

Calendar No. 144116TH CONGRESS
1ST SESSION**S. 1309**

To identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2019

Mr. CARDIN (for himself, Mr. YOUNG, Mr. LEAHY, Mr. RUBIO, Mr. BLUMENTHAL, Mr. MERKLEY, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 11, 2019

Reported by Mr. RISCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

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 “Combating Global Cor-

5 ruption Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
9 **TEES.**—The term “appropriate congressional com-

10 mittees” means—

11 (A) the Committee on Foreign Relations of
12 the Senate;

13 (B) the Committee on Armed Services of
14 the Senate;

15 (C) the Committee on Appropriations of
16 the Senate;

17 (D) the Committee on Foreign Affairs of
18 the House of Representatives;

19 (E) the Committee on Armed Services of
20 the House of Representatives; and

21 (F) the Committee on Appropriations of
22 the House of Representatives.

23 (2) **CORRUPT ACTOR.**—The term “corrupt
24 actor” means—

1 (A) any foreign person or entity that is a
2 government official or government entity re-
3 sponsible for, or complicit in, an act of corrup-
4 tion; and

5 (B) any company, in which a person or en-
6 tity described in subparagraph (A) has a sig-
7 nificant stake, which is responsible for, or
8 complicit in, an act of corruption.

9 (3) CORRUPTION.—The term “corruption”
10 means the exercise of public power for private gain,
11 including by bribery, nepotism, fraud, or embezzle-
12 ment.

13 (4) FOREIGN ASSISTANCE.—The term “foreign
14 assistance” means assistance made available
15 under—

16 (A) the Foreign Assistance Act of 1961
17 (22 U.S.C. 2151 et seq.);

18 (B) the Arms Export Control Act (22
19 U.S.C. 2751 et seq.); or

20 (C) title 10, United States Code.

21 (5) GRAND CORRUPTION.—The term “grand
22 corruption” means corruption committed at a high
23 level of government that—

24 (A) distorts policies or the central func-
25 tioning of the country; and

1 (B) enables leaders to benefit at the ex-
2 pense of the public good.

3 (6) **PETTY CORRUPTION.**—The term “petty cor-
4 ruption” means the abuse of entrusted power by
5 low- or mid-level public officials in their interactions
6 with ordinary citizens.

7 **SEC. 3. PUBLICATION OF TIERED RANKING LIST.**

8 (a) **IN GENERAL.**—The Secretary of State shall an-
9 nually publish, on a publicly accessible website, a tiered
10 ranking of all foreign countries.

11 (b) **TIER 1 COUNTRIES.**—A country shall be ranked
12 as a tier 1 country in the ranking published under sub-
13 section (a) if the government of such country is complying
14 with the minimum standards set forth in section 4.

15 (c) **TIER 2 COUNTRIES.**—A country shall be ranked
16 as a tier 2 country in the ranking published under sub-
17 section (a) if the government of such country is making
18 efforts to comply with the minimum standards set forth
19 in section 4, but is not achieving the requisite level of com-
20 pliance to be ranked as a tier 1 country.

21 (d) **TIER 3 COUNTRIES.**—A country shall be ranked
22 as a tier 3 country in the ranking published under sub-
23 section (a) if the government of such country is making
24 de minimis or no efforts to comply with the minimum
25 standards set forth in section 4.

1 **SEC. 4. MINIMUM STANDARDS FOR THE ELIMINATION OF**
2 **CORRUPTION AND ASSESSMENT OF EFFORTS**
3 **TO COMBAT CORRUPTION.**

4 (a) **IN GENERAL.**—The government of a country is
5 complying with the minimum standards for the elimi-
6 nation of corruption if the government—

7 (1) has enacted laws and established govern-
8 ment structures, policies, and practices that prohibit
9 corruption, including grand corruption and petty
10 corruption;

11 (2) enforces the laws described in paragraph (1)
12 by punishing any person who is found, through a
13 fair judicial process, to have violated such laws;

14 (3) prescribes punishment for grand corruption
15 that is commensurate with the punishment pre-
16 scribed for serious crimes;

17 (4) prescribes punishment for petty corruption
18 that—

19 (A) provides a sufficiently stringent deter-
20 rent; and

21 (B) adequately reflects the nature of the
22 offense; and

23 (5) is making serious and sustained efforts to
24 eliminate corruption.

25 (b) **FACTORS FOR ASSESSING GOVERNMENT EF-**
26 **FORTS TO COMBAT CORRUPTION.**—In determining wheth-

1 er a government is making serious and sustained efforts
2 to eliminate corruption, the Secretary of State shall con-
3 sider—

4 (1) whether the government of the country vig-
5 orously investigates and prosecutes acts of corrup-
6 tion and convicts and sentences persons responsible
7 for such acts that take place wholly or partly within
8 such country, including, as appropriate, requiring in-
9 carceration of individuals convicted of such acts;

10 (2) whether the government of the country vig-
11 orously investigates, prosecutes, convicts, and sen-
12 tences public officials who participate in or facilitate
13 corruption, including nationals of the country who
14 are deployed in foreign military assignments, trade
15 delegations abroad, or other similar missions, who
16 engage in or facilitate severe forms of corruption;

17 (3) whether the government of the country has
18 adopted measures to prevent corruption, such as
19 measures to inform and educate the public, including
20 potential victims, about the causes and consequences
21 of corruption;

22 (4) what steps the government of the country
23 has taken to prohibit government officials from par-
24 ticipating in, facilitating, or condoning corruption;

1 including the investigation, prosecution, and conviction of such officials;

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3 (5) the extent to which the country provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat corruption, including reporting, investigating, and monitoring;

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8 (6) whether an independent judiciary or judicial body in the country responsible for, and effectively capable of, deciding corruption cases impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats, or interferences (direct or indirect) from any quarter or for any reason;

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14 (7) whether the government of the country is assisting in international investigations of transnational corruption networks and in other cooperative efforts to combat grand corruption, including cooperating with the governments of other countries to extradite corrupt actors;

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21 (8) whether the government of the country recognizes the rights of victims of corruption, ensures their access to justice, and takes steps to prevent victims from being further victimized or persecuted by corrupt actors, government officials, or others;

1 (9) whether the government of the country re-
 2 frains from prosecuting victims of corruption or
 3 whistleblowers due to such persons having assisted
 4 in exposing corruption, and refrains from other dis-
 5 criminatory treatment of such persons; and

6 (10) such other information relating to corrup-
 7 tion as the Secretary of State considers appropriate.

8 **SEC. 5. TRANSPARENCY AND ACCOUNTABILITY.**

9 (a) IN GENERAL.—Not later than 60 days after pub-
 10 lishing the report required under section 3(a), and prior
 11 to obligation by any United States agency of foreign as-
 12 sistance to the government of a country ranked as a tier
 13 3 country under section 3(d), the Secretary of State, in
 14 coordination with the Administrator of the United States
 15 Agency for International Development (referred to in this
 16 Act as the “USAID Administrator”) and the Secretary
 17 of Defense, as appropriate, shall—

18 (1) conduct a corruption risk assessment and
 19 create a corruption mitigation strategy for all United
 20 States foreign assistance programs to that country;

21 (2) require the inclusion of anti-corruption
 22 clauses for all foreign assistance contracts, grants,
 23 and cooperative agreements, which allow for the ter-
 24 mination of the contract, grant, or cooperative

1 agreement without penalty if credible indicators of
2 corruption are discovered;

3 ~~(3)~~ require the inclusion of appropriate
4 clawback clauses for all foreign assistance contracts,
5 grants, and cooperative agreements to recover
6 United States taxpayer funds that have been mis-
7 appropriated from the prime contractor, grantee, or
8 cooperative agreement participant through corrup-
9 tion;

10 ~~(4)~~ require the disclosure of the beneficial own-
11 ership of all contractors, subcontractors, grantees,
12 cooperative agreement participants, and other orga-
13 nizations receiving funding from the United States
14 Government for foreign assistance programs; and

15 ~~(5)~~ establish a mechanism for investigating alle-
16 gations of misappropriated foreign assistance funds
17 or equipment.

18 ~~(b) EXCEPTIONS AND WAIVER.—~~

19 ~~(1) EXCEPTIONS.—~~Subsection (a) shall not
20 apply to humanitarian assistance, disaster assist-
21 ance, or assistance to combat corruption.

22 ~~(2) WAIVER.—~~The Secretary of State, on a pro-
23 gram-by-program basis, may waive the requirement
24 to delay foreign assistance under subsection (a) if
25 the Secretary of State certifies to the appropriate

1 congressional committees that such waiver is impor-
2 tant to the national security interests of the United
3 States.

4 **SEC. 6. RESOURCES AND REPORTING REQUIREMENTS.**

5 (a) ANNUAL REPORT.—

6 (1) IN GENERAL.—The Secretary of State shall
7 submit an annual report to the appropriate congres-
8 sional committees that outlines the resources needed
9 to meet the objectives and reports under sections 3
10 through 5, including—

11 (A) intelligence data collection needs;

12 (B) personnel needs;

13 (C) information technology requirements;

14 and

15 (D) a description of the bureaucratic struc-
16 ture of the offices within the Department of
17 State and the United States Agency for Inter-
18 national Development (“USAID”) that are en-
19 gaged in anti-corruption activities.

20 (2) FORM.—The report submitted under para-
21 graph (1) shall be submitted in unclassified form,
22 but may include a classified annex.

23 (b) ONLINE PLATFORM.—The Secretary of State and
24 the USAID Administrator shall consolidate existing re-

1 ports with anti-corruption components into one online,
2 public platform, which shall—

3 (1) include—

4 (A) the Human Rights Report;

5 (B) the Fiscal Transparency Report;

6 (C) the Investment Climate Statement re-
7 ports;

8 (D) the International Narcotics Control
9 Strategy Report; and

10 (E) any other relevant public reports; and

11 (2) link to third-party indicators used by the
12 United States Government to inform policy and pro-
13 gramming, such as—

14 (A) the World Bank's Control of Corrup-
15 tion Indicator;

16 (B) the World Bank's Actionable Govern-
17 ance Index Data Portal;

18 (C) the International Finance Corpora-
19 tion's Doing Business surveys;

20 (D) the International Budget Partnership's
21 Open Budget Index;

22 (E) the Global Integrity Index; and

23 (F) multilateral peer review anti-corruption
24 compliance mechanisms, such as the
25 Organisation for Economic Co-operation and

1 Development’s Working Group on Bribery in
2 International Business Transactions and the
3 United Nations Convention Against Corruption,
4 done at New York October 31, 2003, to further
5 highlight expert international views on country
6 challenges and country efforts.

7 (e) TRAINING.—To increase the ability of Depart-
8 ment of State and USAID personnel to support anti-cor-
9 ruption as a foreign policy and development priority, and
10 strengthen their ability to design, implement, and evaluate
11 more effective anti-corruption programming around the
12 world, including enhancing skills to better evaluate and
13 mitigate corruption risks in assistance programs, the Sec-
14 retary of State and the USAID Administrator shall incor-
15 porate anti-corruption components into existing Foreign
16 Service and Civil Service training courses.

17 **SECTION 1. DEFINITIONS.**

18 *In this Act:*

19 (1) *CORRUPT ACTOR.*—The term “corrupt actor”
20 *means—*

21 (A) *any foreign person or entity that is a*
22 *government official or government entity respon-*
23 *sible for, or complicit in, an act of public cor-*
24 *ruption; and*

1 (B) any company, in which a person or en-
2 tity described in subparagraph (A) has a signifi-
3 cant stake, which is responsible for, or complicit
4 in, an act of public corruption.

5 (2) *FOREIGN ASSISTANCE*.—The term “foreign
6 assistance” means assistance made available under—

7 (A) the Foreign Assistance Act of 1961 (22
8 U.S.C. 2151 et seq.); or

9 (B) the Arms Export Control Act (22
10 U.S.C. 2751 et seq.).

11 (3) *GRAND CORRUPTION*.—The term “grand cor-
12 ruption” means public corruption committed at a
13 high level of government that—

14 (A) distorts policies or the central func-
15 tioning of the country; and

16 (B) enables leaders to benefit at the expense
17 of the public good.

18 (4) *PETTY CORRUPTION*.—The term “petty cor-
19 ruption” means the unlawful exercise of entrusted
20 public power for private gain by low- or mid-level
21 public officials in their interactions with ordinary
22 citizens, including by bribery, nepotism, fraud, or em-
23 bezzlement.

24 (5) *PUBLIC CORRUPTION*.—The term “public cor-
25 ruption” means the unlawful exercise of entrusted

1 *public power for private gain, including by bribery,*
2 *nepotism, fraud, or embezzlement.*

3 **SEC. 2. SENSE OF CONGRESS.**

4 *It is the sense of Congress that—*

5 (1) *it is in the foreign policy interest of the*
6 *United States to help other countries promote good*
7 *governance and combat public corruption, particu-*
8 *larly grand corruption;*

9 (2) *multiple departments and agencies across the*
10 *United States Government operate programs that pro-*
11 *mote good governance in foreign countries and en-*
12 *hance foreign countries' ability to combat public cor-*
13 *ruption;*

14 (3) *the Department of State should promote co-*
15 *ordination among programs described in paragraph*
16 *(2) to improve their effectiveness and efficiency; and*

17 (4) *the Department of State should identify*
18 *areas in which United States efforts to help other*
19 *countries promote good governance and combat public*
20 *corruption could be enhanced.*

21 **SEC. 3. ANNUAL REPORT.**

22 *The Secretary shall annually submit to the appro-*
23 *priate congressional committees and publish, on a publicly*
24 *accessible website, a report that—*

1 (1) groups foreign countries, by quintile, based
2 on—

3 (A) the World Bank Worldwide Governance
4 Indicator on Control of Corruption; and

5 (B) the World Bank Worldwide Governance
6 Indicator on Voice and Accountability;

7 (2) adds context and commentary, as appro-
8 priate, to the World Bank Worldwide Governance In-
9 dicator on Control of Corruption and the World Bank
10 Worldwide Governance Indicator on Voice and Ac-
11 countability groupings under paragraph (1), as ap-
12 propriate, based on the factors outlined in section 4;

13 (3) describes, based on the World Bank World-
14 wide Governance Indicators and the factors outlined
15 in section 4, the status of foreign governments' efforts
16 to combat public corruption; and

17 (4) describes the status of each foreign country's
18 active membership in voluntary multi-sectoral global
19 governance initiatives as evidence of the country's
20 government-led efforts to combat public corruption.

21 **SEC. 4. ADDITIONAL FACTORS FOR ASSESSING GOVERN-**
22 **MENT EFFORTS TO COMBAT PUBLIC CORRUP-**
23 **TION.**

24 (a) **FACTORS FOR ASSESSING GOVERNMENT EFFORTS**
25 **TO COMBAT PUBLIC CORRUPTION.**—In assessing a govern-

1 *ment's efforts to combat public corruption, the Secretary of*
2 *State should consider, to the extent reliable information is*
3 *available—*

4 *(1) whether the country—*

5 *(A) has enacted laws and established gov-*
6 *ernment structures, policies, and practices that*
7 *prohibit public corruption, including grand cor-*
8 *ruption and petty corruption; and*

9 *(B) enforces such laws through a fair judi-*
10 *cial process;*

11 *(2) whether the country prescribes appropriate*
12 *punishment for grand corruption that is commensu-*
13 *rate with the punishment prescribed for serious*
14 *crimes;*

15 *(3) whether the country prescribes appropriate*
16 *punishment for petty corruption that provides a suffi-*
17 *ciently stringent deterrent and adequately reflects the*
18 *nature of the offense;*

19 *(4) the extent to which the government of the*
20 *country—*

21 *(A) vigorously investigates and prosecutes*
22 *acts of public corruption; and*

23 *(B) convicts and sentences persons respon-*
24 *sible for such acts that take place wholly or part-*
25 *ly within such country, including, as appro-*

1 *priate, requiring the incarceration of individuals*
2 *convicted of such acts;*

3 *(5) the extent to which the government of the*
4 *country vigorously investigates, prosecutes, convicts,*
5 *and sentences public officials who participate in or*
6 *facilitate public corruption, including nationals of the*
7 *country who are deployed in foreign military assign-*
8 *ments, trade delegations abroad, or other similar mis-*
9 *sions who engage in or facilitate severe forms of pub-*
10 *lic corruption;*

11 *(6) the extent to which the government of the*
12 *country has adopted measures to prevent public cor-*
13 *ruption, such as measures to inform and educate the*
14 *public, including potential victims, about the causes*
15 *and consequences of public corruption;*

16 *(7) steps taken by the government of the country*
17 *to prohibit government officials from participating*
18 *in, facilitating, or condoning public corruption, in-*
19 *cluding the investigation, prosecution, and conviction*
20 *of such officials;*

21 *(8) the extent to which the country government*
22 *provides access, or, as appropriate, makes adequate*
23 *resources available, to civil society organizations and*
24 *other institutions to combat public corruption, includ-*
25 *ing reporting, investigating, and monitoring;*

1 (9) *the extent to which an independent judiciary*
2 *or judicial body in the country is responsible for, and*
3 *effectively capable of, deciding public corruption cases*
4 *impartially, on the basis of facts and in accordance*
5 *with the law, without any improper restrictions, in-*
6 *fluences, inducements, pressures, threats, or inter-*
7 *ferences (direct or indirect) from any source or for*
8 *any reason;*

9 (10) *the extent to which the government of the*
10 *country is assisting in international investigations of*
11 *transnational public corruption networks and in*
12 *other cooperative efforts to combat grand corruption,*
13 *including cooperating with the governments of other*
14 *countries to extradite corrupt actors;*

15 (11) *the extent to which the government of the*
16 *country recognizes the rights of victims of public cor-*
17 *ruption, ensures their access to justice, and takes steps*
18 *to prevent victims from being further victimized or*
19 *persecuted by corrupt actors, government officials, or*
20 *others;*

21 (12) *the extent to which the government of the*
22 *country refrains from prosecuting legitimate victims*
23 *of public corruption or whistleblowers due to such*
24 *persons having assisted in exposing public corruption,*

1 *and refrains from other discriminatory treatment of*
2 *such persons; and*

3 *(13) such other information relating to public*
4 *corruption as the Secretary of State considers appro-*
5 *priate.*

6 **SEC. 5. DESIGNATION OF EMBASSY ANTI-CORRUPTION**

7 **POINTS OF CONTACT.**

8 *(a) DESIGNATED COUNTRIES.—The Secretary of State*
9 *shall annually designate an anti-corruption point of con-*
10 *tact at the United States Mission to each country that he*
11 *or she determines is in need of such a point of contact.*

12 *(b) POINTS OF CONTACT DUTIES.—Each designated*
13 *anti-corruption point of contact shall be responsible for co-*
14 *ordinating a whole-of-government approach to combating*
15 *public corruption in his or her posted country among rel-*
16 *evant United States Government departments or agencies*
17 *with a presence in that country, including, as applicable,*
18 *the Department of State, the Department of Justice, the De-*
19 *partment of the Treasury, the Department of Homeland Se-*
20 *curity, and the United States Agency for International De-*
21 *velopment.*

22 *(c) TRAINING.—The Secretary of State shall develop*
23 *and implement appropriate training for designated anti-*
24 *corruption points of contact.*

1 (d) *INTERNAL REPORTING.*—*Each anti-corruption*
2 *point of contact shall submit an annual report to the Sec-*
3 *retary regarding anti-corruption activities within his or*
4 *her posted country that—*

5 (1) *evaluates the effectiveness of current pro-*
6 *grams that promote good governance and have an ef-*
7 *fect of combating public corruption; and*

8 (2) *identifies areas in which the United States*
9 *Government’s approach could be enhanced, including*
10 *specific programs that could be used to enhance the*
11 *whole-of-government approach.*

12 **SEC. 6. INTERAGENCY WORKING GROUP.**

13 (a) *IN GENERAL.*—*The Secretary of State shall have*
14 *primary responsibility for managing a whole-of-government*
15 *effort to improve coordination among United States Gov-*
16 *ernment departments and agencies that have a role in pro-*
17 *moting good governance in foreign countries and enhancing*
18 *foreign countries’ ability to combat public corruption.*

19 (b) *TASK FORCE.*—

20 (1) *INITIAL MEETING.*—*Not later than 180 days*
21 *after the date of the enactment of this Act, the Sec-*
22 *retary of State shall establish and convene an initial*
23 *meeting of an interagency task force, which shall be*
24 *composed of—*

1 (A) representatives appointed by the Presi-
2 dent from the departments and agency listed in
3 section 5(b); and

4 (B) representatives from any other United
5 States Government departments or agencies, as
6 determined by the Secretary.

7 (2) *ADDITIONAL MEETINGS.*—The task force de-
8 scribed in paragraph (1) shall meet not less frequently
9 than twice per year.

10 (c) *TASK FORCE DUTIES.*—The task force established
11 pursuant to subsection (b) shall—

12 (1) assist the Secretary of State in managing the
13 whole-of-government effort described in subsection (a);

14 (2) evaluate, on a general basis, the effectiveness
15 of current programs that have an effect of combating
16 public corruption;

17 (3) identify general areas in which the United
18 States Government’s approach could be enhanced; and

19 (4) identify specific programs for specific coun-
20 tries that could be used to enhance the whole-of-gov-
21 ernment approach.

22 **SEC. 7. TRANSPARENCY AND ACCOUNTABILITY.**

23 (a) *IN GENERAL.*—Not later than 60 days after pub-
24 lishing the report required under section 3, and prior to
25 obligation by any United States agency of foreign assist-

1 *ance to the government of a country ranked in the lowest*
2 *2 quintiles in the World Bank Worldwide Governance Indi-*
3 *cator on Control of Corruption grouping described in sec-*
4 *tion 3(1), the Secretary, in coordination with the Adminis-*
5 *trator of USAID, as appropriate, shall—*

6 *(1) conduct a corruption risk assessment and*
7 *create a corruption mitigation strategy for all United*
8 *States foreign assistance programs in that country;*

9 *(2) require the inclusion of anti-corruption*
10 *clauses for all foreign assistance contracts, grants,*
11 *and cooperative agreements, which allow for the ter-*
12 *mination of the contract, grant, or cooperative agree-*
13 *ment without penalty if credible indicators of public*
14 *corruption are discovered;*

15 *(3) require the inclusion of appropriate clawback*
16 *clauses for all foreign assistance that has been mis-*
17 *appropriated through corruption;*

18 *(4) require the appropriate disclosure to the*
19 *United States Government, in confidential form, if*
20 *necessary, of the beneficial ownership of contractors,*
21 *subcontractors, grantees, cooperative agreement par-*
22 *ticipants, and other organizations receiving funding*
23 *from the United States Government for foreign assist-*
24 *ance programs; and*

1 (5) *establish a mechanism for investigating alle-*
2 *gations of misappropriated foreign assistance funds*
3 *or equipment.*

4 **(b) EXCEPTIONS AND WAIVER.—**

5 (1) *EXCEPTIONS.—Subsection (a) shall not*
6 *apply to humanitarian assistance, disaster assistance,*
7 *or assistance to combat corruption.*

8 (2) *WAIVER.—The Secretary of State may waive*
9 *the requirement to delay foreign assistance under sub-*
10 *section (a) if the Secretary certifies to the appropriate*
11 *congressional committees that such waiver is impor-*
12 *tant to the national security interests of the United*
13 *States.*

14 **SEC. 8. RESOURCES AND REPORTING REQUIREMENTS.**

15 **(a) ANNUAL REPORT.—**

16 (1) *IN GENERAL.—Not later than one year after*
17 *the date of the enactment of this Act, and annually*
18 *thereafter, the Secretary of State shall submit a report*
19 *to the appropriate congressional committees that out-*
20 *lines the resources needed to meet the objectives of this*
21 *Act, including—*

22 (A) *personnel needs; and*

23 (B) *a description of the bureaucratic struc-*
24 *ture of the offices within the Department of State*

1 *and USAID that are engaged in anti-corruption*
2 *activities.*

3 **(b) ANNUAL BRIEFING.—**

4 **(1) IN GENERAL.—***Not later than one year after*
5 *the date of the enactment of this Act, and annually*
6 *thereafter, the Secretary shall brief the appropriate*
7 *congressional committees on the implementation of*
8 *this Act, including—*

9 **(A)** *the designation of anti-corruption*
10 *points of contact for countries under section 5(a);*

11 **(B)** *the training implemented under section*
12 *5(c);*

13 **(C)** *the reports received from anti-corrup-*
14 *tion points of contact under section 5(d);*

15 **(D)** *the management of the whole-of-govern-*
16 *ment effort to improve coordination under sec-*
17 *tion 6(a);*

18 **(E)** *the establishment of the task force under*
19 *section 6(b); and*

20 **(F)** *the activities of the task force under sec-*
21 *tion 6(c).*

22 **(2) FORM OF BRIEFING.—***The briefings under*
23 *subsection (b) shall be conducted on an in-person*
24 *basis to members or staff of the appropriate congres-*

1 sional committees. Portions of the briefings may be
2 conducted in a classified setting, as needed.

3 (c) *ONLINE PLATFORM.*—*The Secretary of State and*
4 *the USAID Administrator shall consolidate existing reports*
5 *with anti-corruption components into one online, public*
6 *platform, which shall—*

7 (1) *include—*

8 (A) *the Human Rights Report;*

9 (B) *the Fiscal Transparency Report;*

10 (C) *the Investment Climate Statement re-*
11 *ports;*

12 (D) *the International Narcotics Control*
13 *Strategy Report; and*

14 (E) *any other relevant public reports;*

15 (2) *link to third-party indicators and compli-*
16 *ance mechanisms used by the United States Govern-*
17 *ment to inform policy and programming, such as—*

18 (A) *the International Finance Corporation’s*
19 *Doing Business surveys;*

20 (B) *the International Budget Partnership’s*
21 *Open Budget Index; and*

22 (C) *multilateral peer review anti-corruption*
23 *compliance mechanisms, such as the*
24 *Organisation for Economic Co-operation and*
25 *Development’s Working Group on Bribery in*

1 *International Business Transactions and the*
2 *United Nations Convention Against Corruption,*
3 *done at New York October 31, 2003, to further*
4 *highlight expert international views on country*
5 *challenges and country efforts.*

6 (d) *TRAINING.—The Secretary of State and the*
7 *USAID Administrator shall incorporate anti-corruption*
8 *components into existing Foreign Service and Civil Service*
9 *training courses—*

10 (1) *to increase the ability of Department of State*
11 *and USAID personnel to support anti-corruption as*
12 *a foreign policy and development priority; and*

13 (2) *to strengthen their ability to design, imple-*
14 *ment, and evaluate more effective anti-corruption pro-*
15 *gramming around the world, including enhancing*
16 *skills to better evaluate and mitigate public corrup-*
17 *tion risks in assistance programs.*

Calendar No. 144

116TH CONGRESS
1ST Session
S. 1309

A BILL

To identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

JULY 11, 2019

Reported with an amendment