

#### **4b. Prohibited Activities**

The Corporation has placed a strong emphasis on monitoring for prohibited activities (Terms and Conditions and 45 CFR 2520.65). All programs should make note of the prohibited activities and ensure that members, site supervisors, and other staff are well-versed in the prohibited activities. It is required that prohibited activities are covered in the Member and Site Supervisor Orientation, as well as specifically detailed in the member contract. These prohibited activities include:

- i. Attempting to influence legislation;
- ii. Organizing or engaging in protests, petitions, boycotts, or strikes;
- iii. Assisting, promoting, or deterring union organizing;
- iv. Impairing existing contracts for services or collective bargaining agreements;
- v. Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office;
- vi. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials;
- vii. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
- viii. Providing a direct benefit to –
  - a) a business organized for profit;
  - b) a labor union;
  - c) a partisan political organization;
  - d) a nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 except that nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and
  - e) an organization engaged in the religious activities described in paragraph vii of this section, unless Corporation assistance is not used to support those religious activities;
- ix. Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive;
- x. Providing abortion services or referrals for receipt of such services; and
- xi. Such other activities as the Corporation may prohibit (see Additional Prohibited Activities)

Other prohibited activities (45 CFR 2520.40) include:

- i. Members raising funds for their living allowance
- ii. Raising funds for program operating expenses or endowment
- iii. Writing grant applications for CNCS grants, including AmeriCorps
- iv. Writing grant applications for funding provided by other federal agencies
- v. Recruiting volunteers to perform prohibited activities or distributing materials related to prohibited activities (i.e. activities in support of the Prohibited Activities are not allowed. For example, it is not allowable for an AmeriCorps member to recruit community volunteers to perform a prohibited activity, such as voter registration drives, nor is it allowable for an AmeriCorps member to distribute materials related to a prohibited activity, such as registration information for religious instruction.)

Information on needle exchange program:

Referrals to needle exchange are allowable so long as CNCS is not funding the needle exchange operations. Referrals to needle exchange is a more risky area that is likely to put members in closer in proximity to other prohibited activities and will require increased mitigation/monitoring. The federal appropriation bill for 2017 currently regulates these program.

SEC. 520. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug: *Provided*, that such limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.