

**§ 551.35**

approval of an activity to the Warden or designee. Activities include, but are not limited to, meetings, guest speakers, sports competitions, banquets, or community programs. Activities may not include fund-raising projects. The request must specifically include:

- (1) Name of the organization;
- (2) Nature or purpose of the activity;
- (3) Date, time, and estimated duration of the activity;
- (4) Estimated cost;
- (5) Information concerning guest participation; and
- (6) Other pertinent information requested by the Warden.

(b) The Warden may approve the request if the activity:

- (1) Does not conflict with scheduled inmate work or program activities;
- (2) Has confirmation of staff supervision;
- (3) Can be appropriately funded when applicable (see § 551.36); and
- (4) Does not conflict with the security, good order, or discipline of the institution.

(c) When an activity requires the expenditure of government funds, the Warden ordinarily shall require reimbursement from non-inmate participants (guests or members).

(d) Each inmate organization shall be responsible for maintaining accurate records of its activities.

(e) The activities of an inmate organization may be suspended temporarily due to noncompliance with Bureau policy. The IOM is responsible for recommending the specific suspension sanction for the Warden's approval. The inmate organization is to receive written notice of the proposed suspension sanction and shall have the opportunity to respond to the Warden. Continued noncompliance with Bureau policy shall result in an increase in the severity of the suspension sanction, and may include withdrawal of approval of the organization.

**§ 551.35 Withdrawal of approval of an organization.**

The Warden may withdraw approval of an inmate organization for reasons of the security, good order, and discipline of the institution, or in accordance with § 551.34(e).

**28 CFR Ch. V (7-1-05 Edition)**

**§ 551.36 Funding.**

The Bureau of Prisons may fund approved activities of inmate organizations or organization requests for purchase of equipment or services for all inmates subject to the availability of designated funds.

**Subpart E—Inmate Contributions**

**§ 551.50 Policy.**

(a) An inmate may contribute to a candidate for election to a federal, state or local office, in a primary, general, or special election.

(b) An inmate may contribute to any international, national or local organization, including political parties, so long as the contribution does not violate any law or regulation.

**Subpart F—Volunteer Community Service Projects**

**§ 551.60 Volunteer community service projects.**

(a) A volunteer community service project is a project sponsored and developed by local government or by a nonprofit charitable organization, submitted to the institution, and recommended by the Warden for approval of the Regional Director. Volunteer community service projects are designed to provide for the public good in keeping with the overall goals of the community, such as community-wide beautification or public safety. The sponsoring organization is responsible for certifying to the Bureau that the community service project does not displace regular employees, supplant employment opportunities ordinarily available within the sponsoring organization, or impair contracts for services. These projects are not work assignments. Any inmate who chooses to participate does so voluntarily, and may not receive performance pay or any other salaried compensation for participation in the project, nor be eligible to submit a claim under the provisions of the Inmate Accident Compensation Program.

(b) An inmate may volunteer to participate in a community service project by submitting a written request for the Warden's approval. The

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inmate must have custody classification appropriate for the project and be otherwise eligible for the conditions of the project. The decision of the Warden to approve or disapprove an inmate's request shall be documented in writing.

(c) An inmate may appeal the Warden's decision through the Administrative Remedy Procedure (see 28 CFR part 542).

[58 FR 5210, Jan. 19, 1993]

### Subpart G—Administering of Polygraph Test

#### § 551.70 Purpose and scope.

The Bureau of Prisons cooperates with law enforcement officials and other authorized individuals in the performance of their duties by permitting them to administer polygraph tests to an inmate if the inmate consents to the testing.

#### § 551.71 Procedures.

(a) The Warden may permit polygraph tests in connection with a State or Federal criminal felony investigation.

(b) The Warden may permit polygraph tests in connection with misdemeanor offenses, civil proceedings, or any other matters. This type of request, however, is generally disapproved, absent a federal court order for the test.

(c) The Warden may permit a polygraph test at the request of a defense counsel or other representative of the inmate. These requests are subject to the same standards and procedures applicable to testing by law enforcement officials.

(d) The Warden may deny any request for testing which may disrupt the security or good order of the institution.

(e) Upon written request to conduct a polygraph examination of an inmate, the Warden may approve the request if:

(1) The validity of the request and of the examining agency can be confirmed;

(2) The request complies with this section; and

(3) The inmate gives written consent to the testing.

(f) If the request is approved, the Warden shall notify the requestor that he is responsible for meeting all state and local requirements in administering the test.

(g) The Bureau of Prisons maintains a record in the inmate's central file of the polygraph test indicating the inmate's consent and the time and place of and the personnel involved in the testing.

### Subpart H—Inmate Manuscripts

#### § 551.80 Definition.

As used in this rule, *manuscript* means fiction, nonfiction, poetry, music and lyrics, drawings and cartoons, and other writings of a similar nature.

#### § 551.81 Manuscript preparation.

An inmate may prepare a manuscript for private use or for publication while in custody without staff approval. The inmate may use only non-work time to prepare a manuscript.

#### § 551.82 Mailing inmate manuscripts.

An inmate may mail a manuscript as general correspondence, in accordance with part 540, subpart B of this chapter. An inmate may not circulate his manuscript within the institution.

#### § 551.83 Limitations on an inmate's accumulation of manuscript material.

The Warden may limit, for housekeeping, fire-prevention, or security reasons, the amount of accumulated inmate manuscript material.

### Subpart I—Non-Discrimination Toward Inmates

#### § 551.90 Policy.

Bureau staff shall not discriminate against inmates on the basis of race, religion, national origin, sex, disability, or political belief. This includes the making of administrative decisions and providing access to work, housing and programs.

[63 FR 55774, Oct. 16, 1998]