OBJECTIVES:

- Prevent fraud, waste, and abuse by using only “presently responsible” partners for implementation of USAID’s development programs thereby creating a foundation for success.

- Promote a culture of compliance by (1) serving as a central resource for compliance-related issues, by (2) limiting risk to both internal and external stakeholders, and by (3) facilitating constructive dialogue.

ROLES AND RESPONSIBILITIES:

- Protection of taxpayer dollars
  - Review of disclosures and analysis of referrals
  - Recommendations to the Suspending and Debarring Official (SDO)

- Engagement with Partners
  - Outreach locally (Wash D.C. metro area) and at the Mission
  - Availability/access for questions and concerns
  - Discussions on “present responsibility”
The Key: Present Responsibility

- Partners compliance with laws and regulations, award term conditions, internal controls, and ethical conduct.
- Some factors considered in assessing responsibility:
  - Standards of conduct
  - Voluntary disclosure
  - Internal investigation
  - Full cooperation
  - Paid costs
  - Remedial actions
  - Ethics training
  - Adequate amount of time for changes
  - Management recognition of issue
  - Disciplined employee

Consider: What steps has a partner taken to identify, resolve, and prevent problems?
Challenge

A breakout session should not be USAID just sharing information. For most of the breakout sessions, there is a challenge or problem trying to be solved. Use a slide to highlight the challenge that USAID is facing.

Referral

Referral for administrative action is received by USAID’s Compliance Division (sent by OIG, partner disclosure, Mission, etc.)

1. Acts upon referral and initiates a recommended course of admin. action (e.g., show cause, susp., prop. debarment, no action).

2. Recommendation and the Admin. Record is sent to USAID’s Office of General Counsel for legal review.

3. Recommendation and the Admin. Record is sent to the SDO for consideration and decision.

4. Administrative action is communicated to the partner or individual.

Potential Next Steps: Matters in Opposition, analysis of the Admin. Record for subsequent recommended action to SDO.
Recent Trends, Referrals and Exclusions

Recent Referrals to M/OAA Compliance

- Fraudulent Invoices/Vouchers: 19
- Failure to Perform: 4
- Collusion: 4
- Embezzled Funds: 3
- False Claims: 10
- Solicitation Kickbacks: 4
- Conflict of Interest: 4

Exclusions as a Result of S&D

- FY13: 34
- FY14: 46
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