

GUIDE TO FILING A DOD NONAPPROPRIATED FUND INSTRUMENTALITY (NAFI) EMPLOYEE WHISTLEBLOWER REPRISAL COMPLAINT

1. INSTRUCTIONS

- a. Send the information requested in Section 2, "Complaint Information," to: Defense Hotline, The Pentagon, Washington, DC 20301-1900 or fax to: 703-604-8567, DSN 664-8567. You may e-mail the information to hotline@dodig.mil; however, you should consider the fact that unencrypted e-mail messages are vulnerable to eavesdropping when transmitted over the Internet.
- b. If you have any questions, please call the Defense Hotline at 1-800-424-9098; or 1-877-363-3348 (SWA only).

2. COMPLAINT INFORMATION

- a. Provide your full name, rank/grade, job title, status (employee, former employee, or applicant), organization and location, telephone numbers (work, residence, and mobile), and mailing and email addresses.
- b. Provide a copy of the protected disclosure (if written) and any reply received about the matter. If a copy of the disclosure is not available, provide the following information:
- (1) The date of the disclosure.
 - (2) To whom the disclosure was made (name, title, organization and location, and telephone number).
 - (3) The content of the disclosure.
 - (4) Whether the matter was investigated, when, and by whom.
- c. Identify each personnel action taken or withheld that affected or has the potential to affect your NAFI employment.
- d. Provide documentation for each personnel action. If the documentation is not available, describe each personnel action and the date of the action.
- e. Provide the following information for **each** official responsible for signing or recommending the action at issue: full name, rank/or grade, duty title, organization and location, and commercial or DSN telephone number.
- f. Indicate why and how any responsible official knew of the protected disclosure before taking the personnel action.
- g. Indicate why you believe there is a connection between your protected disclosure and the personnel action taken against you.
- h. Identify key witnesses that can provide evidence to support your reprisal complaint and provide telephone numbers to contact the witnesses.
- i. If you previously filed this reprisal complaint with another agency, please provide a copy of the complaint and any reply. If the documents are not available, provide the details (identify agency, date filed).

3. DEFINITIONS (Reference: DoD Directive 1401.03, *DoD Nonappropriated Fund Instrumentality (NAFI) Employee Whistleblower Protection*)

- a. **NAFI Employee.** A civilian employee who is paid from nonappropriated funds of Army and Air Force Exchange Service, Navy Exchange Service Command, Marine Corps Exchanges, or any other instrumentality of the United States under the jurisdiction of the Armed Forces, which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces. Such term includes a civilian employee of a support organization within the Department of Defense or a Military Department, such as the Defense Finance and Accounting Service, who is paid from nonappropriated funds on account of the nature of the employee's duties.
- b. **Personnel Action.** An appointment; promotion; disciplinary or corrective action; detail, transfer, or reassignment; reinstatement, restoration, or reemployment; decision concerning pay, benefits, or awards, or a decision concerning education or training if the education or training may reasonably be expected to lead to an appointment, promotion, or other action described in this section; and, any other significant change in duties or responsibilities that is inconsistent with the employee's salary or grade level.
- c. **Protected Disclosure.**
- (1) A disclosure of information by an employee, former employee, or applicant that the employee or applicant reasonably believes evidences a violation of any law, rule, or regulation; mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, if such disclosure is not specifically prohibited by law and if the information is not specifically required by or pursuant to Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.
 - (2) A disclosure by an employee, former employee, or applicant to any civilian employee or member of the Armed Forces, designated by law or the Secretary of Defense, to receive disclosures of information described in Note 3a above which the employee, former employee, or applicant making the disclosure reasonably believes evidences a violation of any law, rule, or regulation; mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety.
- d. **Reprisal.** Taking or failing to take a personnel action because of a protected disclosure of information.