



- collection home
- faq
- search
- donate

TITLE 10 > Subtitle A > PART II > CHAPTER 81 > § 1588

[Prev](#) | [Next](#)

§ 1588. Authority to accept certain voluntary services

Release date: 2005-07-12

- (a) Authority To Accept Services.**— Subject to subsection (b) and notwithstanding section 1342 of title 31, the Secretary concerned may accept from any person the following services:
- (1) Voluntary medical services, dental services, nursing services, or other health-care related services.
- (2) Voluntary services to be provided for a museum or a natural resources program.
- (3) Voluntary services to be provided for programs providing services to members of the armed forces and the families of such members, including the following programs:
- (A) Family support programs.
- (B) Child development and youth services programs.
- (C) Library and education programs.
- (D) Religious programs.
- (E) Housing referral programs.
- (F) Programs providing employment assistance to spouses of such members.
- (G) Morale, welfare, and recreation programs, to the extent not covered by another subparagraph of this paragraph.
- (4) Voluntary services as a member of a funeral honors detail under section 1491 of this title.
- (5) Legal services voluntarily provided as legal assistance under section 1044 of this title.
- (6) Voluntary services as a proctor for administration to secondary school students of the test known as the "Armed Services Vocational Aptitude Battery".
- (7) Voluntary translation or interpretation services offered with

Search this title:

[Search Title 10](#)

[Notes](#)
[Updates](#)
[Parallel authorities \(CFR\)](#)
[Your comments](#)

respect to a foreign language by a person
(A) who is registered for such foreign language on the National Foreign Language Skills Registry under section [1596b](#) of this title, or
(B) who otherwise is approved to provide voluntary translation or interpretation services for national security purposes, as determined by the Secretary of Defense.

(b) Requirements and Limitations.—

- (1)** The Secretary concerned shall notify the person of the scope of the services accepted.
(2) With respect to a person providing voluntary services accepted under subsection (a), the Secretary concerned shall—
(A) supervise the person to the same extent as the Secretary would supervise a compensated employee providing similar services; and
(B) ensure that the person is licensed, privileged, has appropriate credentials, or is otherwise qualified under applicable law or regulations to provide such services.
(3) With respect to a person providing voluntary services accepted under subsection (a), the Secretary concerned may not—
(A) place the person in a policy-making position; or
(B) except as provided in subsection (e), compensate the person for the provision of such services.

(c) Authority To Recruit and Train Persons Providing Services.—

The Secretary concerned may recruit and train persons to provide voluntary services accepted under subsection (a).

(d) Status of Persons Providing Services.—

- (1)** Subject to paragraph (3), while providing voluntary services accepted under subsection (a) or receiving training under subsection (c), a person, other than a person referred to in paragraph (2), shall be considered to be an employee of the Federal Government only for purposes of the following provisions of law:
(A) Subchapter I of chapter [81](#) of title [5](#) (relating to compensation for work-related injuries).
(B) Section [2733](#) of this title and chapter [171](#) of title [28](#) (relating to claims for damages or loss).
(C) Section [552a](#) of title [5](#) (relating to maintenance of records on individuals).
(D) Chapter [11](#) of title [18](#) (relating to conflicts of interest).
(E) Section [1054](#) of this title (relating to legal malpractice), for a person voluntarily providing legal services accepted under subsection (a)(5), as if the person were providing the services as an attorney of a legal staff within the Department of Defense.
(2) Subject to paragraph (3), while providing a nonappropriated fund instrumentality of the United States with voluntary services accepted under subsection (a), or receiving training under subsection (c) to provide such an instrumentality with services accepted under subsection (a), a person shall be considered an employee of that instrumentality only for the following purposes:
(A) Subchapter II of chapter [81](#) of title [5](#) (relating to compensation of nonappropriated fund employees for work-related injuries).
(B) Section [2733](#) of this title and chapter [171](#) of title [28](#) (relating to claims for damages or loss).
(3) A person providing voluntary services accepted under subsection (a) shall be considered to be an employee of the Federal

Government under paragraph (1) or (2) only with respect to services that are within the scope of the services so accepted.

(4) For purposes of determining the compensation for work-related injuries payable under chapter [81](#) of title [5](#) (pursuant to this subsection) to a person providing voluntary services accepted under subsection (a), the monthly pay of the person for such services shall be deemed to be the amount determined by multiplying—

(A) the average monthly number of hours that the person provided the services, by

(B) the minimum wage determined in accordance with section 6(a)(1) of the Fair Labor Standards Act of 1938 ([29 U.S.C. 206](#) [\(a\)\(1\)](#)).

(e) Reimbursement of Incidental Expenses.— The Secretary concerned may provide for reimbursement of a person for incidental expenses incurred by the person in providing voluntary services accepted under subsection (a). The Secretary shall determine which expenses are eligible for reimbursement under this subsection. Any such reimbursement may be made from appropriated or nonappropriated funds.

(f) Authority To Install Equipment.—

(1) The Secretary concerned may install telephone lines and any necessary telecommunication equipment in the private residences of persons, designated in accordance with the regulations prescribed under paragraph (4), who provide voluntary services accepted under subsection (a)(3).

(2) In the case of equipment installed under the authority of paragraph (1), the Secretary concerned may pay the charges incurred for the use of the equipment for authorized purposes.

(3) To carry out this subsection, the Secretary concerned may use appropriated funds (notwithstanding section [1348](#) of title [31](#)) 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.**(4)** The Secretary of Defense and, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Homeland Security shall prescribe regulations to carry out this subsection.

[Prev](#) | [Next](#)

LII has no control over and does not endorse any external Internet site that contains links to or references LII.

- credits
- about us
- send email