U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

PROGRAM STATEMENT
Research

Approved by	William K. Marshall III Director, Federal Bureau of Prisons
DPI	ITDD
Number	1075.01
Date	May 7, 2026

Summary of Changes

Program Statement Rescinded:

- 1070.07 CN-1 Research (2/28/2025)

Changes:

- Updates the definition of research to meet current standards.
- Clarifies the role and operating procedure of the Bureau Research Review Board (BRRB).
- Updates expectations around data retention and data destruction.

1. § 512.10 Purpose and scope

General provisions for the protection of human subjects during the conduct of research are contained in 28 CFR part 46. The provisions of this subpart B specify additional requirements for prospective researchers (both employees and non-employees) to obtain approval to conduct research within the Bureau of Prisons (Bureau) and responsibilities of Bureau staff in processing proposals and monitoring research projects. Although some research may be exempt from 28 CFR part 46 under § 46.101(b)(5), as determined by the Office of Research and Evaluation (ORE) of the Bureau, no research is exempt from 28 CFR part 512. For the purpose of this subpart, implementation of Bureau programmatic or operational initiatives made through pilot projects is not considered to be research.

Research projects serve a valuable purpose by assessing the effectiveness of Bureau efforts to carry out its mission and contribute to the knowledge available in the field of corrections. The Bureau encourages periodic program evaluation and other policy-related research by both employees and non-employees who meet this program statement's qualifications.

a. **Program Objectives**.

- Any research conducted in the Bureau will be properly authorized and monitored so the interests of the research subjects, researchers, and Bureau are adequately safeguarded.
- Reports of research findings will be provided to the Bureau, when research is conducted by an external entity.

b. **Institution Supplement**. None.

2. **DEFINITIONS**

a. **Research** is the systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. This includes but is not limited to evidence-based, methodological designs replicable and intended to make or facilitate generalizations.

Alternatively, routine statistical tabulations and program reviews, typically performed by staff for administrative purposes, are not considered research projects.

b. **Institutional Review Board (IRB***)* is a committee which reviews and monitors research and has membership requirements outlined below. The Bureau Research Review Board (BRRB), located in the Central Office and managed by ORE, is an IRB. Some local research review boards in Bureau institutions are IRBs if they meet the membership requirements.

c. **Local Research Review Board (LRRB)** is an institutional review committee that evaluates research proposals at specific institutions, enabling each facility to assess whether the proposed project is feasible within its own environment and resources.

d. **Minimal risk** means the probability and magnitude of harm or discomfort anticipated in the research is not greater in and of itself than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.

e. A **researcher** is a person who has met the qualifications of this program statement, whether a BOP staff member, contractor, consultant, or other external party and has received appropriate approval to conduct a research project within the Bureau.

3. **§ 512.11 Requirements for research projects and researchers**

(a) Except as provided for in paragraph (b) of this section, the Bureau requires the following:

(1) In all research projects the rights, health, and human dignity of individuals involved must be respected.

(2) The project must have an adequate research design and contribute to the advancement of knowledge about corrections.

The BRRB will determine if the project has an adequate research design and contributes to the advancement of knowledge about corrections to a degree that would justify the approval of a research project.

(3) The project must not involve medical experimentation, cosmetic research, or pharmaceutical testing.

(4) The project must minimize risk to subjects; risks to subjects must be reasonable in relation to anticipated benefits. The selection of subjects within any one institution must be equitable. When applicable, informed consent must be sought and documented (see §§ 512.15 and 512.16).

Informed consent is generally not necessary when only archival information in Bureau records is being analyzed.

(5) Incentives may not be offered to help persuade inmate subjects to participate. However, soft drinks and snacks to be consumed at the test setting may be offered. Reasonable accommodations such as nominal monetary recompense for time and effort may be offered to non-confined research subjects who are both:

(i) No longer in Bureau of Prisons custody, and
(ii) Participating in authorized research being conducted by Bureau employees or contractors.

(6) The researcher must have academic preparation or experience in the area of study of the proposed research and in the research methodology proposed.

(7) The researcher must assume responsibility for actions of any person engaged to participate in the research project as an associate, assistant, or subcontractor to the researcher.

(8) Except as noted in the informed consent statement to the subject, the researcher must not provide research information which identifies a subject to any person without that subject's prior written consent to release the information. For example, research information identifiable to a particular individual cannot be admitted as evidence or used for any purpose in any action, suit or other judicial, administrative, or legislative proceeding without the written consent of the

individual to whom the data pertains.

(9) The researcher must adhere to applicable provisions of the Privacy Act of 1974 and regulations pursuant to this Act.

The information the Bureau collects is protected by the following legislation and regulations, including amendments:

- Privacy Act of 1974
- Computer Matching and Privacy Protection Act of 1988
- Freedom of Information Act of 1966
- E-Government Act of 2002
- Federal Information Security Management Act of 2002, and
- OMB Circular A-130, Management of Federal Information Resources, Appendix I

(10) The research design must be compatible with both the operation of prison facilities and protection of human subjects. The researcher must observe the rules of the institution or office in which the research is conducted

BRRB approved studies are subject to the capability of the Bureau to accommodate the research.

Researchers are required to submit a data destruction plan for review and approval. Additionally, researchers are required to submit a confirmation of data destruction to the BRRB as part of their closeout.

Researchers are expected to comply with all existing Bureau policies which might impact the collection, management, and destruction of data.

(11) Any researcher who is a non-employee of the Bureau must sign a statement in which the researcher agrees to adhere to the provisions of this subpart.

(12) Except for computerized data records maintained at an official Department of Justice (DOJ) site or computer, records which contain non-disclosable information directly traceable to a specific person may not be stored in, or introduced into, non-DOJ approved computers or servers.

Non-disclosable information directly traceable to a specific person is also known as “personally identifiable information” (PII).

(13) If the researcher is conducting a study of special interest to the Office of

Research and Evaluation (ORE), but the study is not a joint project involving ORE, the researcher may be asked to provide ORE with the computerized research data, not identifiable to individual subjects, accompanied by detailed documentation. These arrangements must be negotiated prior to the beginning of the data collection phase of the project.

If the study is a joint project between the ORE and a researcher, the researcher may share individually identifiable data being collected with ORE. If the study is not a joint project, ORE must obtain BRRB approval for any additional analysis.

(14) The researcher must submit planned methodological changes in a research project to the IRB for approval, and may be required to revise study procedures in accordance with the new methodology.

(b) Requests from Federal agencies, the Congress, the Federal judiciary, or State or local governments to collect information about areas for which they are responsible and requests by private organizations for organizational rather than personal information from Bureau staff shall be reviewed by ORE to determine which provisions of this subpart may be waived without jeopardizing the safety of human subjects. ORE shall document in writing the waiver of any specific provision along with the justification.

2. **§ 512.12 Content of research proposal**

When submitting a research proposal, the applicant must provide the following information:

(a) A summary statement which includes:

(1) Name(s) and current affiliation(s) of the researcher(s);

(2) Title of the study;

(3) Purpose of the project;

(4) Location of the project;

(5) Methods to be employed;

(6) Anticipated results;

(7) Duration of the study;

(8) Number of subjects (staff/inmates) required and amount of time required from each;

and

(9) Indication of risk or discomfort involved as a result of participation.

(b) A comprehensive statement which includes:

- Review of related literature;

  Bureau researchers should also include references to related, current, or past studies by other Bureau components.

- Detailed description of the research method;

- Significance of anticipated results and their contribution to the advancement of knowledge;

- Specific resources required from the Bureau;

- Description of all possible risks, discomforts, and benefits to individual subjects or a class of subjects, and a discussion of the likelihood that the risks and discomforts will actually occur;

- Description of steps taken to minimize any risks described in (b)(5) of this section;

- Description of physical and/or administrative procedures to be followed to:

  (i) Ensure the security of any individually identifiable data that are being collected for the project, and
  (ii) Destroy research records or remove individual identifiers from those records when the research has been completed.

- Description of any anticipated effects of the conduct of the research project on institutional programs and operations; and

- Relevant research materials such as sample informed consent statements, questionnaires, and interview schedules.

  This must include a full curriculum vitae (CV) for the researcher(s) with primary responsibility for the conduct of the project, demonstrating their competence in the subject matter and in the appropriate methodology.

(c) A statement regarding assurances and certification required by 28 CFR part 46, if

applicable.

3. **§ 512.13 Institutional review board**

(a) The Bureau of Prisons' central institutional review board shall be called the Bureau Research Review Board (BRRB). It shall consist of the Chief, ORE, at least four other members, and one alternate, appointed by the Director, and shall meet a sufficient number of times to insure that each project covered by 28 CFR part 46 receives an annual review. A majority of members shall not be Bureau employees. The BRRB shall include an individual with legal expertise and a representative for inmates whom the Director determines is able to identify with inmate concerns and evaluate objectively a research proposal's impact on, and relevance to, inmates and to the correctional process.

BRRB Members must have varying backgrounds and must not be associated, directly or indirectly, with the conduct of the research. Members must avoid conflict of interest, ensuring varied perspectives for comprehensive ethical review of human subjects research.

(b) The Chief, ORE, shall serve as chairperson of the BRRB. If a potential conflict of interest exists for the BRRB chairperson on a particular research proposal, the Assistant Director, Information, Policy, and Public Affairs Division, shall appoint another individual to serve as chairperson on matters pertaining to that project.

A designated staff member from ORE will serve as both the BRRB administrator and the Human Subjects Protection Officer.

a. The BRRB must include:

(1) At least one scientist.
(2) An individual with legal expertise, most typically from the Bureau's Office of General Counsel.
(3) A representative for inmates, typically a Bureau chaplain with experience in correctional settings, whom the BRRB chairperson determines is able to identify with inmate concerns and evaluate objectively a research proposal's impact on, and relevance to, inmates and to the correctional process.
(4) One non-scientist.
(5) Members of both sexes.

4. **§ 512.14 Submission and processing of proposal**

(a) An applicant may submit a preliminary research proposal for review by the Office of

Research and Evaluation, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534. Staff response to the preliminary proposal does not constitute a final decision.

(b) If the study is to be conducted at only one institution, the applicant shall submit a formal proposal to the warden of that institution. Proposal processing will be as follows:

In instances where a study is to be conducted at only one institution, prior to submitting a proposal to the BRRB, the researcher must submit a formal proposal to the Warden of that institution for review and approval by the local research review board prior to BRRB review.

(1) The warden shall appoint a local research review board to consult with operational staff, to evaluate the proposal for compliance with research policy, and to make recommendations to the warden. The local research review board is encouraged, but not required, to meet the membership requirements of an IRB, as specified in 28 CFR part 46.

(2) The warden shall review the comments of the board, make a recommendation regarding the proposal, and forward the proposal package to the Regional Director, with a copy to the Chief, ORE.

(3) The Regional Director shall review the proposal and forward recommendations to the Chief, ORE.

(c) If the study is to be conducted at more than one institution or at any other Bureau location, the applicant shall submit the research proposal to the Chief, Office of Research and Evaluation, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534. The Chief, ORE, shall determine an appropriate review process.

(d) All formal proposals will be reviewed by the BRRB.

(e) The BRRB chairperson may exercise the authority of the full BRRB under an expedited review process when another official IRB (either within or outside the Bureau) has approved the research, or when, in his/her judgment, the research proposal meets the minimal risk standard and involves only the following:

(1) The study of existing data, documents, or records; and/or

(2) The study of individual or group behavior or characteristics of individuals, where the investigator does not manipulate subjects' behavior and the research will not involve stress to subjects. Such research would include test development and studies of perception, cognition, or game theory. If a proposal is processed under

expedited review, the BRRB chairperson must document in writing the reason for that determination.

(f) The Chief, ORE, shall review all recommendations made and shall submit them in writing to the Director, Bureau of Prisons.

(g) The Director, Bureau of Prisons, has final authority to approve or disapprove all research proposals. The Director may delegate this authority to the Assistant Director, Information, Policy, and Public Affairs Division.

(h) The approving authority shall notify in writing the involved region(s), institution(s), and prospective researcher of the final decision on a research proposal.

5. **§ 512.15 Access to bureau of prisons records.**

(a) Employees, including consultants, of the Bureau who are conducting authorized research projects shall have access to those records relating to the subject which are necessary to the purpose of the research project without having to obtain the subject's consent.

(b) A non-employee of the Bureau is limited in access to information available under the Freedom of Information Act (5 U.S.C. 552).

(c) A non-employee of the Bureau may receive records in a form not individually identifiable when advance adequate written assurance that the record will be used solely as a statistical research or reporting record is provided to the agency (5 U.S.C. 552a(b)(5)).

6. **§ 512.16 Informed consent.**

(a) Before commencing a research project requiring participation by staff or inmates, the researcher shall give each participant a written informed consent statement containing the following information:

(1) Identification of the principal investigator(s);

(2) Objectives of the research project;

(3) Procedures to be followed in the conduct of research;

(4) Purpose of each procedure;

(5) Anticipated uses of the results of the research;

(6) A statement of benefits reasonably to be expected;

(7) A declaration concerning discomfort and risk, including a description of anticipated discomfort and risk;

(8) A statement that participation is completely voluntary and that the participant may withdraw consent and end participation in the project at any time without penalty or prejudice (the inmate will be returned to regular assignment or activity by staff as soon as practicable);

(9) A statement regarding the confidentiality of the research information and exceptions to any guarantees of confidentiality required by federal or state law. For example, a researcher may not guarantee confidentiality when the subject indicates an intent to commit future criminal conduct or harm himself/herself or someone else, or, if the subject is an inmate, indicates an intent to leave the facility without authorization.

(10) A statement that participation in the research project will have no effect on the inmate participant's release date or parole eligibility;

(11) An offer to answer questions about the research project; and

(12) Appropriate additional information as needed to describe adequately the nature and risks of the research.

(b) A researcher who is an employee of the Bureau shall include in the informed consent statement a declaration of the authority under which the research is conducted.

Researchers must include in the informed consent statement a declaration of the authority under which the research is conducted. Most research by Bureau employees will be conducted under the general authority of 18 U.S.C. §§ 4001(b) and 4042(a).

(c) A researcher who is an employee of the Bureau, in addition to presenting the statement of informed consent to the subject, shall also obtain the subject's signature on the statement of informed consent, when:

(1) The subject's activity requires something other than response to a questionnaire or interview; or

(2) The Chief, ORE, determines the research project or data-collection instrument is of a sensitive nature.

(d) A researcher who is a non-employee of the Bureau, in addition to presenting the statement of informed consent to the subject, shall also obtain the subject's signature on the statement of informed consent prior to initiating the research activity. The researcher may not be required to obtain the signature if the researcher can demonstrate that the only link to the subject's identity is the signed statement of informed consent or that there is significantly more risk to the subject if the statement is signed. The signed statement shall be submitted to the chairperson of the appropriate local research review board.

For approved projects which rely on secondary data and do not require direct participation by staff or inmates, researchers will have access to those records relating to the subject which are necessary to the purpose of the research project without having to obtain the subject's consent.

7. SPECIAL CONSIDERATIONS FOR PROPOSALS

a. Incentives

Incentives may not be offered to help persuade inmate subjects to participate. The intent of limiting incentives, including but not limited to snacks and drinks, is to ensure participation of current inmates is completely voluntary. Steps may be considered by the Bureau to prevent confined prisoners from being placed at a disadvantage when they elect to participate in a research project. This is not considered an incentive. For example, work schedules might be rearranged to allow an inmate to participate in a research project.

b. Memoranda of Understanding (MOUs) and Other Supporting Documents

Projects requiring cooperation with external (outside of the Bureau) entities must develop and submit signed MOUs or signed letters of intent that provide a detailed description of how internal divisions or external agencies will work with the researcher(s) to meet project requirements. For example, if a researcher proposes a project in which they will be using both Bureau data and data from the Administrative Office of the U.S. Courts (AOUSC), they must demonstrate that they have spoken with are likely to obtain data from the BOP divisions of interest and from the AOUSC.

Where available, researchers must include for each named partner: a signed MOU, letter of intent, or subcontract that confirms each partner entity's agreement to support the project through commitments of staff time, space, services, or other project needs. For applications submitted from two or more entities, applicants will develop and submit signed MOUs or signed letters of intent that provide a detailed description of how the agencies will work together to meet project requirements. Each MOU or letter of intent should include the following: (1) names of the organizations involved in the agreement; (2) scope of the direct service(s) and other work to be performed under the agreement; (3) duration of the

agreement. Subcontracts, MOUs, or letters of intent must be submitted as one separate attachment to the application.

Where such cooperation involving non-Bureau entities is not yet formalized, a plan for accomplishing such agreements is the sole responsibility of the researcher and must be outlined for the BRRB to consider.

8. **POST-APPROVAL REQUIREMENTS**

a. **Modifications**

The researcher must submit planned methodological changes in a research project to the BRRB for approval and may be required to revise study procedures in accordance with the new methodology. For example, a new methodology may require the researcher revise the informed consent.

b. **Adverse Events**

In the case of any adverse event or any unanticipated problem, the researcher must immediately report the incident and any planned or completed remediation to the BRRB administrator. The BRRB will then determine if additional steps are necessary to minimize harm or potential harm to study participants. The BRRB will also review whether the project can continue as approved. All actions will be reported by the BRRB to other Bureau components, as relevant.

9. **§ 512.17 Monitoring approved research projects.**

The BRRB shall monitor all research projects for compliance with Bureau policies. At a minimum, yearly reviews will be conducted.

The BRRB administrator must maintain a file on each research project. The appropriate local research review boards must also keep research project files for at least three years following receipt of a final report and/or any findings resulting from the research.

The BRRB file must include:

(1) A copy of the original research proposal;

(2) A record of any materials related to the proposal's:
- Approval,
- Disapproval,
- Methodological change,

- Progress report,
- Monitoring,
- Suspension,
- Termination, and
- Publication of results;

(3) Any record of an individual's participation required to be maintained by this program statement consistent with the informed consent requirements of Bureau directives;

(4) Minutes of BRRB meetings at which any action concerning the research project was taken. The minutes will include:
- Attendance at meetings.
- A record of any actions taken, including votes for, against, and abstaining concerning any research proposal.
- The basis for requiring changes to or disapproving a research project.
- A summary of any discussion of a significant issue related to a research project.

(5) Any other memoranda or information relevant to any decisions about the research project.

a. **Data Destruction**

Researchers are required to outline their planned data destruction process at the time of their application. Researchers must notify the BRRB if changes are required to the data destruction plan or if there are any questions about the data destruction process. Notification of data destruction is required to close out an approved research project.

10. **§ 512.18 Termination or suspension.**

The Director, Bureau of Prisons, may suspend or terminate a research project if it is believed that the project violates research policy or that its continuation may prove detrimental to the inmate population, the staff, or the orderly operation of the institution.

11. **§ 512.19 Reports.**

The researcher shall prepare reports of progress on the research and at least one report of findings.

(a) At least once a year, the researcher shall provide the Chief, ORE, with a report on the progress of the research.
(b) At least 12 working days before any report of findings is to be released, the researcher

shall distribute one copy of the report to each of the following: the chairperson of the BRRB, the regional director, and the warden of each institution which provided data or assistance. The researcher shall include an abstract in the report of findings.

12. **§ 512.20 Publication of results of research project.**

a. A researcher may publish in book form and professional journals the results of any research project conducted under this subpart.
   (1) In any publication of results, the researcher shall acknowledge the Bureau's participation in the research project.
   (2) The researcher shall expressly disclaim approval or endorsement of the published material as an expression of the policies or views of the Bureau.

b. Prior to submitting for publication the results of a research project conducted under this subpart, the researcher shall provide two copies of the material, for informational purposes only, to the Chief, Office of Research and Evaluation, Central Office, Bureau of Prisons.

13. **§ 512.21 Copyright provisions.**

a. An employee of the Bureau may not copyright any work prepared as part of his/her official duties.

b. As a precondition to the conduct of research under this subpart, a non-employee shall grant in writing to the Bureau a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, translate, and otherwise use and authorize others to publish and use original materials developed as a result of research conducted under this subpart.

c. Subject to a royalty-free, non-exclusive, and irrevocable license, which the Bureau of Prisons reserves, to reproduce, publish, translate, and otherwise use and authorize others to publish and use such materials, a non-employee may copyright original materials developed as a result of research conducted under this subpart.

REFERENCES

Program Statements

None

United States Code

18 U.S.C. §§ 4001, 4042

Federal Regulations

28 CFR 46

Other References

US DOJ Scientific Integrity Policy

Executive Order 14303, "Restoring Gold Standard Science" May 23, 2025

OMB Circular A-130, Management of Federal Information Resources, Appendix I

Privacy Act of 1974

Computer Matching and Privacy Protection Act of 1988

Freedom of Information Act of 1966

E-Government Act of 2002

Federal Information Security Management Act of 2002

ACA Standards

Performance-Based Standards and Expected Practices for Adult Correctional Institutions (5th Edition): 5-ACI-1F-13, 5-ACI-1F-14, 5-ACI-1F-15, 5-ACI-1F-16, 5-ACI-1F-17, 5-ACI-1F-18, 5-ACI-6C-09M

Performance-Based Standards and Expected Practices for Adult Local Detention Facilities (5th Edition): 5-ALDF-4D-18M, 5-ALDF-7D-20, 5-ALDF-7D-21, 5-ALDF-7D-22

Standards for the Administration of Correctional Agencies, 2nd Edition: 2-CO-1F-10, 2-CO-1F-11, 2-CO-1F-12, 2-CO-1F-13, 2-CO-1F-14, 2-CO-1F-15

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.