



Department of Defense

INSTRUCTION

NUMBER 1100.21

March 11, 2002

Incorporating Change 1, December 26, 2002

ASD(FMP)

SUBJECT: Voluntary Services in the Department of Defense

- References: (a) Sections 1044,1054, 1491, 1588, and 2733 of title 10, United States Code
- (b) DoD Directive 1015.1, "Establishment, Management and Control of Nonappropriated Fund Instrumentalities," August 19, 1981
 - (c) DoD 5400.11-R, "Department of Defense Privacy Program," August 1983
 - (d) DoD Instruction 1402.5, "Criminal History Background Checks on Individuals in Child Care Services," January 19, 1993
 - (e) through (i), see enclosure 1

1. PURPOSE

This Instruction:

1.1. Implements policies, responsibilities, and procedures for the acceptance and use of voluntary services in Department of Defense programs, as authorized by 10 U.S.C. 1588 (reference (a)).

1.2. Describes the conditions under which voluntary services may be accepted, the responsibilities of accepting officials, and the Government support of authorized volunteers when performing their official duties.

1.3. Authorizes the Military Departments and through them, the Office of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to as "the DoD Components") to accept voluntary services pursuant to 10 U.S.C. 1588 (reference (a)).

2. APPLICABILITY AND SCOPE

2.1. This Instruction applies to:

2.1.1. The DoD Components as defined in paragraph 1.3., above.

2.1.2. Volunteers who donate their services to the DoD Components, including nonappropriated fund instrumentalities (NAFIs), operated pursuant to DoD Directive 1015.1 (reference (b)).

2.2. This Instruction does not apply to:

2.2.1. Gratuitous services offered outside the scope of 10 U.S.C. 1588 (reference (a)) and this Instruction or to other voluntary services accepted by a DoD Component under applicable legal authority independent of reference (a).

2.2.2. Volunteers who donate their services to entities that are not DoD Components (including public or private organizations or commercial organizations or contractors for the Government) on military installations or with military units. This applies even when volunteer services to non-DoD Components are in direct support of a program providing services to members of the Armed Forces and their families and even if such voluntary services are otherwise permissible.

3. DEFINITIONS

Terms used in this Instruction are defined in enclosure 2.

4. RESPONSIBILITIES

4.1. The Assistant Secretary of Defense (Force Management Policy) under the Under Secretary of Defense (Personnel and Readiness), shall:

4.1.1. Monitor compliance with this Instruction. In conjunction with the Assistant Secretary of Defense (Reserve Affairs), monitor volunteer programs in the National Guard and Reserves.

4.1.2. Ensure that information on volunteer issues, research, and programs is exchanged among relevant offices within the DoD Components.

4.1.3. Promote general awareness of volunteer programs and responsibilities among the Military Departments.

4.1.4. Promote joint-Service training programs for volunteers.

4.2. The Secretaries of the Military Departments shall:

4.2.1. Establish implementing regulations and procedures in accordance with this Instruction, including the general standards in enclosure 3.

4.2.2. Outline reimbursable expenses and method for payment of claims for reimbursement.

4.2.3. Establish a system to recognize and reward volunteer contributions. Monetary awards are not authorized.

4.2.4. Ensure that the standard procedures used to investigate and/or adjudicate incidents involving employees or officers of the DoD Components are used, when appropriate, to investigate and/or adjudicate similar incidents arising from voluntary services provided under this Instruction. This shall include voluntary service incidents involving property damage, destruction, or loss; the injury or death of any person, including the volunteer; any claim against the Federal Government; or any request for an investigation by a DoD Component or other competent authority.

5. PROCEDURES

5.1. Effective management of volunteers is an important element of a successful volunteer program. The DoD Components with a volunteer program shall provide the following:

5.1.1. A clear description of the duties and scope of responsibility of each volunteer position is provided.

5.1.2. Volunteer orientation and training to familiarize volunteers with the organization, their assigned duties, the Component's procedures to document the number of hours of voluntary services provided, documentation of the types of services provided, the Component's policies and procedures for obtaining reimbursement of incidental expenses; and other relevant matters.

5.1.3. A process to document the volunteer hours worked, the jobs performed, and the training received.

5.2. Training and support are authorized for officially sanctioned volunteers. These include, but are not limited to:

5.2.1. Use of Government facilities, to include dedicated office or desk space, equipment, supplies, computers, and telephones as needed to accomplish assigned duties.

5.2.2. Use of official mail as deemed necessary and appropriate to execute assigned volunteer duties.

5.2.3. DoD 5400.11-R (reference (c)) provides for the disclosure of privacy-protected records to Agency employees who need the records in the performance of their duties. Access to records contained in a Privacy Act system of records may be provided to a volunteer of a DoD Component other than nonappropriated fund instrumentalities. Any volunteer with such access must comply with the protection, disclosure, disclosure accounting, and other requirements of reference (c). Because 10 U.S.C. 1588 (reference (a)) does not authorize such access for NAFI volunteers, privacy-protected information may not be disclosed to such individuals in the same way such information is provided to NAFI employees. Access for NAFI volunteers requires consent of the individual about whom the records pertain or other authorization consistent with reference (c).

5.2.4. The DoD Components may authorize volunteers who possess a current valid driver's license from a State, U.S. Territory, U.S. Possession, or overseas authority to operate Government-owned or leased administrative vehicles. Volunteers who are assigned to operate administrative vehicles shall be required to complete the same training and screening and maintain the same qualifications as other government employees who drive comparable vehicles. Screening volunteers through the National Driver Registry to obtain their driving records is authorized and recommended prior to assigning a volunteer any driving duties.

5.3. Parental or guardian permission is required when accepting volunteer services from unmarried family members under the age of 18. A suggested sample format is at enclosure 4. The designated official of the organization accepting the voluntary services will complete the upper portion of the suggested format and the parent or guardian will sign the bottom.

5.4. Documentation. The Office of Personnel Management has waived the requirement to process an SF-50 and approved the use of a volunteer agreement to document volunteer services at appropriated fund activities.

5.4.1. Volunteer Agreement. All volunteers for appropriated or nonappropriated fund activities shall sign the appropriate part DD Form 2793, "Volunteer Agreement for Appropriated Activities or Nonappropriated Fund Instrumentalities." A sample is provided at enclosure 5. The acceptance of volunteer services shall be acknowledged on this document before an individual is allowed to provide volunteer services. A copy of the signed volunteer agreement should be given to the volunteer prior to commencing volunteer services.

5.4.2. Completion of Service. Part II of enclosure 5 shall be completed at the end of the volunteer's service in order to document the dates of the volunteer service. A copy of the completed volunteer agreement shall be given to the volunteer upon termination of service.

5.4.3. Retention of Records. Volunteer records shall be retained for 3 years following the termination of volunteer service by the organization receiving the service. After that period, a summary of each volunteer's service may be electronically maintained at the activity until no longer needed.

5.5. Volunteers shall not perform duties that render them unusually susceptible to injury or to causing injury to others. This prohibition is not designed nor intended to prevent properly licensed and certified volunteers from assisting qualified employees in providing athletic or adventure-type outdoor recreation activities

5.6. Volunteers who work with children and youth shall have a background check in accordance with DoD Instruction 1402.5 (reference (d)).

5.7. When accepting voluntary services, DoD Components shall ensure that neither they nor their paid or volunteer staff violate the provisions of DoD Directive 1400.33 (reference (e)). By law, no DoD official shall, directly or indirectly, impede or otherwise interfere with the right of a spouse of a military member to pursue and hold a job, attend school, or perform volunteer services on or off a military installation. Moreover, no DoD official shall use the preferences or requirements of a DoD Component to influence or attempt to influence the employment, educational, or volunteer decisions of a spouse.

6. EFFECTIVE DATE

This Instruction is effective immediately.



Charles S. Abell
Assistant Secretary of Defense
(Force Management Policy)

Enclosures - 5

- E1. References, continued
- E2. Definitions
- E3. General Standards
- E4. Sample Parental Permission Format
- E5. Sample DD Form 2793, "Volunteer Agreement for Appropriated Fund Activities and Nonappropriated Fund Instrumentalities"

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Directive 1400.33, "Employment and Volunteer Work of Spouses of Military Personnel," February 10, 1988
- (f) Sections 2671-2680 of Chapter 171 of title 28, United States Code
- (g) Sections 8101-8152, Subchapter I of Chapter 81 of title 5, United States Code
- (h) Chapter 11 of title 18, United States Code
- (i) Subchapter II of Chapter 81, Sections 8171-8173, of title 5, United States Code

E2. ENCLOSURE 2

DEFINITIONS

E2.1.1. Family Support Programs. Any Government-sponsored, appropriated or nonappropriated fund program established to improve the quality of life for the members and families of the military community.

E2.1.2. Federal Employee. A General Schedule employee whose compensation is fixed in accordance with congressional direction. Does not include non-appropriated funds employees.

E2.1.3. Government Employee. Any employee of the Government or instrumentality thereof to include appropriated and non-appropriated fund employees.

E2.1.3.1. Appropriated Fund Employee. A person paid from funds appropriated by the Congress of the United States.

E2.1.3.2. Nonappropriated Fund Employee. A person employed by a NAFI and compensated from nonappropriated funds.

E2.1.4. Gratuitous Service. Services provided by individuals or groups of individuals without any expectation of compensation to include salary, tips, benefits, and reimbursements for incidental expenses. Services provided by other than those defined as "volunteers."

E2.1.5. Nonappropriated Fund Instrumentality (NAFI). An integral DoD organizational and fiscal entity that performs Government functions of the military Morale Welfare and Recreation (MWR) program, Armed Services exchanges, the civilian MWR program, the billeting program in support of transient unaccompanied personnel housing, and other supplemental mission activities. As an instrumentality of the U.S. Government, it enjoys the same immunities and privileges as the U.S. Government in the absence of specific Federal statute. A NAFI acts in its name to provide or assist other DoD organizations in providing programs for military personnel, their families, and authorized civilians. As a fiscal entity, it maintains custody of and control over its NAF and administers appropriated resources to carry out its purposes.

E2.1.6. Private and Commercial Organizations. Any for profit, nonprofit organization whose volunteers are not covered under the provisions of 10 U.S.C. 1588 (reference (a)).

E3. ENCLOSURE 3

GENERAL STANDARDS

E3.1. RECRUITMENT AND VOLUNTEERS

E3.1.1. The Military Departments may recruit and accept services from volunteers under the Military Departments by the authority of 10 U.S.C. 1588 ([reference \(a\)](#)).

E3.1.2. The DoD Components, other than the Military Departments, are authorized to accept voluntary services through the Military Departments with primary operational responsibility for the installation on which the DoD Component organizational unit is located or through any Military Department with which such arrangements have been made. In accepting such voluntary services, the other DoD Component involved shall follow the rules and procedures of the Military Department through which the voluntary services are accepted.

E3.2. ACCEPTED VOLUNTARY PROGRAMS

Voluntary services may be accepted for the following programs operated by the DoD Components:

E3.2.1. Medical, dental, nursing, or other healthcare-related services.

E3.2.2. Museums or natural resources.

E3.2.3. Services to members of the Armed Forces and their families, including but not limited to the following programs:

E3.2.3.1. Family support.

E3.2.3.2. Child development and youth services.

E3.2.3.3. Library and education.

E3.2.3.4. Religious.

E3.2.3.5. Housing referral.

E3.2.3.6. Spouse employment.

E3.2.3.7. Morale, welfare, and recreation.

E3.2.3.8. Retired activities.

E3.2.3.9. Funeral honor details under 10 U.S.C. 1491 ([reference \(a\)](#)).

E3.2.3.10. Legal assistance under 10 U.S.C. 1044 (reference (a)).

E3.3. EXCLUSIONS FROM AUTHORITY TO ACCEPT VOLUNTARY SERVICES

E3.3.1. Volunteers may not hold policy-making positions, supervise paid employees or military personnel, or perform inherently governmental functions, such as determining entitlements to benefits, authorizing expenditures of Government funds, or deciding rights and responsibilities of any party under Government requirements.

E3.3.2. Volunteers may be used to assist and augment the regularly funded workforce, but may not be used to displace paid employees or in lieu of filling authorized paid personnel positions.

E3.3.3. Voluntary services may not be accepted in exchange for any personnel action affecting any paid employee or military member.

E3.4. SPECIAL CIRCUMSTANCES TO ACCEPT VOLUNTARY SERVICES

E3.4.1. When a DoD Component provides programs or services in a co-sponsored initiative with a non-DoD entity, voluntary service may be accepted for the programs identified in section E3.2., above. This applies only if the Component determines that persons eligible for the DoD-sponsored programs, identified in section E3.2., will be the primary beneficiaries of the duties to be performed by the volunteers involved.

E3.4.2. Voluntary service offers from host-nation or third-country citizens at overseas installations must be carefully reviewed prior to acceptance. Installation legal counsel assistance and advice are essential. Installations may accept voluntary services from host-nation or third-country citizens for activities listed in section E3.2., above. This applies so long as the installation determines that acceptance of voluntary services from such a person will not subject the United States to potential liability for unacceptable expenses. This includes payment of employment benefits for a volunteer due to host-nation labor and voluntary service laws, U.S.-host nation treaties, or Status of Forces Agreement, or other agreements.

E3.5. STATUS OF VOLUNTEERS

A volunteer, while providing services under this Instruction, shall be considered to be an employee of the Government only when the volunteer is acting within the scope of the

services accepted by the DoD Component, and only for the purposes of the following provisions of law:

E3.5.1. When providing services to a DoD Component other than a NAFI or receiving training to provide such services, the volunteer shall be considered to be an employee of the Federal Government only for the purposes of the following provisions of law and regulation:

E3.5.1.1. 5 U.S.C. 8101-8152 (reference (g)), concerning compensation for the disability or death of an employee resulting from personal injury sustained while in the performance of his/her duty. Applicable volunteer compensation computation is described in 10 U.S.C. 1588 (reference (a)).

E3.5.1.2. *10 U.S.C. 2733 (reference (a)) and 28 U.S.C. 2671-2680 (reference (f))*, relating to claims for damages or losses for property loss, personal injury or death.

E3.5.1.3. DoD 5400.11-R (reference (c)) regarding the maintenance of records on individuals that are contained in a Privacy Act system of records (reference (c)).

E3.5.1.4. Criminal laws relating to conflicts of interest 18 U.S.C. Chapter 11 (reference (h)).

E3.5.1.5. Defense of certain suits arising out of alleged legal malpractice under 10 U.S.C. 1054 (reference (a)).

E3.5.2. When providing services to a NAFI or receiving training to provide such services, a volunteer shall be considered an employee of that NAFI only for the following purposes:

E3.5.2.1. 5 U.S.C. 8171-8173 (reference (i)) concerning compensation for the disability or death of an employee resulting from personal injury sustained while in the performance of his/her duty. Applicable volunteer compensation computations are described in reference (a).

E3.5.2.2. *10 U.S.C. 2733 (reference (a)) and 28 U.S.C. 2671-2680 (reference (f))*, relating to claims for damages or losses for property loss, personal injury, or *death*.

E3.5.3. *The* volunteer will become a volunteer of the DoD Component that assumes responsibility for primary supervision of the volunteer when they are to provide services to that activity.

E3.6. RESPONSIBILITIES OF THE SPONSORING COMPONENT

E3.6.1. The degree of supervision of volunteers will be comparable to that provided with respect to paid employees providing similar services. Personnel management rules and procedures applicable to exercising authority, direction, and control over paid employees and military personnel are not applicable to volunteers. Supervisory authority with respect to volunteers will be through designation of authorized duties, training, counseling, and determinations regarding continuation of acceptance of voluntary services. The supervisor may be a paid employee, a military member, or another volunteer who is so supervised.

E3.6.2. When required, volunteers must be licensed, privileged, appropriately credentialed or be otherwise qualified under applicable law, regulations, or policy to provide the voluntary services involved.

E3.7. AUTHORITY TO INSTALL EQUIPMENT

10 U.S.C. 1588 (reference (a)) authorizes the Secretary concerned to install telephone lines and any necessary telecommunication equipment in the private residences of persons who provide voluntary services accepted under section E3.2. of this Instruction.

E3.7.1. In the case of equipment installed under the authority of reference (a), the Secretary concerned may pay the charges incurred for the use of the equipment for authorized purposes.

E3.7.2. The Secretary concerned may use appropriated funds or nonappropriated funds of the Military Department under the jurisdiction of the Secretary or, with respect to the Coast Guard, the Department in which the Coast Guard is operating.

E3.8. REIMBURSEMENT FOR EXPENSES

The DoD Component may not compensate a volunteer for the service provided except for the reimbursement for incidental expenses incurred by the person in providing voluntary services accepted by the component. Reference (a) authorizes reimbursement from appropriated fund or nonappropriated funds.

E3.8.1. As a guideline, commanders should view the incidental expenses eligible for reimbursement to volunteers as similar to the incidental expenses reimbursable for Federal employees performing official duties in support of the program involved. Thus, commanders considering reimbursements for incidental expenses under this section should consider the rules, procedures, and accountability for employment related

reimbursement of Federal employees performing similar activities as guides for determining appropriate expenditures.

E3.8.2. Within these guidelines, however, the commanding officer or official in charge of the facility or activity accepting the voluntary services may, in accordance with applicable Service regulations, provide reimbursement for incidental expenses not normally provided to employees. Reimbursements may include, but are not limited to, long distance telephone calls, commuting, and childcare. This applies when such reimbursements are determined to be necessary to obtain the voluntary services and are reasonable in amount and in relation to the value of the voluntary services involved to the facility or activity.

E3.9. NONDISCRIMINATION POLICY

In accepting voluntary services under this Instruction, the DoD Components shall not discriminate based on race, creed, religion, age, sex, color, national origin, sexual orientation, marital status, political affiliation or disability.

E4. ENCLOSURE 4

SUGGESTED FORMAT FOR PARENTAL CONSENT

PARENTAL PERMISSION
FOR APPROPRIATED AND NONAPPROPRIATED FUND ACTIVITIES

I _____, give my permission for
(Parent)
_____ to volunteer at _____
(Name of Child) (Name of Agency/Activity)
on _____ from _____
(Day(s) of Week) (Times)

I understand that my child will be performing the following volunteer services.

(Description of volunteer service performed)

I understand that _____ will be performing these as a volunteer and that he
(Name of Child)

or she is not, because of these services, an employee of the United States Government or any instrumentality thereof (except for certain purposes relating to tort claims and workman's compensation coverage concerning incidents occurring during the performance of approved volunteer service) and shall receive no present or future salary, wages, or related benefits as payment for these volunteer services.

(Signature of Parent or Guardian)

(Date)

E5. ENCLOSURE 5

SAMPLE DD FORM 2793, "VOLUNTEER AGREEMENT FOR APPROPRIATED FUND ACTIVITIES AND NONAPPROPRIATED FUND INSTRUMENTALITIES"

VOLUNTEER AGREEMENT FOR			
<input type="checkbox"/> APPROPRIATED FUND ACTIVITIES		<input type="checkbox"/> NONAPPROPRIATED FUND INSTRUMENTALITIES	
PRIVACY ACT STATEMENT			
AUTHORITY: Section 1588 of Title 10, U.S. Code, and E.O. 9397.			
PRINCIPAL PURPOSE(S): To document voluntary services provided by an individual, including the hours of service performed, and to obtain agreement from the volunteer on the conditions for accepting the performance of voluntary service.			
ROUTINE USE(S): None.			
DISCLOSURE: Voluntary; however failure to complete the form may result in an inability to accept voluntary services or an inability to document the type of voluntary services and hours performed.			
PART I - GENERAL INFORMATION			
1. TYPED NAME OF VOLUNTEER <i>Last, First, Middle Initial</i>		2. SSN	3. DATE OF BIRTH (YYYYMMDD)
4. INSTALLATION		5. ORGANIZATION/UNIT WHERE SERVICE OCCURS	
6. PROGRAM WHERE SERVICE OCCURS		7. ANTICIPATED DAYS OF WEEK	8. ANTICIPATED HOURS
9. DESCRIPTION OF VOLUNTEER SERVICES			
S A M P L E			
PART II - VOLUNTEER IN APPROPRIATED FUND ACTIVITIES			
10. CERTIFICATION I expressly agree that my services are being provided as a volunteer and that I will not be an employee of the United States Government or any instrumentality thereof, except for certain purposes relating to compensation for injuries occurring during the performance of approved volunteer services, tort claims, the Privacy Act, criminal conflicts of interest, and defense of certain suits arising out of legal proceedings. I expressly agree that I am neither entitled to nor expect any present or future salary, wages, or other benefits for these voluntary services. I agree to be bound by the laws and regulations applicable to voluntary service providers and agree to participate in any training required by the installation or unit in order for me to perform the voluntary services that I am offering. I agree to follow all rules and procedures of the installation or unit that apply to the voluntary services I will be providing.			
a. SIGNATURE OF VOLUNTEER		b. DATE SIGNED (YYYYMMDD)	
11.a. TYPED NAME OF ACCEPTING OFFICIAL <i>Last, First, Middle Initial</i>	b. SIGNATURE	c. DATE SIGNED (YYYYMMDD)	
PART III - VOLUNTEER IN NONAPPROPRIATED FUND INSTRUMENTALITIES			
12. CERTIFICATION I expressly agree that my services are being provided as a volunteer and that I will not be an employee of the United States Government or any instrumentality thereof, except for certain purposes relating to compensation for injuries occurring during the performance of approved volunteer services and liability for tort claims as specified in 10 U.S.C. Section 1905(c)(2). I expressly agree that I am neither entitled to nor expect any present or future salary, wages, or other benefits for these voluntary services. I agree to be bound by the laws and regulations applicable to voluntary service providers, and agree to participate in any training required by the installation or unit in order for me to perform the voluntary services that I am offering. I agree to follow all rules and procedures of the installation or unit that apply to the voluntary services that I am offering.			
a. SIGNATURE OF VOLUNTEER		b. DATE SIGNED (YYYYMMDD)	
13.a. TYPED NAME OF ACCEPTING OFFICIAL <i>Last, First, Middle Initial</i>	b. SIGNATURE	c. DATE SIGNED (YYYYMMDD)	
PART IV - TO BE COMPLETED AT END OF VOLUNTEER'S SERVICE BY VOLUNTEER SUPERVISOR			
14. AMOUNT OF VOLUNTEER TIME DONATED		15. SIGNATURE	
a. YEARS (2, ONE) <i>hours = 7 years</i>	b. WEEKS	c. DAYS	d. HOURS
17.a. TYPED NAME OF SUPERVISOR <i>Last, First, Middle Initial</i>		b. SIGNATURE	
		c. DATE SIGNED (YYYYMMDD)	
16. TERMINATION DATE (YYYYMMDD)			

DD FORM 2793, FEB 2002

PREVIOUS EDITION IS OBSOLETE.

Exception to Standard Form 50 granted by Office of Personnel Management (OPM) waiver.