



NOTES -- Partners' Day: *Working with USAID*

Session Title: Working with Compliance and Ethical Concerns

Date: December 1, 2015

Time & Location: 3:45 p.m. – 4:45 p.m. EST at the Ronald Reagan Building

Presenters:

- Katie Stohs, Compliance Division Chief, M/OAA, kstohs@usaid.gov, (202) 567-4032
- Marianne Perciaccante, Acting Assistant General Counsel, Office of the General Counsel, mperciaccante@usaid.gov, (202) 712-4787
- Mike Walsh, Chief Ethics and Compliance Officer (CECO), DAI, mike_walsh@dai.com, (301) 771-7998

Purpose of the Session

To learn about the role of USAID's Compliance Division which is to protect the integrity of USAID's foreign assistance programs by safeguarding U.S. taxpayer funds (stewardship of funds).

Discussion Topics

Topic 1

- **Compliance Division Objectives:**
 - **Prevent Fraud, Waste, and Abuse** by use of “**Presently Responsible**” implementation partner(s) and individuals
 1. Discussion on Partner internal controls & **would those entail in order to ensure present responsibility;**
 - **Promote a culture of compliance by:**
 1. Serving as a ‘Central Resource’ for compliance related issues;
 2. Limiting risk to stakeholders by recommending suspension and debarment actions to Suspending and Debarment Official (SDO) when partner is “**No longer Presently Responsible**”; and
 3. Facilitating constructive dialogue via outreach and training.

Topic 2

- **Recent Compliance Trends, Referrals and Exclusions**
 - **Collusion**
 1. Limits the Mission's development objectives; decreased competition (contracts) and hinders partner community from
 -
 - **Conflict of Interest**
 - **Solicitation Kick-backs**
 - **Partners need to check SAM for exclusions (debarred / suspended employees)**

Topic 3

- **Ethical Issues (People, Policies and Procedures)**
 - **Trust** of our partners is critical to the development process;
 - Right qualified **People**;
 - **Policies** and **Procedures** **MUST** be adequate
- Government-wide Ethics Rules
 - Post USAID Employment Rules
 - Gifts (\$20 gift limit)



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- Personal Conflicts of Interest: employees may not work on matters that affect their financial interests
- Post-Employment: Lifetime restriction on representation back to USAID on matters such as contracts or grants that former employee worked on at USAID
- Post-Employment: 2 year restriction on representation back to USAID on matters under official responsibility in last year of employment
- Post-Employment: 1 year restriction on representation back to USAID on any matters if the former employee was SES, SFS, PAS, or AD-18 with a salary over \$158,544.50 in 2015

Action Items:

1. When to 'Disclose'? When in doubt contact the OIG to inform them if something seems suspicious. More productive relationship if General Counsel is contacted proactively.

2. Contact Marianne Perciaccante for Post USAID Employment questions or questions about any other ethics issues (mperciaccante@usaid.gov) or (202) 712-4787.