


**U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons**



**PROGRAM STATEMENT
Acceptance of Donations**

Approved by	 William K. Marshall III Director, Federal Bureau of Prisons
DPI	OGC
Number	1350.03
Date	February 26, 2026

Summary of Changes

<p><i>Program Statement Rescinded:</i></p> <ul style="list-style-type: none">▪ 1350.02 Donations, Acceptance of (6/29/1998)
<p><i>Changes:</i></p> <ul style="list-style-type: none">▪ Changes the title of this Program Statement from “Donations, Acceptance of” to “Acceptance of Donations.”▪ Provides clarification to emphasize the different procedures for accepting donations for inmates versus donations intended for staff use.▪ Incorporates a “definitions” section.▪ Adds section on solicitation.▪ Editorial changes to wording and organization.▪ Includes additional processes for denials.▪ Additional information on inmate donations added for clarification.▪ Increases Chief Executive Officer donation acceptance delegation.▪ Eliminates restriction on accepting food donations.▪ Removes Attachment A.▪ Creates BP-A1020, Quarterly Institution Accepted Donation Report form.

1. PURPOSE AND SCOPE

The purpose of this Program Statement is to prescribe procedures for accepting donations for the Bureau of Prisons (Bureau).

The following guidelines establish procedures for obtaining approval of any proposed donation to the Bureau. These guidelines also apply to Federal Prison Industries (UNICOR) and the National Institute of Corrections (NIC).

The term “donations” does not include services accepted pursuant to the Volunteer Services Program Statement, nor does it include materials provided by other federal agencies. All other services and materials offered to the agency must be accepted in accordance with this policy.

Donations will not be accepted by any Bureau staff or facility, except in accordance with these procedures.

a. **Program Objectives.**

- Donations made to the Bureau will be accepted in accordance with the Department of Justice (DOJ) Order 2400.2 and applicable program statements, statutes, and regulations.
- Donations will be accepted at the appropriate management level of the DOJ and submitted for such acceptance through established delegated authority.

b. **Institution Supplement.** None.

2. DEFINITIONS

a. **Acceptance.** A donation is considered accepted when the office receiving the donated items, services, or materials, either agrees to receive or physically accepts the offered donation, whichever is sooner. Proper approval must be received prior to acceptance occurring.

b. **Chief Executive Officer (CEO).** References to the CEO, herein, refers to the Warden at institutions, the Director at training centers, the Residential Reentry Manager at residential reentry field offices, the Regional Director at regional offices, and the Assistant Director of each division at the Central Office.

c. **Donation/Gift.** The terms “donation” and “gift” include any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. These include services as well as gifts of training, transportation, local travel, lodging and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

d. **Educational Group or Entity.** An educational entity is an organization or institution that provides educational services, either through instruction or support services. Such entities can be public or private and may include schools, colleges, universities, libraries, and other learning centers. This does not include commercial entities who sell educational items.

e. **Prohibited Source.** “Prohibited sources” refers to anyone who is seeking official action by the Bureau; does, or seeks to do, business with the Bureau; is regulated by the Bureau; or has interests that may be substantially affected by the performance or non-performance of a staff member’s official duties.

f. **Religious Group or Entity.** A religious entity is defined as a place of community worship and/or faith-based organization, both of whom have non-profit status under the Internal Revenue Service.

g. **Solicitation.** The term “solicitation” refers to the act of requesting an outside entity or person to donate items, services, or materials free of charge or at a discounted rate. Solicitation includes direct and/or indirect actions.

h. **Value.** References to the term “value” refer to the market value of the offered donation. Market value means the cost a member of the general public would reasonably incur to purchase the offered donation. If the accepting office cannot ascertain the market value of the specific donation, they can use the retail cost of similar items of like quality.

3. PROCEDURES

Pursuant to 28 U.S.C. § 524, “[t]he Attorney General may accept, hold, administer, and use gifts, devices, and bequests of any property or services for the purpose of aiding or facilitating the work of the [DOJ].” Donations will be accepted in accordance with DOJ Order 2400.2. Specifically, the Assistant Attorney General for Administration has the authority to accept gifts on behalf of DOJ. As such, requests to accept donations must be approved by the Assistant Attorney General, unless otherwise delegated as defined in this Program Statement. The Bureau procedures for accepting donations in accordance with DOJ Order 2400.2 and the gift acceptance delegation authority are outlined below.

Other than as provided in Sections 4 and 5 of this Program Statement, the CEO will submit all requests to accept donations in writing to the Bureau’s Ethics Officer.

- Requests to accept a donation valued at less than \$2,500 may be submitted by the CEO in writing directly to the Bureau’s Ethics Officer.
- Requests to accept a donation in excess of \$2,500 must have the written approval of the Regional Director, or Assistant Director, as appropriate, before being submitted to the Bureau’s Ethics Officer.
- Requests to accept a donation for staff use, regardless of value, must have written approval of the Regional Director, or Assistant Director, as appropriate, before being submitted to the Bureau’s Ethics Officer.

All requests must contain:

- A description of the donation, identification of the donor or donor organization, and an estimate as to the fair market value of the donation;
- Whether the donation is appropriate for Bureau use and consistent with Bureau policy;
- Whether the donor places any restrictions on the Bureau's acceptance or use of the donation, and the nature of any such restrictions;
- Whether any Bureau staff solicited the donation or encouraged its solicitation; and
- Whether acceptance of the donation poses any concerns from conflict of interest or other government ethics perspectives, including whether acceptance of the donation would create the appearance of impropriety.

The Bureau's Ethics Officer will review all requests to accept donations to assess for potential conflicts of interest and ensure all necessary information is included with the request.

The Assistant Attorney General for Administration delegated authority to accept donations up to \$15,000 per donor per fiscal year for inmate use and donations up to \$150 for staff use to the Bureau's Director. The Bureau's Director's authority to accept such donations is delegated to the Bureau's General Counsel. The Bureau's Ethics Officer will submit all requests to the Bureau's General Counsel, who is authorized to act for the Bureau's Director in reviewing proposed donations, with an analysis of any potential conflicts of interest.

If it is determined a donation in excess of \$15,000 or a donation intended for staff use in excess of \$150 is appropriate for acceptance by the Bureau, the request will be forwarded to the Assistant Attorney General (AAG) for Administration or designee for final review and decision. Once a donation is approved for acceptance either at the agency level or approved by the AAG for Administration, an approval memorandum is sent to the CEO confirming approval to accept the donation.

The Bureau's Ethics Officer will refer all proposed donations of money, land, equipment, or buildings (and improvements thereof) to the Assistant Director for Administration, the Associate General Counsel for Commercial Law, and the Associate General Counsel for Real Estate and Environmental Law, before the proposal is submitted. If it is determined the proposed donation is appropriate for acceptance by the Bureau, the request will be forwarded to the Assistant Attorney General for Administration for final review and decision. The decision of the Assistant Attorney General for Administration will be communicated to the requesting CEO.

If the Bureau's General Counsel determines there is a conflict of interest, or that a donation is otherwise not appropriate for acceptance by the Bureau, the Ethics Officer will send recommendations for denial to the Deputy Director for review. Once confirmed, the requesting CEO will be notified of the denial in writing.

4. EXEMPTION FOR CERTAIN RELIGIOUS OR EDUCATIONAL DONATIONS

- The Bureau's Director delegates the authority to accept donations of religious or educational items for inmates from religious or educational groups or entities, provided such donations are valued at \$2,500 or less to Wardens for acceptance at the institution level. This authority permits Wardens to accept individual donations valued at up to \$2,500 per occasion, not to exceed \$15,000 from any one donor per fiscal year. All other requests from Bureau offices to accept such items must be submitted to the Bureau's Ethics Officer for review and approval.
- Traditional commercial enterprises are not considered religious or educational groups or entities under this authority. For example, a videotape distributed by a telephone or computer company that might be considered educational in nature, is not exempt. Such proposed donations must be submitted for approval pursuant to the procedures set forth in Section 3 of this Program Statement above.
- In considering whether to accept a donation of religious or educational items, the Warden will consult the institution Chaplaincy Services Department and Education Department, respectively, to confirm the proposed donation(s) complies with applicable program statements. If there are concerns/questions regarding the donation at the institution level, it is recommended the institution consult the Central Office Chaplaincy Services Branch and Education Branch, respectively.
- In assessing the value of proposed religious or educational donations, Wardens should first inquire of the donor organization's documentation supporting the fair market value placed on the goods. If it appears reasonable, the Warden should accept that assessment. If the value seems unreasonable, the Warden should consult the Ethics Office or their Regional Counsel's Office for assistance in determining the value of the goods.
- All donations accepted at the institution pursuant to this Section must be reported quarterly to the Bureau's Ethics Officer using the BP-A1020, Quarterly Institution Accepted Donation Report form.

5. EXEMPTION FOR CERTAIN DONATIONS BY INMATES

- The Assistant Attorney General for Administration delegated to the Bureau's Director the authority to accept donations from inmates being released from federal custody or transferring from institution to institution provided such donations are valued at \$250 or less. This authority is redelegated to the Wardens for acceptance at the institution level. Donations from inmates will not be accepted under any other circumstances.
- In assessing the value of proposed donations from inmates, Wardens may consult with institution or regional legal offices, who will use the Bureau's Depreciation Guide found on the Bureau's intranet site.
- All donations accepted at the institution pursuant to this Section must be reported quarterly to the Bureau's Ethics Officer using the BP-A1020, Quarterly Institution Accepted Donation Report form.

This section is limited to inmate donations of personal items when the inmate is being released from federal custody or transferring from institution to institution.

In the event an inmate expresses interest in pursuing donations to outside entities, which fall outside the scope authorized in this Program Statement, while staff can assist in facilitating such donations by providing any necessary contact information, staff cannot take any further involvement in the donation. Inmate donations must never be coerced or suggested by staff. As such, inmate donations must not be part of a Bureau program or otherwise encouraged by staff. Any costs associated with the donation, such as mailing and postage, should be paid by the requesting inmate. Inmate monetary donations should be facilitated in accordance with the guidance in the Program Statement **Inmate Organizations**.

6. QUARTERLY DONATION REPORTS

All donations accepted at the institution level pursuant to Sections 4 and 5 above, must be reported quarterly to the Bureau's Ethics Officer using the BP-A1020, Quarterly Institution Accepted Donation Report form. Donations reported in the quarterly report should only include those donations accepted pursuant to Sections 4 and 5 of this Program Statement. Institutions should not include donations in their quarterly report which require approval beyond the institution level. All other proposed donations must be submitted to the Bureau's Ethics Officer for approval, in accordance with Section 3 of this Program Statement above.

The following information will be included in the quarterly donation report:

- **Date Accepted.** The date accepted will be the date the accepting office agreed to accept the donation or the date they physically obtained the donation, whichever occurred first.
- **Description of the Items.** The description should be sufficient for the reviewer to identify the donated items and confirm they meet the requirements of Sections 4 and 5 of this Program Statement for acceptance at the institution level.
- **Name and Address of Donor.** The quarterly donation report should include the full name and address of the donor. The accepting office should research the donor and confirm they fall within the permissions of acceptance at the institution level according to Sections 4 and 5.
- **Description of Donor.** The description should be sufficient for the reviewer to identify the donor as either a religious or educational entity, as defined in this Program Statement.
- **Value of Donation.** The value of the donation should be the market value, as defined in this Program Statement.
- **Confirmation of Restrictions.** The quarterly donation report will include any restrictions the donor placed on the donation, such as limiting its use, setting a term on the donation, or making acceptance contingent on another factor.

7. SOLICITATION

Under 5 C.F.R. § 2635.202, [an employee may not, directly or indirectly: \(1\) \[s\]olicit a gift from a prohibited source; or \[s\]olicit a gift to be given because of the employee's official position.](#) Staff are prohibited from soliciting gifts for the Bureau, whether for inmate or staff use. DOJ Order 2400.2 gives limited authority for the Attorney General or Deputy Attorney General to solicit a gift to the DOJ. Any requests to accept donations solicited by staff without advance approval by the Attorney General or Deputy Attorney General will be denied.

8. USE OF DONATIONS

Donations of religious material may be offered for use by the Chaplaincy Services Department or for distribution to the inmate population. All religious materials accepted will be made available to all inmates.

Any materials accepted for donation requiring the use of audio/visual equipment will be for use on Bureau-issued equipment only.

Printed material accepted for donation not of a religious nature will be made available to all inmates through appropriate institution programs such as the library, reentry programs, or the institution's Education Department.

9. ASSISTANCE

Questions regarding the completion or review of these reports should be made to the Bureau's Ethics Office.

REFERENCES

Program Statements

Volunteer Services

Inmate Organizations

Bureau Forms Prescribed by 1350.03

BP-A1020 Quarterly Institution Accepted Donation Report

Federal Statutes

28 U.S.C. § 524, Availability of appropriations

Federal Regulations

5 C.F.R. § 2635, Standards of Ethical Conduct for Employees of the Executive Branch

Order

DOJ Order 2400.2: Solicitation and Acceptance of Gifts to the Department

ACA Standards

Performance-Based Standards and Expected Practices for Adult Correctional Institutions (5th Edition): 5-ACI-1B-20, 5-ACI-7F-08

Performance-Based Standards and Expected Practices for Adult Local Detention Facilities (5th Edition): 5-ALDF-5C-24

Standards for the Administration of Correctional Agencies, 2nd Edition: 2-CO-1B-14

Records Retention Requirements

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on the Bureau's intranet site.