

Department of Veterans Affairs
M-8, Part V
Veterans Health Services and
Research Administration
February 28, 1990
Washington, DC 20420

1. Transmitted is a revision to Department of Veterans Affairs, Veterans Health Services and Research Administration Manual M-8, "Academic Affairs," Part V, "Special Programs and Activities." Brackets have not been used to indicate the changes.

2. Principal changes are:

a. **Chapter 1:** Change to length of service obligation from 2 years to 1 year and the program is expanded to include associate degree in nursing and baccalaureate or master's degree in physical therapy or occupational therapy.

b. **Chapter 6:** Changed to Chapter 3 and changed to exclude travel to Canada and Mexico.

3. **Filing Instructions**

Remove pages

Insert pages

i through vi

i through iv

1-1 through 9F-1

1-i through 5F1

4. **RESCISSION:** M-8, part V, dated August 14, 1978, and changes 1 through 14.

JOHN A. GRONVALL, M.D.

Chief Medical Director

Distribution: **RPC: 1310**
FD

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Department of
Veterans Affairs

ACADEMIC AFFAIRS
SPECIAL PROGRAMS AND ACTIVITIES

M-8, Part V
Veterans Health Services
February 28, 1990
and Research Administration

Washington, DC 20420

Department of Veterans Affairs, Veterans Health Services and Research Administration Manual, M-8, "Academic Affairs," Part V, "Special Programs and Activities," is published for the compliance of all concerned.

JOHN A. GRONVALL, M.D.

Chief Medical Director

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RESCISSIONS

The following material is rescinded:

COMPLETE RESCISSIONS

a. **Manuals**

M-8, part V, dated August 14, 1978, and changes 1 through 14.

b. **VHS&RA Interim Issues**

II 10-83-10 and supplement No. 1

c. **VHS&RA Circulars**

10-78-180

10-78-263

10-80-147

10-84-109

10-84-180

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CHAPTER 1. HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

1.01 PURPOSE

The purpose of this chapter is to set forth Health Professional Scholarship Program policies for participants required to fulfill service obligation in VA health care facilities. Scholarship Program participants hereafter will be identified as participants.

1.02 AUTHORITY

Authority is contained in 38 U.S.C. 4311-4336, and 38 CFR 17.600 through 17.612.

1.03 RESPONSIBILITY

a. The ACMD (Assistant Chief Medical Director) for Academic Affairs (143B) is responsible for monitoring participants during academic training.

b. Monitoring participants during service obligation is a joint responsibility of the ACMD for Academic Affairs and facility Director where participants are assigned for service obligation.

1.04 DEFINITIONS

The following definitions describe participants in the Health Professional Scholarship Program:

a. Full-time Scholarship Program participant means an individual who received a scholarship for full-time study leading to an associate degree in nursing, or a baccalaureate or designated master's nursing, occupational therapy, or physical therapy degree.

b. Part-time Scholarship Program participant means an individual who was a full-time VA health care employee permanently assigned to a VA health care facility and who received a scholarship for part-time study leading to a baccalaureate nursing degree.

1.05 SERVICE OBLIGATION FOR SCHOLARSHIP PROGRAM PARTICIPANTS

a. Requirements

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(1) A full-time participant must provide a minimum of 1 year of full-time employment as a professional nurse, or occupational therapist, or physical therapist at a VA health care facility designated by the Secretary. An additional year of service is required for each year or any part of a year a participant receives scholarship benefits.

(2) A part-time scholarship participant must provide a minimum of 1 year of full-time employment as a professional nurse at a VA health care facility in return for 1 year or any part of a year of scholarship support. Additional years of required service are calculated in accordance with the number of credit hours carried during an academic period(s) in the calendar year as these hours bear to the number of credit hours that are required to be carried by a full-time student in the same program during the same academic period(s) in the calendar year.

(3) A facility Director will be informed of the length of each participant's service obligation by ACMD for Academic Affairs or designee.

b. Beginning Date for Service Obligation

Obligated service begins on the date when a participant has accomplished all of the following:

(1) Completed all requirements of the degree for which the scholarship was awarded,

(2) Attained licensure as a registered nurse or physical therapist in a State, Territory, Commonwealth of Puerto Rico, or in the District of Columbia; or certification as an occupational therapist from the American Occupational Therapy Association, and

(3) Assigned as a registered nurse or licensed physical therapist under authority of 38 U.S.C. 4114(a)(1)(A) or 4104(1) and 4104(3) in full-time employment status.

c. Placement of Participants

(1) The ACMD for Academic Affairs or designee periodically will seek information from facility Directors concerning need for employment of participants during service obligation.

(2) The ACMD for Academic Affairs or designee will solicit location preferences for service obligation from participants.

(3) The ACMD for Academic Affairs or designee will notify the facility Director when a participant is interested in being employed at the facility for service obligation.

(4) The participant is responsible for contacting Nursing Service/Rehabilitation Medicine Service at the VA medical center to arrange for employment.

(5) The ACMD for Academic Affairs will establish the beginning date for service obligation as the date the participant was assigned as a full-time

registered nurse or licensed physical therapist. The facility Director will submit this information to the Scholarship Program (143B), through the appropriate Regional Director (10BA ___/143B).

d. Appointment Procedures

(1) Participants are employed using facility FTEE and funds, and are centralized to the Chief Medical Director for the period of service obligation under provisions of VHS&RA (Veterans Health Services and Research Administration) Supplement, MP-5, part I, chapter 250.

(2) Participants will be appointed for obligated service under authority of 38 U.S.C. 4104(1) and 4104(3) on a full-time basis in accordance with provisions of MP-5, part II, chapter 2 and VHS&RA Supplement thereto.

(3) A facility Director may request reimbursement from the Office of Resource Management (10A2) for travel and transportation expenses of a participant to the facility for service obligation in accordance with provisions for centralized positions shown in VHS&RA Supplement, MP-4, part VII.

(4) The local Nurse Professional Standards Board or Standards Boards for Physical Therapy will act on appointments, advancements, and probational reviews of registered nurse participants in accordance with provisions of VHS&RA Supplement, MP-5, part II, chapters 2, 4, and 5, and VHS&RA Supplements thereto. Standards Board for occupational therapists and physical therapists will act on appointments and advancements of participants in these occupations in accordance with MP-5, part II, chapters 2 and 5, and VHS&RA Supplements thereto. Probationary review of occupational therapists and physical therapists will be conducted in accordance with the provisions of 5 U.S.C. 3321, and MP-5, part I, chapter 315.

e. Completion of Service Obligation

The ACMD for Academic Affairs or designee will notify the facility Director and the participant when the period of service obligation is completed.

f. Graduate Nurse Technician, Graduate Occupational Therapy Technician or Graduate Physical Therapy Technician

A participant who has completed degree requirements and is pending registration in a State or certification from the American Occupational Therapy Association may apply to any VA health care facility for employment as a graduate nurse, graduate occupational therapist, or physical therapist technician. Participants accepted for such appointments will serve under authority of 38 U.S.C., chapter 73, in accordance with provisions of MP-5, part II, chapter 2, and VHS&RA Supplement thereto. Such work experience will not be credited toward fulfilling the service obligation of the Scholarship Program.

g. Changes in Employment Status

A participant must be employed full-time during the entire period of service obligation. The facility Director will notify the Scholarship Program (143B) immediately when there is a significant change in employment status such as: a participant is considering resignation, being considered for separation, transferring to another facility, or requesting part-time employment.

h. LWOP (Leave Without Pay)

LWOP may not be credited toward the period of service obligation. Any LWOP granted to a scholarship participant will be reported immediately to the Regional Director (10BA___/143B).

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CHAPTER 2. EDUCATION SPACE AND FACILITIES

2.01 PURPOSE

This chapter outlines policy and procedures relating to the development and support of education space and facilities within the VHS&RA (Veterans Health Services and Research Administration) health care system.

2.02 OBJECTIVES

Within available resources, provide adequate, functional education space and facilities and to ensure their quality and appropriateness.

2.03 DEFINITIONS

a. Education space is defined as those areas in VA health care facilities used primarily for the education and training of VA employees, students from affiliated schools and institutions, patients, and others participating in VA educational activities.

b. Education space includes such areas as work-study carrels, house staff offices, student laboratories, classrooms, conference rooms, interview rooms, libraries, learning resource centers, and medical media production space. Also included are administrative spaces for those individuals whose primary responsibility is conducting training programs.

c. A clinical area used primarily for patient care cannot be considered education space.

2.04 POLICY

a. Conveniently located and functional education space and facilities will be provided, as appropriate, to support affiliations and teaching activities which improve patient care.

b. Medical center management should assess need, plan for, and include proposals for such space use in the facility 5-year plan and in MEDIPP as appropriate.

c. Central Office funds provided for education space will be limited to projects with a clearly defined educational objective. Renovation of a clinical area may be accomplished only if such renovation is essential to begin

or support an approved training program (see M-8, pt. II). The relocation of other activities necessary to provide space for education and training may be supported by education funds if fully justified and approved by the ACMD for Academic Affairs. Relocation and renovation of educational space resulting from the need to provide space for other services will not be supported by educational funds.

d. All education space will be shared to the maximum extent regardless of its location within a given functional area. When particular education space is used less than 60 percent of the administrative workday, it should be shared with other functions or converted to other use. General purpose education space, such as classrooms or conference rooms, will be made available as needed to all services. Special purpose space, such as offices or carrels, may be assigned full time to designated trainees requiring these facilities during a specified period of training. Scheduling the use of education space is the responsibility of the ACOS/E (Associate Chief of Staff for Education). At medical centers where the ACOS/E position has not been established, another staff official should be assigned the duty of scheduling the use of all education space.

e. Patient care areas, such as dayrooms or unassigned bedrooms, may, at the discretion of facility management, be adapted for interim or part-time education use if other solutions to space deficiencies are not available.

2.05 PROCEDURES

a. General

(1) Facility Directors are responsible for planning and allocating suitable space for education uses in accordance with Office of Facilities Handbook H-08-9, "Planning Criteria for VA Facilities," in coordination with the Chief of Staff and ACOS/E or comparable position where such exists, and submitting proposals to Central Office in accordance with current directives.

(2) Proposals for education space and facilities should include VA Form 10-1193 with prescribed attachments and schematic plans outlining proposed alterations and identifying location of the project within the facility (room number(s), floor, wing and building).

(3) Proposals must include an assessment of need based on current and projected numbers of trainees, new programs and/or emerging affiliations. A summary of existing educational spaces to be continued in use should also be included.

(4) If the request proposes alterations and modification of space for more than one area of the facility and/or for more than one specific program activity, facility management must, to the extent possible, assign priorities based on need and patient care benefit.

(5) Requests for equipment and furnishings required to support new or altered education space should accompany the proposal using VA Form 10-1348 or 90-134, as appropriate.

b. Nonrecurring M&R Projects

(1) M&R projects involving education space should be submitted as early in the fiscal year as possible and are to be submitted through prescribed channels in accordance with current directives (see M-8, pt. III, ch. 6).

(2) The Office of Academic Affairs (142) will review the proposal for compliance with approved criteria and functional adequacy and will coordinate with other Central Office elements as appropriate.

(3) Support for approved projects is provided by the ACMD for Academic Affairs (142) within available funding limits.

(4) Priority consideration is provided for projects included in the facility 5-year plan.

c. Construction Projects (Minor Miscellaneous, Minor, Major)

(1) Projects which exceed funding limitations of the nonrecurring M&R program (\$100,000 minor improvement) are submitted on an annual basis in accordance with

VHS&RA requirements and must be included in the facility 5-year plan and in MEDIPP.

(2) All construction projects involving education space are coordinated with the Office of Academic Affairs (142).

(a) Staffing projections and other workload data used in the development of space requirements for construction projects are provided for planning purposes.

(b) Space and architectural plans are reviewed for compliance with approved criteria and functional adequacy.

(c) Priority ranking for educational projects funded under construction programs may be provided to assist in the development of construction budgets.

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CHAPTER 3. FOREIGN TRAVEL

3.01 PURPOSE

This chapter establishes policies, approval/disapproval authorities, and procedures relating to foreign travel by VHS&RA personnel.

3.02 DEFINITION

This chapter addresses travel while in duty status (including authorized absence only) to foreign countries. Travel to Canada and Mexico, U.S. Territories and Possessions and Puerto Rico are exempt from these requirements. (See MP-1, pt. II, ch. 2, app. A.)

3.03 BACKGROUND

Many important international meetings and educational opportunities occur annually throughout the world. VHS&RA physicians, scientists, and other staff members are in demand as participants in these activities and many find it worthwhile and important to attend, present their own work, learn new advances, or acquire new skills. Similarly, VHS&RA staff may be requested to participate in administrative, technical, or other onsite reviews of activities, e.g., inspecting hospitals or health care delivery systems. When the efficiency and effectiveness of VA is enhanced by such involvement, participation is considered desirable.

3.04 BASIC POLICIES

a. VHS&RA management has the responsibility to review carefully all foreign travel of VHS&RA employees, including those trips where only authorized absence is requested.

b. All requests for foreign travel, including shipboard cruises which exit U.S. territorial waters and/or visit foreign ports, require review and approval/disapproval by the delegated official (see par. 3.05).

c. The travel must not be for routine purposes or to accommodate personal interests.

d. The review process must give primary consideration to the importance and value of the trip to the VHS&RA and VA, to the employee, and to any other relevant factors. Justification must clearly indicate how the proposed trip will further the mission of VA. Public relations or good will on their own

merits are not ordinarily considered appropriate justification to warrant approval of authorized absence.

3.05

DELEGATION OF AUTHORITY FOR APPROVAL/DISAPPROVAL OF FOREIGN TRAVEL REQUESTS

Authority to review and approve/disapprove foreign travel is established as follows:

a. VHS&RA facility Directors are authorized to review and approve/disapprove foreign travel of staff under their supervision following a formal review process (see par. 3.06) when:

(1) No VA-appropriated funds other than salary (authorized absence) are involved for trips to foreign countries. **(NOTE: If any VA appropriated travel funds are involved for domestic travel to the point of embarkation, for per diem, or for registration fees, the request and justification must be submitted to the ACMD (Assistant Chief Medical Director) for Academic Affairs (144C) with a recommendation for approval/disapproval by the staff member's supervisor, facility review committee (see par. 3.06), and the facility Director.)**

(2) Only earmarked General Post Funds are involved, and where the trip is (a) related to an approved project for which the travel portion of the donation was made, and (b) approved by the facility Research or Education Committee;

NOTE: See VHS&RA Supplement MP-4, part VII, Chapter 4, "General Post Fund," and VHS&RA Manuals M-3 and M-8 for agency policy on General Post Funds. When use of General Post Funds is authorized by the facility Director, the funding guidelines outlined in paragraph 3.08j will be followed.

(3) An individual's cumulative foreign travel for a calendar year does not exceed:

(a) Absences of 20 calendar days away from the facility or

(b) three trips including the trip for which the request is made.

The 20 days away from the facility includes traveltime and holidays and weekends occurring within the approved period, and is not prorated in any way because of full- or part-time VA appointment.

b. The Chief Medical Director retains approval/disapproval authority for:

(1) Any requests involving travel of a facility Director and all VHS&RA Central Office staff;

(2) Requests involving VA appropriated travel funds; and

(3) Requests when an individual's cumulative foreign travel for the calendar year will exceed 20 calendar days away from the facility or three trips, including the trip for which the request is made.

3.06 FACILITY REVIEW PROCESS

a. VHS&RA facility Directors must establish a formal review process and establish or designate an existing committee for considering all foreign travel

requests whether to be approved locally or forwarded to the ACMD for Academic Affairs (144C) (see par. 3.05). The review criteria, guidelines, and process to be used locally must be established in writing by the facility Director.

b. An existing facility committee or subcommittee may be assigned the review and recommendation function, or the facility Director may establish a new committee. The committee must be multi-disciplinary and represent a cross-section of facility responsibilities. (**NOTE:** *When the Research and Development Committee review General Post Fund travel, the decisions shall be noted in the minutes of the committee meeting.*)

c. A facility appeal mechanism must be established for reconsidering those requests disapproved by the facility Director.

d. The authority to approve/disapprove requests or appeals to decisions made under the authority of paragraph 3.05a may not be redelegated to any facility official other than the Director.

3.07 CENTRAL OFFICE REVIEW PROCESS

The Chief Medical Director's Foreign Travel and Extended Leave Panel will review each request submitted requiring the Chief Medical Director's approval/disapproval in accordance with the basic policies, criteria, and guidelines. The panel will submit its recommendations through the Assistant Chief Medical Director for Academic Affairs to the Chief Medical Director. Requests disapproved by the Chief Medical Director may be appealed in writing through the facility Director. Appeals will be directed to the Assistant Chief Medical Director for Academic Affairs (144C) and must contain any administrative or technical explanation/justification not included in the original request. Requests disapproved by the facility Director under authority of paragraph 3.05a may not be appealed to the Chief Medical Director.

3.08 REVIEW PROCESS, CRITERIA, AND GUIDELINES

The following review process, criteria, and guidelines apply for any VHS&RA foreign travel request.

a. All requests will be submitted via a forwarding letter signed by the facility director and contain a statement that it has been reviewed and recommended for approval by the facility education committee or other appropriate committee. Requests will also include a completed VA Form 10-5504, Foreign Travel Request--Briefing Slip, a brochure of the meeting, letter(s) of invitation, a complete itinerary of the trip, title(s) of paper(s) if presenting, a signed approved copy of VA Form 10-0101B if non VA support is being provided (see par. 3.08i), and any other substantiating documentation.

b. The request must be submitted in time to allow sufficient time for review. Requests for review by the Chief Medical Director must be received in Academic Affairs (144C) no fewer than 30 calendar days prior to the proposed travel date; requests not meeting this timeframe will be automatically returned "disapproved--not received within sufficient time for consideration." If there are special circumstances for late submission, such as being a last minute substitute of a previously approved attendee or documented late notification of an applicant, this shall be highlighted in the Director's transmittal letter.

c. A firm determination must be made by the reviewing and approving officials that the travel involves a scientific meeting, educational experience, or other

appropriate opportunity not reasonably available in the United States, or involves representing VA at an international meeting.

d. Only one employee may be approved from any one facility for any one meeting or activity unless there are clearly documented and compelling programmatic reasons for an exception. This restriction embraces both the facility Director and CMD approval authorities; i.e., if a facility Director has approved attendance for one person to attend a meeting or other activity under the authority contained in paragraph 3.05a, no other requests shall be approved nor shall requests be submitted for CMD approval under the authority of paragraph 3.05b.

e. Presentation of a paper in a foreign country by VA medical/dental house staff (resident) may be supported for authorized absence only under the following circumstances:

(1) The paper is to be presented by the traveler as primary or secondary author.

(2) Only one person receives VHS&RA authorized absence to present the paper.

(3) The paper and the conference at which it is presented are both closely related to the resident's specialty/subspecialty program.

(4) When presenting the paper, the resident identifies oneself as a resident serving in a VA health care facility.

f. Requests for VHS&RA staff to serve as visiting professors or teachers may only be considered under the following circumstances:

(1) The invitation comes from an institution with acceptable credentials in the country involved.

(2) The visiting professor or teacher shall give evidence of the ability to favorably represent VHS&RA, VA, and the United States in presenting a particular expertise, and in interpersonal relationships within the host country.

(3) The amount of time requested is adequate to achieve the required impact/involvement, but not excessive.

(4) No honorarium is paid in cash or in kind to VHS&RA staff member or to family or associates.

(5) Credit is given to VHS&RA and VA in any printed materials prepared for or resulting from the activity.

g. The "People-to-People Program" sponsored by People-to-People International, Kansas City, MO, has been reviewed and accepted as a worthwhile endeavor because of unique educational opportunities and may be approved by facility Director for authorized absence if in accord with the 20-day/3-trip limitations

and other criteria established by facility review committees. Otherwise, the request will be submitted for the Chief Medical Director's consideration through the ACMD for Academic Affairs (144C).

h. Programs conducted in foreign countries by U.S. professional societies or schools will not normally be approved, nor will those sponsored by professional consultant organizations.

i. No appropriated funds are set aside by the Chief Medical Director for foreign travel. Therefore, requests for funds must be based on local availability. Block 9 of the request, VA Form 10-5504, Foreign Travel Request-Briefing Slip, must specify the source of funds, e.g., medical care appropriation. Block 10 of VA Form 10-5504 refers to support other than VA. When other than VA support is being provided, a completed copy of VA Form 10-0101B, Request for Approval of Acceptance of Gifts or Donations for Travel/Subsistence Expenses in Connection With Official Travel by VHS&RA Facility Employees, approved by the facility Director, MUST accompany VA Form 10-5504 submitted to VA Central Office. If non-VA support is not involved, indicate "none" in block 10.

j. When the traveler is presenting a paper or otherwise formally participating in a meeting or activity in an official capacity (e.g., Officer of sponsoring society, Chairperson of a session or panel), the Chief Medical Director generally authorizes:

(1) Domestic travel and per diem costs to and from the nearest convenient point of embarkation;

(2) Per diem for the duration of the meeting(s) or activity, or 5 days total, whichever is less; and

(3) Registration fees.

Exceptions may be made only by the Chief Medical Director.

k. When attending a meeting in the absence of formal participation, only authorized absence may be approved.

l. Agency travel provisions relating to employee travel management contained in MP-1, part II, chapter 2, are applicable.

m. Passport information for official travel is contained in MP-1, part II, chapter 2, paragraph 5.

n. The Office of the General Counsel has advised that there is no objection to participating--without remuneration and for educational purposes--in the treatment of a non-VA beneficiary while on authorized absence. While providing such treatment, the VHS&RA physician or dentist involved may not assume the responsibility for the medical care of any patient other than a patient admitted for treatment in a VA facility. However, the employee would not be entitled to the protection provided by 38 U.S.C. 4116 for personal liability (for malpractice).

o. Requests for additional time away from the facility (annual leave and/or LWOP) in conjunction with approved foreign travel is the responsibility of local management in accordance with existing guidelines covering absences. (See VHS&RA Supp. MP-5, pt. II, ch. 7; and MP-1, pt. II, ch. 2, par. 18a(8), and app. K, par. 2b.)

3.09 EXCEPTIONS

Where there are extenuating circumstances which warrant consideration as an exception to the provisions of this chapter, an appropriate communication from the facility Director may be addressed to the ACMD for Academic Affairs (144C) for consideration by the Chief Medical Director .

3.10 DEPARTMENT OF STATE CLEARANCES

Attendance at international conferences, medical, scientific, and similar meetings, and routine professional visits do not require Department of State clearances. On occasion, travel to certain countries may be restricted and that becomes a matter of public record. If the American Embassy in a foreign country becomes involved in planning or coordinating a trip, the Department of State in Washington, DC, must be contacted (202/647-4000). It is better to err on the side of contacting the Department of State and informing them of plans than to not do so. (**NOTE:** *The U.S. ICIS (Interdepartmental Committee on Internal Security) developed a standardized defensive security briefing for all personnel traveling to Communist countries (see app. 3A). The briefing material is to be provided to any regular or contract employee traveling to Communist countries, either*

on Government business or for personal reasons, and irrespective of the sensitivity of the employee's current position or the employee's access to classified information.)

3.11 EXTENDED EDUCATIONAL LEAVE INVOLVING FOREIGN TRAVEL

Requests for foreign travel which exceed 90 calendar days will be considered as extended leave for educational purposes and must be submitted in accordance with chapter 4.

3.12

ACCEPTANCE OF CONTRIBUTIONS, AWARDS, AND PAYMENTS FROM OTHER THAN VA SOURCES IN CONNECTION WITH OFFICIAL TRAVEL INVOLVING TRAINING IN NON-GOVERNMENT FACILITIES OR ATTENDANCE AT MEETINGS

Approval of any foreign travel trip by the Chief Medical Director does not convey authority for an employee to accept non-VA support. Approval for acceptance of any non-VA support remains the responsibility of the facility Director under the circumstances described in chapter 5, and other VHS&RA policy directives regarding VHS&RA employees accepting gratuities, gifts, and honoraria. As indicated in paragraph 3.08i, a completed copy of VA Form 10-0101B, Request for Approval of Acceptance of Gifts or Donations for Travel/Subsistence Expenses in Connection With Official Travel by VHS&RA Facility Employees, **MUST** accompany all foreign travel requests submitted to VA Central Office.

3.13 RECORDS AND REPORTS

a. MP-1, part II, chapter 2, paragraph 3.1., requires the Chief Medical Director to provide the Director, Office of Information Management and Statistics (734) with quarterly reports showing all foreign travel requests reviewed each quarter of the fiscal year. Facility reports, including negative reports if applicable, must be submitted to reach the ACMD for Academic Affairs (144C) no later than the 10th workday following the close of each quarter. Submit the report in duplicate in the format shown as appendix 3B, RCS 10-0157.

b. In addition, MP-1, part II, chapter 2, paragraph 3.1., requires that records be retained in the following format on all incidents of foreign travel.

(1) Name, grade, and position or title of each employee who performed foreign travel during the quarter.

(2) Date departing from and returning to the duty station, destination of the travel (city and country), and purpose of travel.

(3) Total cost of the trip indicating funding sources (i.e., VA appropriated funds; General Post Funds; personal funds; contributions, awards, and/or payments from other-than-VA sources) as follows:

- (a) Round trip transportation cost;
 - (b) Subsistence, per diem, and miscellaneous costs; and
 - (c) Other associated costs (registration fees, membership fees, etc.), if any.
- (4) Justification for the trip.

Facilities will maintain the above records on all facility employees regardless of whether the foreign travel was approved locally or by the Chief Medical Director. It is not the intention to require submission of the above records to Central Office unless requested by agency officials.

c. It is recommended that VA Form 10-5504, Foreign Travel Request--Briefing Slip, be used to record foreign travel actions, with whatever local modifications are deemed necessary, for providing the basis for the required records and reports.

COPY COULD NOT BE CONVERTED TO WANG
COPY AVAILABLE IN ROOM 718

INSPECTOR GENERAL'S MEMO: DEFENSE SECURITY BRIEFING TO BE PROVIDED
U.S. GOVERNMENT EMPLOYEES TRAVELING TO
COMMUNIST-CONTROLLED COUNTRIES

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2. Beyond your hotel room, you should assume that conversations in vehicles (including embassy vehicles), train compartments, restaurants, conference rooms and other public places, may be monitored. Miniature microphones with transmitters or recorders can easily be secreted on the person of an individual in your group. It is even technically possible to record your conversations in open, outdoor areas; however, those areas are normally more secure than indoor locations.

3. Avoid unnecessary discussions concerning your job, your work place and other official matters. Also avoid discussing other U.S. employees' habits, character, or other matters which reveal weaknesses or idiosyncrasies.
4. Assume that your personal luggage will be searched at some time in your hotel room. If you discover evidence of this, do not make a big issue of it. Positive evidence of such activity, however, should be reported to the U.S. Embassy and your security officer upon your return. It is just as well not to bother locking your luggage, as most locks will be readily picked. If the lock cannot be picked, this will only increase the curiosity of the intelligence agent and the lock may be broken. Never leave your luggage unattended containing valuable papers or documents you do not wish anyone else to read. If you surprise someone searching your possessions, don't take any violent or physical action, but report the incident to local and U.S. authorities.
5. You may receive a "wrong number" or otherwise mysterious telephone calls in the hotel room at any hour of the day or in the middle of the night. Do not let this unduly upset you. It may be a crude but effective method of determining whether or not you are in your room. It may be only a result of poor telephone service.
6. Do not rely on hotel employees for protection service. In these countries; you should always assume that chamber maids, elevator operators and hotel employees, as well as waiters or the maitre d' in restaurants are in the employ of the intelligence services. Be particularly circumspect in your relations with guides, interpreters, and Communist travel agency personnel, as these people are invariably used by intelligence agencies.
7. You may be placed under physical surveillance as you travel either on foot or by vehicle. You may suspect you are being observed when actually you are not. In either event, the best tactic is to ignore it. Communist intelligence agents at various times observe visitors on a spot-check basis for no apparent reason. On the other hand, they may be collecting detailed data concerning your activities in preparation for a more direct intelligence approach. Do not attempt to lose the surveillance. If you are actually being followed for intelligence objectives, you will be covered by a team of several agents, and your evasion attempts will only make you more suspicious.
8. You will be permitted to take photographs with your personal camera, but be careful not to photograph restricted areas. Travelers should refrain from taking photographs from aircraft, photographing military and police installations and personnel, industrial structures, harbor, rail and airport facilities, and border areas. Communist countries also resent your photographing items which put them in a bad light, such as slum areas, public drunks, scenes of civil disorder or other public disturbances. If you do take such photographs, your film may be confiscated.
9. Be particularly circumspect in approaches which may be made offering social companionship, especially of a sexual nature. Many of these persons are "plants" of Communist intelligence agencies and will offer themselves attractively for the purpose of getting you in a compromising situation which

will be followed by a blackmail threat to force your cooperation in intelligence activities. Under no circumstances should you seek or accept this kind of social companionship in a Communist country. The intelligence services are fully aware of the possibilities inherent in human frailties, and will capitalize immediately upon any indication of immoral or indiscreet behavior of American

travelers. Even when failing to detect a vulnerability, Communist agents have attempted entrapment of innocent travelers. For this reason, you should maintain the highest level of personal behavior at all times, avoid long walks at night alone, and endeavor to always be in the company of someone you can trust. Be especially careful to stay well within your capacity for alcohol so as not to weaken your defense or lose your self-control.

10. Do not accept from anyone (including friends, relatives or professional contacts) letters, photographs, packages or any other material to be smuggled out of the country or carried in your effects when you depart. Be firm in your denials in these matters, as such requests may be acts of intelligence provocation to entrap you.

11. Bear in mind that there are many political, cultural and legal differences between the U.S. and Communist countries. Actions which are innocent or, at worst, carry wrist-slapping penalties in the U.S., are often considered serious offenses against the law in Communist-dominated societies. Persons violating the law, even unknowingly, run the risk of arrest or expulsion. Do not, for instance, take "souvenirs" from hotels or institutions, however insignificant in value they may appear.

12. Do not engage in any private currency transactions with individual citizens. Do not try to sell or trade any personal items, including clothing, which you have brought into the country, or purchase bargains from street peddlers or other questionable vendors. Do not engage in blackmarket activities. Many Communist countries have laws governing exportation of art work and historic relics. Be familiar with these laws if you intend to purchase such items, and make these purchases only at official establishments.

13. Should you be detained or arrested for any reason by police or other officials of these countries, be cooperative, but insist promptly, politely, and repeatedly, if necessary, that the U.S. Embassy or Consulate be notified. Do not make any statements or sign any documents you do not fully understand, until you have had an opportunity to confer with an embassy representative. You may possibly be accused of having some connection with an American intelligence service, or of having accepted an assignment by such service to be carried out in the host country. You should make no admission whatever indicating you have ever had any dealings, under any circumstances, with any U.S. intelligence agency.

14. Mail which you receive or transmit is subject to censorship in a Communist country. In all mail you write prior to, during, or after your visit to a communist country, make no reference to classified information nor reveal information of possible value to a hostile intelligence service. Be careful in writing to or about relatives or friends in these countries, as they may become targets for investigation or exploitation.

15. There have been several incidents in Communist countries wherein speech-inducing drugs, medicines, etc., have been used under the guise of medical treatment for the purpose of aiding in interrogation. In non-emergency

situations, every effort should be made to avoid Communist hospitals or medical facilities without first having notified the U.S. Embassy or Consulate.

16. Report immediately any action which might form the basis of pressure or compromise, or any attempt to pressure or compromise you, to the American Embassy

(security officer) in the country being visited, and also to your security officer immediately upon your return to your job. Also report any unusual subsequent contacts with Communist country nationals.

We have discussed above many, but not necessarily all, pitfalls which may befall an American traveler. New espionage techniques and tactics are constantly being developed, and the highest degree of alertness is necessary at all times. While the techniques employed by Communist countries' intelligence services seem far-fetched, illicit, or taken from "spy novels," they are in fact used in day-to day activities and operations. Although these techniques are revolting to an American, one must nevertheless recognize them as a part of the Communist system, in order that he or she may successfully counter such practices.

Well, so much for the dark side of the picture. All of these things had to be said so you would be forewarned of the possibilities. Now for the probabilities:

You probably will not be entrapped by Communist intelligence services, and you probably will not have any problems if you respect local laws and customs, be honest in your dealings and behave discreetly. You can expect friendly treatment from most of the citizens with whom you come in contact, and you will find that they are very interested in all aspects of American life. You can therefore serve as a valuable good will ambassador for the U.S., while you enjoy the interesting and innocent features of the country (s) you visit. Be open to this experience, have a good trip and come home safely. Foreign Countries (Other Than Canada and Mexico) Approved/Disapproved by the Facility Director Under Authority of M-8, Part V, Paragraph 3.05a(2) or (3).

Authorized Absence VA Appropriated Funds General Post Funds

Only--Number

Number	Amount	Number	Amount
--------	--------	--------	--------

a. Requests Approved

xxx

3-40

3-40

xxx

\$

b. Requests Disapproved

xxx

xxx

\$ _____

c. TOTAL

xxx

xxx

\$

Part III Total Foreign Travel Requests Approved/Disapproved by the Facility Director Under Authority of paragraph 3.05a (1), (2) and (3).

Authorized Absence
VA Appropriated Funds
General post Funds

Only---Number

Number Amount
Number Amount

3-41

3-41

a. Requests Approved

\$

\$

b. Requests Disapproved

\$

\$

c. TOTAL

\$

\$

Part IV Reconsiderations/Appeals.

NOTE: *This information is requested only for determining the number of appeals and their disposition by facility Directors. Requests should be included in part I or II based on the Director's action (approved or disapproved); the following counts are for information only.*

VA Appropriated Funds

Authorized Absence
(Canada & Mexico Only)
General post Funds

Only---Number Number Amount

Number Amount

a. Total facility Director decisions appealed by

\$

\$

employee

b. Facility Director original decision. Reversed
upon review

c. Facility Director disapproval sustained upon
review

REPORT DUE DATE: Information shall be transmitted in time to reach the ACMD for Academic Affairs (144C) no later than the 10th workday following the close of each quarter. Negative reports are required if applicable.

COPY COULD NOT BE CONVERTED TO WANG
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INTERDEPARTMENTAL COMMITTEE ON INTERNAL SECURITY

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FORMAT FOR REPORTING

VHS&RA REPORT OF FOREIGN TRAVEL

Fiscal Year _____ Quarter _____ VHS&RA Report of Foreign Travel.

Facility Name and Number:

RCS 10-0157

Name and FTS Number of Person To Contact About Information in the Report:

Part I Total Foreign Travel Requests Approved/Disapproved by the Facility Director Under Authority of M-8, Part V, Chapter 3, Paragraph 3.05a(1) and (2).

Authorized Absence

General Post Funds

Only---Number

Number Amount

a. Requests Approved

3B-45

3B-45

\$_____

b. Requests Disapproved

c. TOTAL

\$_____

Part II Reconsiderations/Appeals

NOTE: *This information is requested only for determining the number of appeals and their disposition by Facility Directors. Requests should be included in Part I based on the Director's action (approved or disapproved); the following counts are for information only.*

Authorized Absence
General post Funds

Only---Number
Number Amount

a.
Total facility Director decisions
appealed by employee

\$_____

b.
Facility Director original decision
reversed upon review

c.
Facility Director disapproval
sustained upon review

\$_____

3B-47

3B-47

REPORT DUE DATE: Information shall be transmitted in time to reach the ACMD for Academic Affairs (144C) no later than the 10th workday following the close of each quarter. Negative reports are required if applicable.

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CHAPTER 4. EXTENDED LEAVE FOR VHS&RA EDUCATIONAL PURPOSES

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CHAPTER 4. EXTENDED LEAVE FOR VHS&RA EDUCATIONAL PURPOSES**4.01 PURPOSE AND AUTHORITY**

This chapter outlines the policies and procedures for granting extended leave for educational purposes within existing authorities contained in 5 U.S.C. chapter 41 (Pub. Law 85-507, "Government Employees Training Act"), and the Postgraduate and Inservice Training program (M-8, pt. IV, ch. 2). It does not cover such other special or formal training programs as long-term training in upward mobility or VHS&RA nurses preparing as nurse practitioners, or sabbatical leave authorized under Pub. Law 95-454, "Civil Service Reform Act of 1978."

4.02 GENERAL

To promote efficiency and economy in the operation of VHS&RA and to provide a means for the development of maximum proficiency in the performance of official duties, the Chief Medical Director in August 1976 established an extended leave program as an outgrowth of recommendations by an internal task force on pay and retention of physicians and dentists. Leave granted under the provisions of the cited authorities and this chapter will be for the benefit of the Government and not directed solely towards attainment of a degree or of sole benefit to the participant. Priority will be given to 38 U.S.C. chapter 73 personnel and other individuals directly involved in patient care. The Chief Medical Director's Foreign Travel and Extended Leave Panel reviews all approved applications for extended leave for educational purposes and recommends approval or disapproval to the Chief Medical Director. (See par. 4.05.)

4.03 OBJECTIVES

The following objectives will be carefully followed and judiciously applied in the submission of all prospective applications:

- a. To participate in a learning or research activity in new practices or techniques which are job related and in the interest of VA.
- b. To obtain specific information necessary for, and an intimate part of, a significant research or educational project.
- c. To visit medical centers, laboratories, research, educational or other institutions (including the delivery of lectures) of relevance to VA and the professional responsibilities of the individual.
- d. To pursue a job-related course of instruction which is of interest or benefit to VA under the auspices of an accredited college, university, or comparable learning institution and which is not intended to alter the career role of the employee.

4.04 PROGRAM REQUIREMENTS

a. **Basic Eligibility.** Time spent by an employee in non-Government training may not exceed 1 year in the first 10-year period and in each subsequent 10-year period of continuous or noncontinuous service in the Government. However, employees may apply for extended leave for educational purposes after 6 calendar years in VHS&RA regardless

of whether full-time or part-time. Time served as a resident or in a WOC status is not creditable toward eligibility. For individuals having worked 6 full calendar years at less than full-time, approved absences will be based upon the following scale:

Total Combined Full and/or Part-Time Service	12-Month Extended Leave Maximum	
	Months of Authorized Absence at Full Pay*	Months of Annual Leave and/or LWOP
72 months and over	6 months	6 months
60-71 months	5 months	7 months
48-59 months	4 months	8 months
33-47 months	3 months	9 months
24-35 months	2 months	10 months
12-23 months	1 month	11 months
1-11 months	0	

*Full pay is the amount which the individual is receiving at the time of the approved absence, e.g., if an individual is serving on a 5/8 appointment, the amount of pay will continue at 5/8. If 4/8, the pay will be at 4/8, etc. An individual serving on a part-time basis may not be appointed to a full-time status for the purpose of pursuing extended educational leave. The following examples are provided for clarification on how the scale will apply:

(1) Individual with 5-year full-time appointment. Not eligible since individual does not have 6 calendar years of VHS&RA service.

(2) Individual with 3-year full-time VHS&RA appointment and 3-year part-time four-eighths appointment. Eligible to apply (has 6 years with VHS&RA), and falls into the 48-59 months category (3 years full-time X 12 months = 36 months; 3 years at four-eighths is the equivalent of 6 months per year X 3 years = 18 months; total of 54 months) and would be eligible for a maximum of 4 months authorized absence and 8 months annual leave and/or LWOP.

(3) Individual with 6 years part-time three-eighths VHS&RA appointment. Eligible to apply, and falls into the 24-35 months category (6 years at three-eighths is the equivalent of 4-1/2 months per year X 6 years = 27 months)

and would be eligible for a maximum of 2 months authorized absence and 10 months annual leave and/or LWOP.

b. Basic Requirements

(1) Employee must have a minimum of 6 calendar years of VHS&RA service either full-time or part-time.

(2) Request must be favorably endorsed by the supervisor, the Hospital Education Committee, and the facility Director (or comparable officials for VHS&RA Central Office employees).

(3) Proposed training must not be directed solely towards attainment of a degree or intended to alter the career role of the employee.

(4) Request must include an adequate description of how the proposed educational leave will benefit VA, improve patient care, increase productivity, or otherwise enhance an individual's value to VA.

c. Additional Considerations

(1) Except for foreign travel, authorized absences up to 30 days will continue to be approved/disapproved by facility Directors, or service directors in the case of Central Office personnel. Requests which are more than 30 and less than 90 days in duration will ordinarily be reviewed by the appropriate service director and approved or disapproved by the ACMD for Academic Affairs (144C). Requests in excess of 90 days will be reviewed by the panel.

(2) Training in subjects which are not job-related will not be approved.

(3) Experience has shown that in most instances training away from one's own facility is preferred by reason of eliminating daily distractions and interruptions concerning clinical activities and allowing for maximum concentration.

4.05 ADMINISTRATIVE PROCEDURES

a. **Applications.** An eligible employee may submit a written application for supervisor's endorsement describing a detailed plan for a structured educational experience and a specific statement outlining the expected results of the experience in terms of benefit to VA, improvement in patient care, increase in productivity, and other beneficial factors. The detailed plan must contain a full description of a reasonable course of instruction to be undertaken, the method of obtaining the instruction, and resources to be used.

b. **Facility Review--Approvals.** If the supervisor, and a committee as specified in paragraph 3.06a, and the Director endorse the application, it will be forwarded to the ACMD for Academic Affairs (144C), with the following additional information:

(1) Explanation of how the individual's duties will be performed during absence.

(2) Details and amounts of any non-VA support in the form of grants, fellowships, travel expenses, etc. This information will be submitted by completing VA Form 10-0101B, Request for Approval of Acceptance of Gifts or Donations for Travel/Subsistence Expenses in Connection with Official Travel, by VHS&RA Facility Employees, indicating the facility Director's approval. If there is no non-VA support, indicate "no non-VA support" in block 6 of VA Form 10-5503, Extended Educational Leave Request-Briefing Slip.

(3) Letter(s) of acceptance from the training site.

(4) In addition to a formal written application, completed VA Form 10-5503, Extended Educational Leave Request-Briefing Slip, and VA Form 10-5503a, Extended Educational Leave Checklist.

(5) Any additional information which would substantiate the request.

c. **Timely Submission.** Requests should be submitted to arrive in Central Office at least 60 days in advance of the beginning of the requested absence. Requests received in Central Office less than 30 days prior to the beginning of the requested absence will be returned without review.

d. **Facility Review--Disapprovals.** If the supervisor, the Hospital Education Committee, or other committee established in accordance with M-8, part V, chapter 6 and/or the Director do not endorse the employee's application, the applicant is to be so notified in writing, including reasons for the nonendorsement. An information copy of this notification will be forwarded to the ACMD for Academic Affairs (144C).

e. **Appeals.** Requests disapproved by the facility Director under subparagraph d above may not be appealed to the CMD. Appeals to Chief Medical Director's decisions may be directed in writing through the facility Director to the ACMD for Academic Affairs (144C) for consideration by the Chief Medical Director with any administrative or technical explanation/justification not included in the original request.

f. **Leave Coverage and Limitations.** Extended leave for educational purposes may be granted for periods of up to 12 months. A continuous period of up to 6 months of this time may be at full pay. Any additional time may be spent in an annual leave or LWOP (leave without pay) status. Approval of annual leave and/or LWOP is the responsibility of local management in accordance with existing guidelines covering absences. Approval of extended educational leave by the Chief Medical Director does not convey authority for any employee to accept non-VA support. Approval for acceptance of any non-VA support remains the responsibility of the facility Director under the circumstances described in chapter 5, and other existing VHS&RA policy directives concerning non-VA support.

g. **Fund Support and Limitations.** A continuous period of up to 6 months of an authorized 12 months may be at full pay. VA support of an educational experience is limited to salary and benefits unless otherwise specified by the panel and approved by the Chief Medical Director. Normally, funds will not be provided to cover the cost of tuition, books, moving or living expenses. No centrally directed funds can or will be provided for replacement personnel. *(NOTE: VHS&RA physicians and dentists eligible for special pay under current regulations will continue to receive such benefits during the period the employee is in an official pay status. Special pay will be discontinued when on LWOP status.)*

h. **Evaluation of Benefit.** The following information will be submitted to ACMD for Academic Affairs (144C) no later than 30 days after completion of the approved extended educational leave:

- (1) Exact date of authorized absence, including traveltime.
- (2) Place(s) where the authorized absence was spent and person(s) and/or schools involved.
- (3) The stated objective(s) of the absence and whether it was accomplished. If not, an explanation will be included.
- (4) Whether a publication will result.
- (5) How the results of the stated objective(s) are to be applied to better patient care or otherwise benefit VA and the employee.
- (6) Additional comments as desired.

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**CHAPTER 5. ACCEPTANCE OF GIFTS AND DONATIONS IN CASH OR IN KIND BY
VHS&RA EMPLOYEES IN CONNECTION WITH OFFICIAL TRAVEL OR BY
NATIONALLY RECOGNIZED PRINCIPAL RESEARCH INVESTIGATORS**

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**CHAPTER 5. ACCEPTANCE OF GIFTS AND DONATIONS IN CASH OR IN KIND BY
VHS&RA EMPLOYEES IN CONNECTION WITH OFFICIAL TRAVEL OR BY
NATIONALLY RECOGNIZED PRINCIPAL RESEARCH INVESTIGATORS**

NOTE: *Nothing in this chapter relieves the requirement for submitting foreign travel requests for review and decision. (See ch. 3.)*

5.01 PURPOSE

a. This chapter contains policies and procedures regarding acceptance of gifts or donations in cash or in kind by VHS&RA employees in connection with official travel for education and training activities, meetings, and to Nationally Recognized Principal Research Investigators.

b. VA conduct and conflict of interest regulations are generally applicable to these official purpose gifts, as well as personal gifts and extra VA compensation. Accordingly, employees accepting gifts and donations for purposes described in this chapter must be familiar with those regulations (38 CFR, part 0). However, section 811 of those regulations (38 CFR 0.735-11) concerning the acceptance of gifts by employees solely in their personal capacities unrelated to official travel is inapplicable to gifts described in this chapter.

c. The provisions of MP-5, part II, Chapter 13, "Outside Professional Activities," do not apply to gifts covered by this chapter. That chapter deals solely with remunerated professional activities conducted outside of an employee's VA employment and it does not concern the acceptance of official purpose gifts. Further, nothing in this chapter in any way alters or changes the procedures as described in chapter 13.

5.02 POLICY

a. VHS&RA employees may accept gifts, donations, payments or contributions in connection with official travel for education or training, as described below, and contributions may be made to Nationally Recognized Principal Research Investigators for purposes specified in paragraph 5.02(3).

b. Employee Acceptance of Cash or Support in Kind From an Organization

(1) Direct cash contributions from 26 U.S.C. 501(c)(3) organizations for travel in connection with training in nongovernment facilities or attendance at meetings. Only those organizations described in Section 501(c)(3) can make direct cash contributions to VHS&RA employees in connection with official travel and subsistence expenses. The Superintendent of Documents prints an

annual listing of such organizations entitled "Cumulative List of Organizations Described in Section 170(c) of the Internal Revenue Code of 1965", (publication 78). In order to obtain current information as to whether a particular organization is tax exempt pursuant to section 501(c)(3), contact the Taxpayer Services Division at any district office of the IRS (Internal Revenue Service) or at the IRS Reading Room, FTS 563-3770. (Authority for accepting such donations is contained in 5 U.S.C. 4111.)

(2) Direct cash contributions from State or local governments for official travel for any type of training and education. Contributions emanating from the treasury of any State, county, or municipality in the United States for attendance at meetings are

acceptable. In this regard, special practice funds derived from medical or dental practices would not qualify because they are not in the nature of a contribution from a State, county, or municipal treasury. Some special practice funds are exempt under 26 U.S.C. 501(c)(3); however, if they do not have such exemption from IRS, the funds may not be accepted. (Authority contained in 5 CFR 410.702).

(3) Direct cash or in kind contributions to nationally recognized principal research investigators. A "principal investigator" is defined as an individual who is accountable for the proposal, performance, and culmination of a research or development project. Further, a principal investigator who is "nationally recognized" is one who meets two or more of the following criteria:

(a) Listed in American Men and Women of Science or other comparable publication;

(b) Recognition among the employee's professional peers based on the employee's medical research accomplishment;

(c) Receipt of significant awards or honors for medical research accomplishments;

(d) Invitation to participate in national conventions or meetings of medical or scientific organizations in order to deliver paper or address concerning the participant's medical research;

(e) Publication of research results in nationally circulated medical or scientific publications of good repute or in widely used texts. VHS&RA employees who are nationally recognized principal research investigators may accept, in cash or in kind, travel and reasonable subsistence expenses in connection with their participation in the following activities: attendance at meetings; performing advisory services concerned with the functions or activities of VA; or acceptance of a significant award or with activity related thereto concerned with functions or activities of VA. (Authority contained in Pub. L. 93-22; 38 U.S.C. 4108(d).)

(4) Acceptance by any VHS&RA employee of in kind donations from any non-Federal source for official meeting travel for any type of training or education. A VHS&RA employee traveling on official business related to the operations of the VHS&RA medical care system, including attendance at meetings, may accept a donation in the form of accommodations, meals, travel, transportation, and related expenses on behalf of the agency. The donation must be prepaid by the donor organizations, i.e., a plane ticket, or billed by the provider directly to the donor organization. Direct payment or

reimbursement to the employee is not permitted. (Authority contained in 38 U.S.C. 5004(f), 5101; and Op. G.C. 21-75).

(5) VHS&RA Supplement to VA Manual MP-4, part VII, paragraph 4.04n.(2) authorizes Program officials in Central Office who are concerned with administration of patient care, quality control, professional peer review, or medical education to permit donations to the General Post Fund when

(a) VHS&RA is a member of or utilizes the services of the medical professional organization,

(b) the organization provides services which assist VA in improving patient care, providing quality control, performing professional peer group evaluation, or medical education that benefits the department, and

(c) travel of VA staff members is required to meet any commitment to the medical professional organization. Facilities desiring to use this option must submit the name and address of the professional organization with appropriate justification to the ACMD for Academic Affairs (144C).

5.03 LIMITATION ON ACCEPTING FOREIGN GOVERNMENT GIFTS

NOTE: *"Foreign government" is defined as any unit of foreign governmental authority, including any foreign national, State, local or municipal Government; any international or multinational organization whose membership is composed of any unit of a foreign government described in subparagraph a; or any agent or representative of any such unit or such organization, while acting as such.*

a. Generally, employees and their spouses and dependents may not accept gifts from a foreign government. (See 5 U.S.C.7342(b).)

b. This limitation does not apply to "in kind" donations to the agency that are being accepted by employees on official business on behalf of the agency as permitted by paragraph 5.02a(4).

c. In certain other circumstances, employees may personally accept foreign government gifts. Prior review and approval by the Office of General Counsel (02), VA Central Office is required.

5.04 ADMINISTRATIVE PROCEDURES

In authorizing acceptance of non-Federal contributions, the approving official must be certain the following conditions are met:

a. Authorization by the delegated official must be in writing and in advance of the acceptance. A copy of the authorization is to be sent to the facility fiscal office so a determination can be made if any reductions in agency paid expenses are required to avoid duplicate payments. In Central Office, this is the Chief, Voucher Audit Section (047B25).

b. The contribution, award, or payment is not a reward for services to the organization prior to the training or meeting.

c. Acceptance of the contribution, award or payment would:

(1) Not reflect unfavorably on the ability of the employee to carry out official duties in a fair and objective manner;

(2) Not compromise the honesty and integrity of Government programs or of Government employees and their official actions or decisions;

(3) Not result in or appear to result in any preferential treatment of private gain to the donor;

(4) Be compatible with the Code of Ethics for Government Service expressed in Pub. L. 93--303;

(5) Otherwise be proper and ethical for the employee concerned under the circumstances in their particular case and as may be applicable to appendix 9B.

(6) Not result in or give the appearance that employees are:

(a) Using public office for private gain;

(b) Giving preferential treatment to a company with commercial interests in VA;

(c) Losing impartiality;

(d) Adversely affecting the public's confidence in the integrity of the Government; and,

(e) Giving the appearance of marketing a commercial product.

(7) In summary, the primary concerns in conflict of interest situations are:

(a) Is there personal gain?

(b) Does the source of support have or seek a contract or other commercial relationship with VA?

(c) Can a company's interests be advanced in the performance of the employee's official duties?

5.05 FACILITY REVIEW

Facility Directors are authorized to approve or disapprove requests for VHS&RA employees under their jurisdiction using the policies and procedures contained in this chapter. This authority may not be redelegated to any other facility official. Employees should submit their requests to the facility Director using VA Form 10-0101B (see app. 5C). Blank forms are available from the Forms and Publications Depot, Alexandria, VA. Requests from individual facility Directors to accept such gifts or donations must be submitted to Central Office (see par. 5.07).

5.06 APPEALS

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Appeals to facility Director's decisions may be directed in writing through the employee's division or service chief to the facility Director with any administrative or technical explanation/justification not included in the original request.

5.07 CENTRAL OFFICE REVIEW

The ACMD for Academic Affairs is authorized to approve or disapprove requests for facility Directors and for VHS&RA Central Office employees using the policies contained in this chapter. Facility Directors should submit their individual requests to the ACMD for Academic Affairs through the appropriate Regional Director (10BA__/144C), using VA Form 10-0101 (see app. 5D). VA Central Office employees will submit their individual requests after obtaining necessary endorsements, to the ACMD for Academic Affairs (144C) using VA Form 10-0101A (see app. 5E). Blank forms are available from Administrative Operations Staff (144C), Office of Academic Affairs, VA Central Office.

5.08 REPORTING REQUIREMENTS

a. The following records are to be maintained for all acceptance of donations, in cash or in kind, and for appropriate reporting of foreign travel (including Canada and Mexico) as required by VA Manual MP-1, part II, chapter 2.

- (1) Name of employee, including VHS&RA title and assignment.
- (2) Dates and location of detail.
- (3) Name and address of donor.
- (4) Amount and nature of donations, contribution, award, or payment.
- (5) Purpose for which donation, contribution, award, or payment was made.
- (6) If donation is in relation to a "nationally recognized principal investigator," note the specific criteria supporting such acceptance. (See par. 5.02a(3).)
- (7) If an award, state title.
- (8) Evidence of facility Director's written authorization/approval, including any special exceptions under paragraph 5.04.

b. An annual report will be provided by facility Directors to reach the ACMD for Academic Affairs (144C) no later than the 10th workday following the close of each fiscal year. This report will be submitted in duplicate in the format shown as appendix 5F (RCS 10-0146). Negative reports are required.

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PUBLIC LAW 96-303-- July 3, 1980

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MEMORANDUM - CONFLICT OF INTEREST

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VA FORM 10-0101B, REQUEST FOR APPROVAL OF ACCEPTANCE OF GIFTS
OR DONATIONS FOR TRAVEL/SUBSISTENCE EXPENSES IN CONNECTION
WITH OFFICIAL TRAVEL BY VHS&RA EMPLOYEES

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VA FORM 10-0101, REQUEST FOR APPROVAL OF ACCEPTANCE OF GIFTS
OR DONATIONS FOR TRAVEL/SUBSISTENCE EXPENSES IN CONNECTION
WITH OFFICIAL TRAVEL BY VHS&RA FACILITY DIRECTORS

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VA FORM 10-0101, REQUEST FOR APPROVAL OF ACCEPTANCE OF GIFTS
OR DONATIONS FOR TRAVEL/SUBSISTENCE EXPENSES IN CONNECTION
WITH OFFICIAL TRAVEL BY VHS&RA CENTRAL OFFICE EMPLOYEES

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FORMAT FOR REPORTING

FISCAL Year _____ VHS&RA Report on Employee Acceptance of Gifts
 RCS 10-0146

or Donations in Cash or in Kind in Connection
 with Official Travel

Facility Name and Number: _____

Person to contact about information in the report:

	Number of Employees	Number of Episodes	Funds Accepted	Estimated in Kind Value Accepted
1. Employee acceptance of cash from a 26 U.S.C. 501(c)(3) organization.				XXX
2. Employee acceptance of support in kind from a 26 U.S.C. 501(c)(3) organization.			XXX	
3. Employee acceptance of donations from State, county, or municipal government.				
4. Acceptance of cash by a "Nationally Recognized Principal Investigator."				XXX
5. Acceptance of support in kind by a "Nationally Recognized Principal Investigator."			XXX	
6. Employee acceptance of support in kind from organization other than 26 U.S.C. 501(c)(3)			XXX	
TOTAL	<u>1</u> /			

1/Provide an unduplicated overall count of employees reported as accepting cash or support in kind. Some employees participated in more than one episode. This figure represents the number of individuals counted only once.

Information due to reach the ACMD for Academic Affairs (144C) no later than the 10th workday following the close of each fiscal year.

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