

of Public Affairs, or his or her designee.

**§ 2540.550 Is there an expiration date on approvals for use of national service insignia?**

The approval to use a national service insignia will expire as determined in writing by the director of the Office of Public Affairs, or his or her designee. However, the authority to use an insignia may be revoked at any time if the Corporation determines that the use involved is injurious to the image of the Corporation or if there is a failure to comply with the terms and conditions of the authorization.

**§ 2540.560 How do I renew authority to use a national service insignia?**

Requests for renewed authority to use an insignia must follow the procedures for initial approval as set out in § 2540.540.

**Subpart F—False or Misleading Statements**

SOURCE: 73 FR 53761, Sept. 17, 2008, unless otherwise noted.

**§ 2540.600 What definitions apply to this subpart?**

*You.* For this subpart, *you* refers to a participant in a national service program.

**§ 2540.610 What are the consequences of making a false or misleading statement?**

If it is determined that you made a false or misleading statement in connection with your eligibility for a benefit from, or qualification to participate in, a Corporation-funded program, it may result in the revocation of the qualification or forfeiture of the benefit. Revocation and forfeiture under this part are in addition to any other remedy available to the Federal Government under the law against persons who make false or misleading statements in connection with a Federally-funded program.

**§ 2540.620 What are my rights if the Corporation determines that I have made a false or misleading statement?**

If the Corporation determines that you have made a false or misleading statement in connection with your eligibility for a benefit from, or qualification to participate in, a Corporation-funded program, you will be hand delivered a written notice, or sent a written notice to your last known street address or e-mail address or that of your identified counsel at least 15 days before any proposed action is taken. The notice will include the facts surrounding the determination and the action the Corporation proposes to take. The notice will also identify the reviewing official in your case and provide other pertinent information. You will be allowed to show good cause as to why forfeiture, revocation, the denial of a benefit, or other action should not be implemented. You will be given 10 calendar days to submit written materials in opposition to the proposed action.

**§ 2540.630 What information must I provide to contest a proposed action?**

Your written response must include specific facts that contradict the statements made in the notice of proposed action. A general statement of denial is insufficient to raise a dispute over the facts material to the proposed action. Your response should also include copies of any documents that support your argument.

**§ 2540.640 When will the reviewing official make a decision on the proposed action?**

The reviewing official will issue a decision within 45 days of receipt of your response.

**§ 2540.650 How may I contest a reviewing official's decision to uphold the proposed action?**

If the Corporation's reviewing official concludes that the proposed action, in full or in part, should still be implemented, you will have an opportunity to request an additional proceeding. A Corporation program director or designee will conduct a review of

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the complete record, including such additional relevant documents you submit. If deemed appropriate, such as where there are material facts in genuine dispute, the program director or designee may conduct a telephonic or in person meeting. If a meeting is conducted, it will be recorded and you will be provided a copy of the recording. The program director or designee will issue a decision within 30 days of the conclusion of the review of the record or meeting. The decision of the program director or designee is final and cannot be appealed further within the agency.

### **§ 2540.660 If the final decision determines that I received a financial benefit improperly, will I be required to repay that benefit?**

If it is determined that you received a financial benefit improperly, you may be required to reimburse the program for that benefit.

### **§ 2540.670 Will my qualification to participate or eligibility for benefits be suspended during the review process?**

If the reviewing official determines that, based on the information available, there is a reasonable likelihood that you will be determined disqualified or ineligible, your qualification or eligibility may be suspended, pending issuance of a final decision, to protect the public interest.

## **PARTS 2541–2543 [RESERVED]**

## **PART 2544—SOLICITATION AND ACCEPTANCE OF DONATIONS**

Sec.

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2544.140 How will the Corporation accept or reject an offer?

2544.145 What will be done with property that is not accepted?

2544.150 How will accepted donations be recorded and used?

AUTHORITY: 42 U.S.C. 12501 *et seq.*

SOURCE: 60 FR 28355, May 31, 1995, unless otherwise noted.

### **§ 2544.100 What is the purpose of this part?**

This part establishes rules to ensure that the solicitation, acceptance, holding, administration, and use of property and services donated to the Corporation:

(a) Will not reflect unfavorably upon the ability of the Corporation or its officers and employees, to carry out their official duties and responsibilities in a fair and objective manner; and

(b) Will not compromise the integrity of the Corporation's programs or its officers and employees involved in such programs.

### **§ 2544.105 What is the legal authority for soliciting and accepting donations to the Corporation?**

Section 196(a) of the National and Community Service Act of 1990, as amended (42 U.S.C. 12651g(a)).

### **§ 2544.110 What definitions apply to terms used in this part?**

(a) *Donation* means a transfer of money, property, or services to or for the use of the Corporation by gift, devise, bequest, or other means.

(b) *Solicitation* means a request for a donation.

(c) *Volunteer* means an individual who donates his/her personal service to the Corporation to assist the Corporation in carrying out its duties under the national service laws, but who is not a participant in a program funded or sponsored by the Corporation under the National and Community Service Act of 1990, as amended. Such individual is not subject to provisions of law related to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation and Federal employee benefits, except that—

(1) Volunteers will be considered Federal employees for the purpose of the