in the Department of Defense, Department of State, and United States Agency for International Development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2017

Ms. SHEA-PORTER (for herself and Ms. ROSEN) 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 develop an anticorruption strategy, establish Offices for Anticorruption in the Department of Defense, Department of State, and United States Agency for International Development, 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”.

1 **SEC. 2. ANTICORRUPTION STRATEGY.**

2 (a) IN GENERAL.—Not later than 120 days after the
3 date on which the United States engages in a contingency
4 operation, as such term is defined in section 101 of title
5 10, United States Code, the Secretary of Defense, in con-
6 sultation with the Secretary of State, the Administrator
7 of the United States Agency for International Develop-
8 ment, and the head of any other relevant Federal depart-
9 ment or agency, shall submit to Congress a strategy to
10 prevent corruption in any reconstruction efforts associated
11 with such operation.

12 (b) BENCHMARKS.—The strategy described in sub-
13 section (a) shall include measurable benchmarks to be met
14 as a condition for disbursement of any funds for recon-
15 struction efforts associated with such operation.

16 (c) ANNUAL REPORT.—For the duration of a contin-
17 gency operation for which the Secretary of Defense has
18 submitted a strategy pursuant to subsection (a), the Sec-
19 retary shall submit to Congress an annual report evalu-
20 ating the implementation and effectiveness of such strat-
21 egy and describing any necessary adjustments to the strat-
22 egy.

23 (d) EFFECTIVE DATE.—The requirement under sub-
24 section (a) shall take effect with respect to any contin-
25 gency operation entered into on or after the date of the
26 enactment of this Act.

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

4 (a) ESTABLISHMENT OF SENIOR ANTICORRUPTION
5 OFFICER FOR THE DEPARTMENT OF DEFENSE.—

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

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

10 “(a) SENIOR ANTICORRUPTION OFFICER.—There is
11 a Senior Anticorruption Officer in the Department of De-
12 fense, appointed by the Secretary of Defense, who shall
13 assist the Secretary in strategic, operational, and tactical
14 planning relating to ongoing and planned contingency op-
15 erations. The Senior Anticorruption Officer shall report
16 directly to the Secretary.

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

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

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

22 “(c) DUTIES.—The Senior Anticorruption Officer
23 shall be a member of the Working Group for
24 Anticorruption established in section 3(d) of the Contin-
25 gency Operation Waste and Fraud Prevention Act and
26 shall carry out the following duties:

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

4 “(2) Developing and implementing an inte-
5 grated anticorruption strategy for the duration of
6 such contingency operations.

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

9 “(4) Providing expert opinions to the relevant
10 members of the National Security Council with re-
11 spect to the impact of the programs, projects, and
12 activities of the United States on corruption in other
13 countries, including an analysis of the likely success
14 of such programs, projects, and activities in light of
15 such corruption.

16 “(5) Coordinating with appropriate officials of
17 other countries and of multilateral institutions to
18 seek to achieve unity of effort in programs, projects,
19 and activities with respect to addressing corruption.

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

23 (2) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of chapter 4 of such title is

1 amended by inserting after the item relating to sec-
2 tion 144 the following new item:

“145. Senior Anticorruption Officer.”.

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

8 “(h) SENIOR ANTICORRUPTION OFFICER.—

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

18 “(2) QUALIFICATIONS.—The Senior
19 Anticorruption Officer shall be selected from among
20 individuals who—

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

23 “(B) are in the senior executive service of
24 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 3(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 (c) 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, as such term is de-
18 fined in section 101 of title 10, United States Code.
19 The Senior Anticorruption Officer shall report di-
20 rectly to the Administrator.

21 (2) QUALIFICATIONS.—The Senior
22 Anticorruption Officer shall be selected from among
23 individuals who—

24 (A) have prior specialized training and ex-
25 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 (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 with respect to
20 best practices for preventing corruption in the
21 programs, projects, or activities of such per-
22 sonnel.

23 (B) Developing and implementing an inter-
24 agency anticorruption strategy for contingency
25 operations.

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

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

10 (E) Coordinating anticorruption policies,
11 programs, and practices across all relevant Fed-
12 eral departments and agencies.

13 (F) Analyzing initiatives in fragile states
14 and in countries where contingency operations
15 occur that have successfully addressed corrup-
16 tion, and providing recommendations on ways
17 to implement similar initiatives with respect to
18 the programs and activities of the United
19 States.

20 (G) Identifying and monitoring appropriate
21 metrics to assess and mitigate the risks posed
22 by corruption to the programs, projects, and ac-
23 tivities of the United States.

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

1 (A) The Senior Anticorruption Officer for
2 the Department of Defense, or a designee.

3 (B) The Senior Anticorruption Officer for
4 the Department of State, or a designee.

5 (C) The Senior Anticorruption Officer for
6 the United States Agency for International De-
7 velopment, or a designee.

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

10 (5) MEETINGS.—The Working Group shall
11 meet at least once every 90 days.

12 (6) REPORTS.—Not later than 180 days after
13 the date of the enactment of this Act and annually
14 thereafter, the Working Group shall submit to the
15 appropriate congressional committees a report in-
16 cluding each of the following:

17 (A) The activities undertaken by each Sen-
18 ior Anticorruption Officer in the Working
19 Group.

20 (B) The activities of the Working Group.

21 (C) The status of corruption in any coun-
22 try where contingency operations are occurring
23 and the manner and extent to which such cor-
24 ruption is impacted by such contingency oper-
25 ations.

1 (D) The extent to which anticorruption
2 strategies have been implemented in any such
3 country.

4 (E) The challenges facing the implementa-
5 tion of such strategies and the recommenda-
6 tions of the Working Group to address such
7 challenges.

8 (7) DEFINITIONS.—In this subsection:

9 (A) APPROPRIATE CONGRESSIONAL COM-
10 MITTEE.—The term “appropriate congressional
11 committees” means—

12 (i) the Committee on Armed Services,
13 the Committee on Foreign Affairs, and the
14 Committee on Appropriations of the House
15 of Representatives; and

16 (ii) the Committee on Armed Services,
17 the Committee on Foreign Relations, and
18 the Committee on Appropriations of the
19 Senate.

20 (B) CONTINGENCY OPERATIONS.—The
21 term “contingency operations” has the meaning
22 given the term in section 101 of title 10, United
23 States Code.

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