

Peace Corps

§ 307.735-307

§ 307.735-305 Employment with Peace Corps contractor.

An employee of a Peace Corps contractor who is compensated directly or indirectly from Peace Corps funds will be ineligible to be compensated under any personal or nonpersonal services contract with this Agency which will result in the employee being paid twice for the same time or product.

§ 307.735-306 Association with non-Peace Corps contractor while a Peace Corps employee.

(a) *Teaching, lecturing, and writing—*

(1) *Use of information.* An employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his or her Government employment, except when that information has been or on request will be made available to the general public or when the agency head gives advance written authorization for the use of nonpublic information on the basis that the proposed use is in the public interest.

(2) *Compensation.* No employee may accept compensation or anything of value for any lecture, discussion, writing, or appearance, the subject matter of which is devoted substantially to the Peace Corps programs or which draws substantially on official data or ideas which have not become part of the body of public information.

(3) *Clearance of publications.* No employee may submit for publication any writing, other than recruiting information, the contents of which are devoted to the Peace Corps programs or to any other matter which might be of official concern to the U.S. Government without in advance clearing the writing with the Director of Public Affairs. Before clearing any such writing, the Director of Public Affairs will consult with the appropriate Peace Corps office.

(b) *State and local government employment.* Regular employees may not hold office or engage in outside employment under a State or local government except with prior approval of the General Counsel, Peace Corps.

(c) All employees not required by § 307.735-401 to report their outside employment and financial interests shall

inform their supervisors of all outside paid and unpaid employment they hold or accept.

(d) Employees in positions classified at the FP-1 or above levels who intend to engage in outside employment shall notify the DAEO in writing of the nature of their duties and the name and address of the organization for which or the individual for whom they will work. The notification will be made annually by June 30, with additions or deletions submitted as they occur.

§ 307.735-307 Gifts, entertainment, and favors.

(a) *From donors dealing with Peace Corps.* (1) No regular or special employees may solicit or accept, directly or indirectly, for themselves, for any member of their family, or for any person with whom they have business or financial ties, any gift, gratuity, favor, entertainment, or loan or any other thing of value, from any individual or organization which:

(i) Has, or is seeking to obtain, contractual or other business or financial relations with Peace Corps;

(ii) Has interests that may be substantially affected by the performance or nonperformance of the employee's official responsibility;

(iii) It is any way attempting to affect the employee's exercise of his or her official responsibility; or

(iv) Conducts operations or activities that are regulated by Peace Corps.

(2) Paragraph (a)(1) of this section does not prohibit, even if the donor has dealings with Peace Corps:

(i) Acceptance of things of value from parents, children, or spouse if those relationships rather than the business of the donor is the motivating factor for the gift;

(ii) Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of breakfast, luncheon, or dinner meetings or other meetings;

(iii) Solicitation and acceptance of loans from banks or other financial institutions to finance proper and usual activities of employees, such as home mortgage loans, solicited and accepted on customary terms;

(iv) Acceptance on behalf of minor dependents of fellowships, scholarships,

or educational loans awarded on the basis of merit and/or need;

(v) Acceptance of awards for meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, non-profit educational and recreational, public service, or civic organization.

(3) Regular or special employees need not return unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other things of nominal intrinsic value.

(b) *From other Peace Corps employees.* No employees in superior official positions may accept any gifts presented as contributions from employees in lower grades. No employees shall solicit contributions from other employees for a gift to an employee in a superior official position, nor shall any employees make a donation as a gift to an employee in a superior official position. However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(c) *From foreign governments.* No regular employee may solicit or, without the consent of the Congress, receive any present, decoration, emolument, pecuniary favor, office, title, or any other gift from any foreign government. See 5 U.S.C. 7342; Executive Order 11320; and 22 CFR part 3.

(d) *Gifts to Peace Corps.* Gifts to the United States or to Peace Corps may be accepted in accordance with section 10(a)(4) of the Peace Corps Act and Peace Corps Manual section 721.

(e) *Reimbursement for expenses.* Neither this section nor § 307.735-310(a) precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part and for which no Government payment or reimbursement is made. An employee may personally accept reimbursement from organizations that qualify for tax-deductible contributions under section 501(c)(3) of the Internal Revenue Code. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his or her behalf, for excessive personal living expenses, gifts, entertainment, or other

personal benefits. Nor does it allow an employee to receive non-Government reimbursement of travel expenses for travel on official business under Peace Corps orders; but rather, such reimbursement, if any, should be made to Peace Corps and amounts received should be credited to its appropriation. If an employee receives accommodations, goods, or services in kind from a non-Government source, this item or items will be treated as a donation to Peace Corps and an appropriate reduction will be made in per diem or other travel expenses payable.

§ 307.735-308 Economic and financial activities of employees abroad.

(a) *Prohibitions in any foreign country.* A U.S. citizen employee abroad is specifically prohibited from engaging in the activities listed below in any foreign country:

- (1) Speculation in currency exchange;
- (2) Transactions at exchange rates differing from local legally available rates, unless such transactions are duly authorized in advance by the agency;
- (3) Sales to unauthorized persons whether at cost or for a profit of currency acquired at preferential rates through diplomatic or other restricted arrangements;
- (4) Transactions which entail the use, without official sanction, of the diplomatic pouch;
- (5) Transfers of funds on behalf of blocked nationals, or otherwise in violation of U.S. foreign funds and assets control;
- (6) Independent and unsanctioned private transactions which involve an employee as an individual in violation of applicable control regulations of foreign governments;
- (7) Acting as an intermediary in the transfer of private funds for persons in one country to persons in another country, including the United States;
- (8) Permitting use of one's official title in any private business transactions or in advertisements for business purposes.

(b) *Prohibitions in country of assignment.* (1) A U.S. citizen employee shall not transact or be interested in any business or engage for profit in any profession or undertake other gainful