

Nonappropriated Fund Instrumentality (NAFI) Employees How to File a Whistleblower Reprisal Complaint

Nonappropriated Fund Instrumentality (NAFI) Employees who believe they have experienced or been threatened with a personnel action or a withholding (or threatening to withhold) a favorable personnel action as a reprisal for making or preparing or being perceived as making or preparing a protected disclosure may file a whistleblower complaint under section 1587 of title 10 United States Code (10 U.S.C. § 1587), “Employees of nonappropriated fund instrumentalities: reprisals.”

Instructions

The online complaint form on the DoD Hotline website at <https://www.dodig.mil/Components/Administrative-Investigations/DoD-Hotline/Hotline-Complaint/> is a secure method of filing a complaint. Alternatively, you may download the PDF form and send the information requested in Part 2, “Complaint Details” to: DoD Hotline, The Pentagon, Washington, DC 20301-1900; or fax to: 703-604-8567, DSN 664-8567.

If you have any questions, please call the DoD Hotline at 1-800-424-9098.

Information You’ll Need To File a Complaint

- 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.
- Be prepared to 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:
 - The date of the disclosure.
 - To whom the disclosure was made (name, title, organization and location, and telephone number).
 - The content of the disclosure.
 - Whether the matter was investigated, when, and by whom.
- Identify each personnel action taken or withheld that affected or has the potential to affect your NAFI employment.
- Be prepared to provide documentation for each personnel action. If documentation is not available, please describe the action and the give date of the action.
- Indicate why you believe there is a connection between your protected disclosure and the personnel action taken against you.
- Provide the full name, title, company and location, and telephone numbers of the persons responsible for recommending or taking the personnel action at issue.

- Explain why and how any responsible official knew of the protected disclosure before taking the personnel action.
- Identify key witnesses that can provide evidence to support your reprisal complaint and include their contact information.
- If you previously filed this reprisal complaint with another agency, be prepared to provide a copy of the complaint and any reply. If the documents are not available, provide the details (identify agency, date filed).

Glossary

The following terms and definitions may be helpful as you file a whistleblower reprisal complaint:

| Term | Description | Related to |
|-------------------------|--|------------------|
| 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 DoD 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. | 10 U.S.C. § 1587 |
| 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. | 10 U.S.C. § 1587 |

| Term | Description | Related to |
|-----------------------------|--|------------------|
| Protected Disclosure | <ul style="list-style-type: none"> <li data-bbox="444 285 1166 705">• 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; or, <li data-bbox="444 730 1166 1146">• A disclosure by an employee, former employee, or applicant to any civilian employee or Service member designated by law or the Secretary of Defense, to receive disclosures in accordance with 1587 (b)(1) of the United States Code, 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. | 10 U.S.C. § 1587 |
| Reprisal | Taking or failing to take or threatening to take or fail to take a personnel action because of a protected disclosure of information. | 10 U.S.C. § 1587 |