

**National Oceanic and Atmospheric Administration
Office of the General Counsel
International Section**

Volunteer Service Agreement

In compliance with the Department of Commerce Administrative Order (DAO) 202-311,ⁱ and pursuant to 16 U.S.C. § 742f,ⁱⁱ the National Oceanic and Atmospheric Administration (NOAA) Office of General the Counsel requires that the terms of volunteer service be agreed upon in writing by appropriate officials of the participating NOAA host office.

Terms of Agreement are:

To provide legal services and assistance to the NOAA Office the General Counsel (OGC) programs or matters that may include, but are not limited to, protection, conservation, and sustainable use of the marine environment, including biological diversity, trade and environment, geo-engineering, fisheries, marine mammals, protected marine species, marine pollution, marine protected areas, natural and cultural heritage, seabirds, and Polar affairs.

Service performed by an individual on a voluntary basis may not be used to displace or replace any employee in the agency's workforce.

I acknowledge and fully understand that I will not receive payment or compensation of any kind for my volunteer service performed for OGC.

I acknowledge that volunteer service is not creditable for leave or any other employee benefits.

I am aware of and agree to comply with DAO 219-1 ('Public Communications') (available online at http://www.osec.doc.gov/opog/dmp/daos/dao219_1.html) as well as applicable ethics rules as set forth in 5 C.F.R. § 2635.702 and 5 C.F.R. § 2635.807 (available online at <http://bit.ly/1EnfYvy>).

This agreement may be terminated at any time by either party by written notification.

(Printed Name of Volunteer)

(Signature)

(Date)

(NOAA Hosting Office)

(Printed Name of NOAA Official)

(Signature)

(Title)

(Date)

(Printed Name of NOAA Business Advisor)

(Signature)

(Title)

(Date)

ⁱ DAO 202-311 is available online at http://www.osec.doc.gov/opog/dmp/daos/dao202_311.html.

ⁱⁱ *16 U.S.C. § 742f(c)* provides:

“(c) Volunteer services; incidental expenses; Federal employee status; authorization of appropriations

(1) The Secretary of the Interior and the Secretary of Commerce may each recruit, train, and accept, without regard to the provisions of title 5, the services of individuals without compensation as volunteers for, or in aid of programs conducted by either Secretary through the United States Fish and Wildlife Service or the National Oceanic and Atmospheric Administration.

(2) The Secretary of the Interior and the Secretary of Commerce are each authorized to provide for incidental expenses such as transportation, uniforms, lodging, awards (including nominal cash awards) and recognition, and subsistence of such volunteers without regard to their places of residence.

(3) Except as otherwise provided in this subsection, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relative to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(4) For the purpose of the tort claim provisions of title 28, a volunteer under this subsection shall be considered a Federal employee.

(5) For the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, volunteers under this subsection shall be deemed employees of the United States within the meaning of the term "employees" as defined in section 8101 of title 5, and the provisions of that subchapter shall apply.”

(Updated March 26, 2019)

