

§ 2556.735

- (1) Does not interfere with the performance of, or availability to perform, their assigned VISTA project duties;
- (2) Does not interfere with the provision of service in the VISTA program;
- (3) Does not involve any use of VISTA assistance, resources or funds;
- (4) Would not result in the identification of the VISTA as being a participant in or otherwise associated with the VISTA program;
- (5) Is not conducted during scheduled VISTA service hours; and
- (6) Does not interfere with the full-time commitment to remain available for VISTA service without regard to regular working hours, at all times during periods of service, except for authorized periods of leave.

§ 2556.735 May a VISTA be a candidate for public office?

- (a) Except as provided in paragraph (c) of this section, no VISTA may run for the nomination to, or as a candidate for election to, partisan political office.
- (b) In accordance with the prohibitions set forth in §2556.710, a VISTA may participate in elections as long as such participation:
 - (1) Does not interfere with the performance of, or availability to perform, their assigned VISTA project duties;
 - (2) Does not interfere with the provision of service in the VISTA program;
 - (3) Does not involve any use of VISTA assistance, resources or funds;
 - (4) Would not result in the identification of the VISTA as being a participant in or otherwise associated with the VISTA program;
 - (5) Is not conducted during scheduled VISTA service hours; and
 - (6) Does not interfere with the full-time commitment to remain available for VISTA service without regard to regular working hours, at all times during periods of service, except for authorized periods of leave.
- (c) Provided that paragraphs (a) and (b) of this section are adhered to, and in accordance with the prohibitions set forth in §2556.710, a VISTA may:
 - (1) Run as an independent candidate in a partisan election in designated U.S. municipalities and political sub-

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- divisions as set forth at 5 CFR part 733; and
- (2) Run as a candidate in a non-partisan election.

§ 2556.740 May VISTAs participate in political fundraising activities?

- (a) Provided that paragraphs (b) through (d) of this section are fully adhered to, and in accordance with the prohibitions set forth in §2556.710, a VISTA may:
 - (1) Make a political contribution to a political party, political group, campaign committee of a candidate for public office in a partisan election;
 - (2) Attend a political fundraiser; and
 - (3) Solicit, accept, or receive uncompensated volunteer services for a political campaign from any individual.
- (b) A VISTA may participate in fundraising activities as long as such participation:
 - (1) Does not interfere with the performance of, or availability to perform, their assigned VISTA project duties;
 - (2) Does not interfere with the provision of service in the VISTA program;
 - (3) Does not involve any use of VISTA assistance, resources or funds;
 - (4) Would not result in the identification of the VISTA as being a participant in or otherwise associated with the VISTA program;
 - (5) Is not conducted during scheduled VISTA service hours; and
 - (6) Does not interfere with the full-time commitment to remain available for VISTA service without regard to regular working hours, at all times during periods of service, except for authorized periods of leave.
- (c) A VISTA may not knowingly:
 - (1) Personally solicit, accept, or receive a political contribution from another individual;
 - (2) Personally solicit political contributions in a speech or keynote address given at a fundraiser;
 - (3) Allow their perceived or actual affiliation with the VISTA program, or their official title as a VISTA, to be used in connection with fundraising activities; or
 - (4) Solicit, accept, or receive uncompensated individual volunteer services from a subordinate (*e.g.*, a leader may not solicit, accept or receive a political contribution from a VISTA).

(d) Except for VISTAs who reside in municipalities or political subdivisions designated under 5 CFR part 733, no VISTA may accept or receive a political contribution on behalf of an individual who is a candidate for local partisan political office and who represents a political party.

§ 2556.745 Are VISTAs prohibited from soliciting or discouraging the political participation of certain individuals?

(a) A VISTA may not knowingly solicit or discourage the participation in any political activity of any individual who has an application for any compensation, grant, contract, ruling, license, permit, or certificate pending before AmeriCorps or the VISTA program.

(b) A VISTA may not knowingly solicit or discourage the participation in any political activity of any individual who is the subject of, or a participant in, an ongoing audit, investigation, or enforcement action being carried out by or through AmeriCorps or the VISTA program.

§ 2556.750 What restrictions and prohibitions are VISTAs who campaign for a spouse or family member subject to?

A VISTA who is the spouse or family member of a candidate for partisan political office, candidate for political party office, or candidate for public office in a nonpartisan election is subject to the same restrictions and prohibitions as other VISTAs, as set forth in § 2556.725.

§ 2556.755 May VISTAs participate in lawful demonstrations?

In accordance with the prohibitions set forth in § 2556.710, VISTAs may participate in lawful demonstrations, political rallies, and other political meetings, so long as such participation is in conformance with all of the following:

- (a) Occurs only while on authorized leave or while otherwise off duty;
- (b) Does not include attempting to represent, or representing, the views of VISTAs or the VISTA program on any public issue;
- (c) Could not be reasonably understood by the community as being identified with the VISTA program, the

project, or other elements of VISTA service; and

(d) Does not interfere with the discharge of VISTA duties.

§ 2556.760 May a sponsor or subrecipient approve the participation of a VISTA in a demonstration or other political meeting?

(a) No VISTA sponsor or subrecipient may approve a VISTA to be involved in planning, initiating, participating in, or otherwise aiding or assisting in any demonstration or other political meeting.

(b) If a VISTA sponsor or subrecipient, subsequent to the receipt of any AmeriCorps financial assistance, including the assignment of VISTAs, approves the participation of a VISTA in a demonstration or other political meeting, that VISTA sponsor or subrecipient is subject to procedures related to the suspension or termination of such assistance, as provided in subpart B of this part, §§ 2556.135 through 2556.140.

§ 2556.765 What disciplinary actions are VISTAs subject to for violating restrictions or prohibitions on political activities?

Violations by a VISTA of any of the prohibitions or restrictions set forth in this subpart may warrant termination for cause, in accordance with proceedings set forth at §§ 2556.420, 2556.425, and 2556.430.

§ 2556.770 What are the requirements of VISTA sponsors and subrecipients regarding political activities?

(a) All sponsors and subrecipients are required to:

- (1) Understand the restrictions and prohibitions on the political activities of VISTAs, as set forth in this subpart;
- (2) Provide training to VISTAs on all applicable restrictions and prohibitions on political activities, as set forth in this subpart, and use training materials that are consistent with these restrictions and prohibitions;
- (3) Monitor on a continuing basis the activity of VISTAs for compliance with this subpart; and
- (4) Report all violations or questionable situations immediately to the appropriate AmeriCorps Region Office.