

**US Army Corps
of Engineers ®**

**Contribution and Donor Recognition Plan
for Kansas City District**

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Introduction

The Corps Contribution Program permits the Corps to accept monetary, services, or material contributions from groups (including governmental entities but excluding project sponsors) and individuals in connection with carrying out water resources projects for environmental protection and restoration or for recreation. Whether in the form of cash, materials, or services, contributions have the potential to result in the sharing of project operational costs and to enhance the ability of the project staff to better manage existing facilities in the public interest. In this respect, contributions (including accepting grants) have the potential to enable the natural resource management staff to fund some programs and/or projects that have, as a result of reprioritization, either been deferred or delayed due to reduced Operations and Maintenance (O&M) funds. Contributions offered will be consistent with Project Master Plans or Operational Management Plans (OMP) and will be carefully screened and evaluated for their suitability. Projects or tasks that are not in consonance with the guidance and policy of the Corps Contributions Program will not be initiated.

Purpose

The Contribution Plan is a tool and mechanism used to receive funds, materials, or services from outside resources to complete tasks that are described in the Master Plan or OMP. Contributions can be utilized to accomplish tasks or projects for the protection, improvement, restoration, rehabilitation or interpretation of natural resources, environmental features, recreation areas and facilities or cultural resources at projects.

The essential purpose of this plan is to provide a formal document that describes in general terms the categories or types of work that have been identified in Project OMPs that are eligible to be accomplished under the authority of the Corps Contributions Program.

In conjunction with describing the general nature or categories of work to be accomplished, this plan will also address the following: general procedures and methods for receiving and accounting for monetary contributions; methods for providing recognition to contributors and acknowledge public support.

Authority

Authority to Accept Contributions: 33 USC § 2325 authorizes the Corps to accept contributions of “cash, funds, materials, and services” “in connection with carrying out a water resources project for environmental protection and restoration or a water resources project for recreation.” 33 USC § 2328 authorizes the Corps to accept contributions of “funds, materials, and services” “to share the cost of managing recreation facilities and natural resources at [Corps] water resource development projects.” Additionally, 33 USC 569c authorizes the acceptance of volunteer services. The term “contribution” includes anything of value (funds, materials, supplies, or in-kind goods or services) received from an outside source without consideration or an exchange of value but does not include construction.¹ Funds or other items received as a result of a competitively awarded grant from a foundation are also considered a “contribution”.

¹ If a non-Federal entity seeks to perform construction at a Corps water resources project, the authority for such construction is 16 U.S.C. § 460d. This distinction is important because the requirements for how USACE must process any funds that it receives from the use of a facility constructed under 16 U.S.C. § 460d are different from how USACE must process funds received through 33 U.S.C. § 2325 and § 2328.

Acceptable Donors: The Corps may accept contributions from individuals, organizations, foundations, governmental entities, corporations and businesses. Contributions may be accepted only for programs and activities contained in approved annual or five-year operation management plans (OMP). If a federal grant is involved, a note or letter is needed stating the money is acceptable to use on Corps property. Reference Appendix A for Accepting Contributions Flow Chart.

Prohibited Donors: Contributions from a project sponsor (i.e. the party with whom the water resource project has been jointly created, a party to a Project Cooperation agreement (PCA) or Project Partnership Agreement) may not be accepted. Real Estate cannot be accepted as a donation through Contributions Program. For information on whether a particular donation should be accepted or for further information on authorities and constraints, see ER 1130-2-500, Chapters 10 & 11.

Contributions from an entity which holds or is seeking a concessions contract or which would identify the Corps with alcohol or tobacco products shall be declined.

No Solicitation of Contributions: Corps employees may not solicit or take any actions that gives the appearance that they are soliciting contributions in support of the Corps programs or activities. The term “solicit” means any request made to a non-federal entity, group or individual for contributions to be made directly or indirectly to the Corps. There are, however, appropriate activities that Corps employees may undertake in relation to authorized fundraising by partners. Corps employees can negotiate with partners in the context of a partnership agreement, and partners can then fundraise to generate their contribution to the partnership.

No Lobbying: Employees shall not engage in lobbying activities

Ethical Considerations: Corps employees are subject to ethical regulations which prohibit federal employees from giving preferential treatment to any entity or individual. Employees may not use their official title, position or authority of their public office to endorse any product, service or enterprise.

Designation: The Chief, Natural Resource Management Section, shall serve or appoint staff to coordinate the District Contributions Program.

Review and Approval

Approval to accept and/or initiate a review process for acceptance of contributions is hereby delegated according to the following rules to the Operations Project Managers. Only contributions which result in the sharing of operation and management costs and/or in the development of facilities which will not result in a significant net increase in O&M shall be considered for approval. Before receiving a contribution other than from a contribution box, the contribution must be evaluated as follows:

- A. Contributions valued at \$2,500 or less per donor in a single year, or a series of pledged donations with a cumulative value of \$2,500 or less from any one donor over several years may be accepted by the OPM following guidance within this plan.
- B. Contributions valued between \$2,500 and \$100,000 per donor in a single year, or a series of pledged donations with a cumulative value of \$100,000 or less from any one donor over several years may be accepted by the OPM following guidance within this plan. Additionally, a thorough internet search to determine whether publicly available

information exists that raises concerns about the propriety of acceptance must be completed. A file should be created that includes documentation of search findings.

- C. Contributions valued between \$100,000 and \$500,000 per donor in a single year, or a series of pledged donations with a cumulative value of \$500,000 or less from any one donor over several years may be accepted by the District Chief of Operations.
- D. Contributions valued between \$500,000 and \$1,000,000 per donor in a single year, or a series of pledged donations with a cumulative value of \$1,000,000 or less from any one donor over several years may be accepted by the District Commander.
- E. Contributions valued over \$1,000,000 per donor in a single year, or a series of pledged donations with a cumulative value of more than \$1,000,000 from any one donor over several years may be accepted by the Division Commander.

A checklist to help determine and document the appropriateness of accepting a proposed donation is available (Appendix D). The checklist is required for any donation or series of donations valued at \$2,500 or more; however, its use is encouraged for donations of any amount. Authorized USACE employees must seek guidance from their District Office of Counsel if an answer on the checklist is a “yes” or “maybe”. Seeking guidance from the District Natural Resource Management Contribution Coordinator and District Office of Counsel is strongly encouraged regardless of donation amount or checklist result.

Program Administration

General: The Operations Project Manager shall serve or appoint a member of their staff to lead up a contribution effort ensuring procedures and policies are adhered utilizing ER 1130-2-500 Chapters 10 & 11. The District Office Contributions Coordinator will be contacted and input sought prior to accepting a contribution. A file is to be assembled per contribution that includes correspondence, name of contributor, type and description of contribution, amount of contribution, and any notes.

Monetary Contributions: Monetary contributions will be deposited into account 96X8862 of the U.S. Treasury according to the requirements outlined in ER 37-1-30, Chapter 5. They can be handled like customer orders with advance use. A work item is set up in P2 citing the appropriation the funds would be captured under when completing the advance account, allowing the District Resource Management Office (RMO) to fund the transaction in their database. The Project Budget Analyst will need to communicate with the District RMO, Budget Analyst (RM-B), to determine the correct appropriation intended for use to fund the work. Checks should be made out to FAO, USAED, Kansas City. (See Appendix C)

Work projects (general): Revenue collected from a contributor at a Project that is not designated by the contributor for a specific work project will be transferred to the Kansas City District Resource Management Office (RMO) for deposit into the U.S. Treasury and the proper account. Following confirmation of receipt and deposit of these funds into the U.S. Treasury, a specific CEFMS account (i.e. funded work item) will be established for contributions received at the Project. The Operations Project Manager or their designated representative will be responsible for coordinating the establishment of the CEFMS account with Resource Management, Finance (RM-F). Once deposited, these funds will become immediately available to the Project and will only be used for the general work activities listed in this plan.

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Work projects (specific or earmarked contributions): The procedures for deposition of such monetary contributions are the same as for the general contributions, except that a separate CEFMS account (funded work item) will be established for such contributions. Contributions

“earmarked” or designated for a specific work item or project will be administered separately from the general contributions account. All such project specific or “earmarked” contributions will only be accepted for implementing work and accomplishing projects that are consistent with the OMP and this plan.

Use of Contributions: Contributions may not be used for permanent employee salaries. Contributions may be made to fund salaries of term or temporary Corps employees. Contributions will not be used to begin construction or other projects or programs, unless there are sufficient appropriated and donated funds in hand to ensure completion of the work to a degree that has independent utility. Donated funds may, however, be used to advance project design work.

Process: See attached Appendix C

Non-Monetary Contributions: Materials and supplies may be accepted. Coordination with Property/Supply staff in Logistics Management at the Project and/or District Office level shall occur prior to acceptance to help determine if an item(s) needs to be identified as capital and inventoried. Value and items received will need to be reported in the Civil Works Business Intelligence- Operations (CWBI-OPS) program under the Partnerships and Volunteer module.

Contribution Boxes: A contribution or donation box may be set up at field offices, visitor centers and other appropriate locations. The installation of a contribution box is optional and at the manager’s discretion. The contribution box should be locked and have a sign stating the use of the contributions. It should be clear to the visitor that any money collected is a voluntary contribution and is not required for touring the visitor center, receiving brochures or pamphlets or any other services.

Funds from contribution boxes must be accounted for in the same manner as any other donation by following the previous monetary contribution guidance and Appendix C.

Any activity or task under \$25,000 can be completed using the work item associated with the Contribution box.

Accepting Direct or Large Donations: A patron or organization may want to donate to a park but not want to put a check or large amount of cash in the Contribution box. In this case, the Authorized Recreation Fee Collector may receive these funds at their office. A receipt must be given, and the Collector must make it clear to the patron that receiving this Contribution is in lieu of placing it in the Contribution box. A standard receipt book is appropriate to use for this purpose. A note should be written stating the purpose of the Contribution.

Reporting: Each project office that receives contributions must submit an annual report of the total amount of contributions via the Civil Works Business Intelligence-Operations (CWBI-OPS) system. See Appendix B for a sample contribution tracking sheet.

Deposits, Form, Reports: Engineering Report 3313 (remittance register) should be used to deposit or transmit collections to the disbursing officer when funds reach or exceed \$5,000. Deposits shall be made by Thursday of each week, regardless of the amount accumulated. A monthly report will be maintained at the District Office Operations and coordinated through District staff in RM.

Asset Work Item: For projects valued over \$25,000 (labor and equipment included), Project budget staff need to be informed this is an asset work item. This new item will be considered an “asset” and must have a separate work item to complete the task.

Potential Projects

General: Contributions will be utilized to accomplish tasks or projects for the protection, improvement, restoration, rehabilitation or interpretation of natural resources, environmental features, recreation areas and facilities or cultural resources at the Project.

Work Categories: The following list, while not comprehensive, provides some generalizations of the general types of projects that are typically identified in a Project OMP.

Typical Tasks Identified in Project OMPs & Acceptable for Contributions

General Category	Specific Work Examples
Enhancement of lake aesthetics and recreation facilities	Vegetation plantings in recreation areas Removal of invasive species Repairs/upgrades to facilities Drift and debris removal Signs and marker installation Accessibility improvements
Interpretive and Water Safety Programs	Outreach materials Interpretive signage Website and Social Media page development Life jackets and other safety equipment Advertising/Marketing Special events
Environmental Stewardship	Forest management Wildlife management Level 1 and 2 inventories Habitat studies Trail development Develop/enhance GIS database

Recognition of Contributions

Projects can acknowledge appreciation to contributors via letters or certificates of appreciation, news releases, photo opportunities, ribbon cutting ceremonies, plaque or other appropriate means consistent with the mission and goals of the Corps and the standards of ethical conduct.

The following procedures provide a framework for donor recognition at a project, ensuring that recognition is commensurate with the level of donation.

- A. At a minimum, the Corps will acknowledge all direct contributions in writing through a letter of acceptance which will note the amount of cash donation, or description of materials or services provided. This may serve as a record the donor can use to verify their contribution. The letter should not attempt to value non-cash contributions.
- B. News releases coordinated through the district Public Affairs Office to print, web, radio, and television media may be used to recognize donors through unpaid media.

- C. A plaque or other appropriate sign may be purchased and placed on the project site to recognize the donation.
- D. A donor board or wall located and integrated into the project office, visitor center, or other appropriate visitor facility may be used to recognize the donation.

Approvals

Melissa J. Bean
District NRM Contributions Program Manager
Kansas City District Office

Jordan P. Griffin
Chief, Natural Resources Management Section
Kansas City District Office

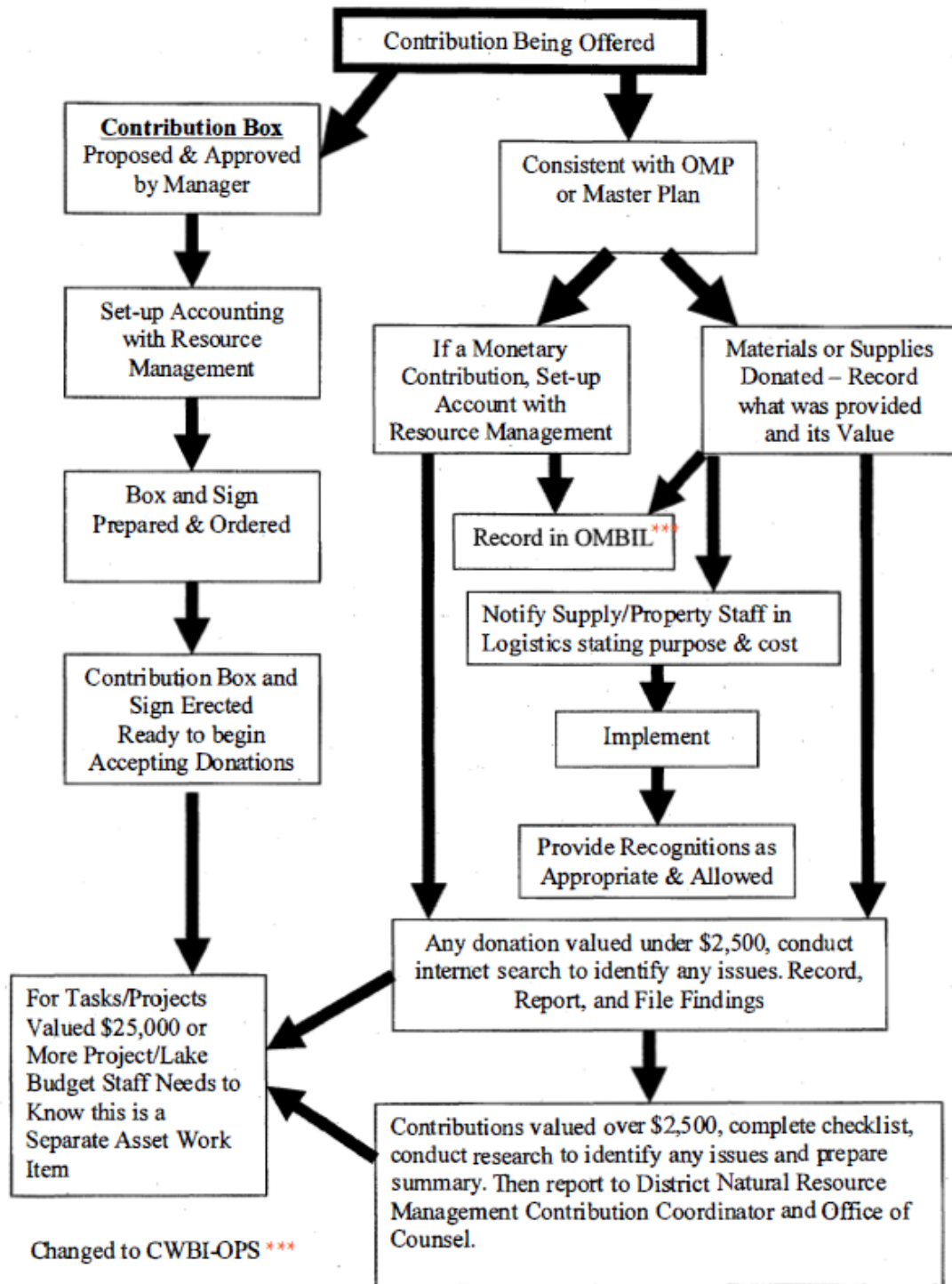
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Appendix A

Accepting Contributions-Flow Chart



(Accepting Contributions Flow Chart-adapted from Portland District

Appendix B

Contribution Tracking & Record Keeping

Contributions must be entered in CWBI-OPS, Partnerships & Volunteers Module.

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Appendix C

Standard Operating Procedures Receiving Contributed Funds

Contributed funds were authorized by Section 203 of the Water Resources Development Act of 1992. Guidance for acceptance of contributions is provided in EP 1130-2-500, Chapter 10 & 11, which allow contributions from groups and individuals in connection with carrying out water resources projects for environmental protection and restoration, as well as recreation. Monetary contributions will be deposited into account 96x8862 of the U.S. Treasury according to the requirements outlined in ER 37-1-30, Chapter 5.

Operations Division will forward to CENWK-RM-F, Civil Unit the following information via email:

- a. Type of collection
- b. Statement for the use of funds
- c. Copy of contributor agreement
- d. W-9 from the customer contributing funds
- e. CEFMS Cost Share Control Record- Initiation Form
- f. Copy of the Kansas City District Contributions Plan
- g. Project's responsible employee and budget analyst's name and phone number

A Cost Share must be set up before the funds can be collected, remitted, and used locally:

1. RM-F will create a new cost share for the contributed funds.
2. RM-B will create an advance account and link it to the new cost share.
3. RM-B will link the Cost Share to the FAD.
4. Contributed funds checks should be sent to the district office payable to FAO, USAED, Kansas City. EFT instructions can be provided for payment as well.
5. RM-F will process a Collection for Self in CEFMS and write the ROV number and the location number (EROG G6) on the check. The collection will be made to the advance account set up in step 2 and the appropriation symbol and name should read 96NAX8862 River and Harbor Contributed Funds. Point of Contact, CENWK-RM-F Civil.
6. RM-F will mail check and remittance form to the USACE Finance Center, CEFC-FC-D, 5722 Integrity Dr., Millington, TN 38054-5005.
7. The USACE Finance Center must certify the collection, send the check for deposit, and confirm that the deposit has been made. Point of Contact, Disbursing Section.
8. RM-B will register the funds.
9. After the funds are registered in step 8, PR&Cs can be created against the funding.

Appendix D

Donation Checklist- Fillable Form located on the NRM Gateway

USACE Checklist to Determine Acceptance of Contributions

DONATION INFORMATION

Prospective Donor Name: _____

Amount/Value of Contribution: _____

Type of Contribution: ☐ Cash/Funds ☐ Personal Property ☐ Services ☐ Materials

Intended USACE Recipient Location: _____

ACCEPTANCE FACTORS FOR CONSIDERATION

No (Acceptable) Yes or Maybe* (Not Acceptable)

1. Does the contribution appear to be an attempt to influence a Regulatory permitting decision or decision under other USACE authority?
2. Does the contribution fail to meet a legitimate USACE need?
3. Does the contribution require USACE to commit funding commitment that is not currently available?
4. Does the donation circumvent law, regulation, or policy?
5. Are any conditions on the contribution inconsistent with authorized purposes or any relevant USACE policy or planning documents?
6. Will the contribution be used by the donor to state or imply endorsement or promotion by USACE of the donor or the donor's product or services?
7. Does the donation consist of personnel or funding to hire new or additional permanent USACE employees?**
8. Does the amount or timing of the proposed contribution appear to influence any pending USACE decision or action involving the donor's financial or business relationship with USACE, such as a contract, permit, lease, grant or cooperative agreement?
9. Is there either an actual or an implied commitment by USACE to take an action favorable to the donor in exchange for the contribution?
10. Is the donor involved in litigation or other disputes with USACE?
11. Is the donor seeking a permit, license, or other approval from USACE?

12. Is the donor otherwise engaged in any type of business relationship with USACE?

13. Has the donor been debarred, suspended, proposed for debarment, excluded, or disqualified under the non-procurement common rule, or otherwise declared ineligible from doing business with USACE?

14. Will the donor obtain, or appear to obtain, preferential treatment in dealing with USACE?

15. Has the donor had any recent public history of criminal or civil violations for which accepting the contribution would likely cause substantial public controversy?

*Attach an explanation for any "yes" or "maybe" responses. A "yes" or "maybe" response to any of the factors for consideration may not individually trigger a decision to decline a proposed contribution, but each illustrates what Authorized Employees must ask when evaluating the totality of circumstances and making contribution-related decisions. Authorized Employees must seek guidance from the District Office of Counsel to resolve issues associated with donations whenever the circumstances are unclear or questionable.

**Charging time for existing employees to contributed funding accounts may be appropriate in some circumstances. The contribution, whether for personnel or funding to hire personnel, must be structured such that the donated or funded personnel do not inappropriately influence USACE regulatory actions or significant decisions.

AUTHORIZED EMPLOYEE

Completed By: _____
Print Name, Title, and Location of USACE Authorized Employee

Signature: _____
USACE Authorized Employee Date