

DONATIONS

Overview of Federal Bureau of Prisons Donations

Under federal law, the Attorney General has the authority on behalf of the Department of Justice (DOJ) to accept gifts in certain circumstances. This authority is delegated to the Assistant Attorney General for Administration and further delegated to the agency-level for the Bureau of Prisons (Bureau) to accept certain gifts, as outlined below.

Donation Authority

- *Donation Type:* Religious or educational items from recognized religious or educational entities valued at \$2,500 or less.
 - Wardens have the authority to accept at the institution level.
- *Donation Type:* All other donations for inmate use valued up to \$15,000.
 - The requesting Bureau office submits a request to the Ethics Office for approval by the Bureau's General Counsel.
- *Donation Type:* Donations for inmate use in excess of \$15,000, or donations for staff use.
 - The requesting Bureau office submits a request to the Ethics Office, final approval is needed from the Department of Justice Assistant Attorney General for Administration



Information Needed to Process Donation Requests

- Value of the donation (fair market value of the offered donation outlining any specific services and materials and a breakdown of their value).
- Description of the donation.
- Whether the donation is appropriate for Bureau use.
- Whether the entity does any business with the Bureau/DOJ or accepts grants from any DOJ component.



Relevant Laws/Policy

- 5 U.S.C. § 7353
- 28 U.S.C. § 524
- 5 C.F.R. § 2635.201-202
- DOJ Order 2400.02 (9/2/1997)
- Bureau of Prisons Program Statement 1350.03, Acceptance of Donations

Limitations/Restrictions

- Donation must be appropriate for Bureau use/programming.
- Bureau employees are not permitted to solicit donations.
- In general, the donating person/entity should not place restrictions on Bureau use of the donation.
- Consideration must be made whether acceptance of the donation would create any potential procurement concerns.

