



# Department of Defense INSTRUCTION

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USD(P&R)

SUBJECT: Utilization of Enlisted Aides (EAs) on Personal Staffs of General and Flag Officers (GO/FOs)

References: See Enclosure 1

1. PURPOSE. In accordance with the authority in DoD Directive 5124.02 (Reference (a)), this instruction:

a. Reissues DoD Instruction (DoDI) 1315.09 (Reference (b)) to implement sections 981, 3639, 7579, 8639 of Title 10, United States Code (Reference (c)).

b. Establishes policy and assigns responsibilities for the utilization of EAs on personal staffs of GO/FOs.

2. APPLICABILITY. This instruction applies to:

a. OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the DoD.

b. U.S. elements of the Combatant Commands and Military Department elements of U.S. Government agencies outside the DoD.

3. POLICY. It is DoD policy that:

a. EAs are authorized for the purpose of relieving GO/FOs of those minor tasks and details which, if performed by the GO/FOs, would be at the expense of the GO/FOs' primary military and other official duties and responsibilities. The duties of these enlisted personnel, as defined in sections 2 and 3 of Enclosure 3 of this instruction, will be tasks relating to the military and other official duties and responsibilities of the GO/FOs, to include assisting GO/FOs in discharging the DoD representational responsibilities associated with their assigned positions. The propriety of such duties is governed by the official purpose that they serve rather than the nature of the duties.

b. The number of EAs assigned in the DoD will not exceed the statutory ceiling delineated in section 981 of Reference (c) or lower DoD ceiling prescribed, nor will the number exceed a lower number computed in accordance with section 4 of Enclosure 3 of this instruction.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosures 3 and 4.

6. RELEASABILITY. **Cleared for public release.** This instruction is available on ~~the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>~~; *the Directives Division Website at <http://www.esd.whs.mil/DD/>*.

7. EFFECTIVE DATE. This instruction is effective ~~60 days after publication, March 6, 2015~~ *May 5, 2015*.

  
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Personnel and Readiness

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (b) DoD Instruction 1315.09, "Utilization of Enlisted Personnel on Personal Staffs of General and Flag Officers," October 2, 2007 (hereby cancelled)
- (c) Title 10, United States Code
- (d) DoD *Manual* 4165.63-M, "DoD Housing Management," October 28, 2010
- (e) Army Regulation 614-200, "Enlisted Assignments and Utilization Management," February 26, 2009, as amended
- (f) Office of the Chief of Naval Operations Instruction 1306.3B, "Guidance for Use of Enlisted Aides," September 14, 2007
- (g) Marine Corps Order 1306.18A, "Marine Aide Program," October 21, 2010
- (h) Air Force Instruction 36-2123, "Management of Enlisted Aides," October 2, 2008
- (i) Secretary of the Navy Instruction, 1306.2D, "Utilization of Enlisted Aides on Personal Staffs," December 22, 2005
- (j) DoD 7000.14-R, "Department of Defense Financial Management Regulations (FMRs)," date varies by volume
- (k) Joint Travel Regulations "Uniformed Service Members and DoD Civilian Employees," current edition
- (l) DoD Instruction 7250.13, "Use of Appropriated Funds for Official Representation Purposes," June 30, 2009

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R):

a. Establishes and publishes the DoD ceiling, joint duty allocation, and individual Military Service allocations of EAs as stated in section 4 of Enclosure 3 of this instruction.

b. Acts on requests to waive EA allocations received from the CJCS and the Military Services.

2. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments:

a. Implement this instruction within their respective military departments.

b. Determines the specific G~~O~~/FO positions to be authorized EA(s) and the specific number of EA(s) to be assigned to each G~~O~~/FO position within their respective Military Service's allocations.

c. Authorize an EA only if the official duties and responsibilities of the G~~O~~/FO position, including representational duties, warrant EA support. EA authorizations will not be solely based on the grade or title of the G~~O~~/FO position.

d. Comply with EA allocations determined by the CJCS for G~~O~~/FO in joint duty assignments.

e. Provide copies of reports reflecting EA authorizations, allocations, and justifications for the authorizations based on the duties and responsibilities of the G~~O~~/FO positions from the previous fiscal year to USD(P&R) as required.

3. CJCS. The CJCS:

a. Implements this instruction.

b. Determines the specific G~~O~~/FO positions to be authorized EA(s) and the specific number of EA(s) to be assigned to each G~~O~~/FO position within joint duty authorizations.

c. Authorizes an EA only if the official duties and responsibilities of the G~~O~~/FO position, including representational duties, warrant EA support. EA authorizations will not be based solely on the grade or title of the G~~O~~/FO position.

d. Provides copies of reports reflecting EA authorizations, allocations, and justifications for the authorizations based on the duties and responsibilities of the joint duty G~~O~~/FO positions from the previous fiscal year, to USD(P&R) as required.

ENCLOSURE 3

PROCEDURES

1. ELIGIBILITY CRITERIA AND OVERALL RULES FOR MANAGING EAs

a. G~~O~~/FOs must occupy military housing (as defined in DoD *Manual* 4165.63-M (Reference (d))), or outside the continental United States off-base quarters arranged for the G~~O~~/FO, to be eligible for the assignment of EAs to their personal staffs.

b. Only a G~~O~~/FO who is authorized an EA may use an EA, unless a G~~O~~/FO who is not authorized an EA is representing the G~~O~~/FO who is authorized an EA at a qualifying representational event. The G~~O~~/FO who is authorized the EA must designate the G~~O~~/FO who is not authorized an EA as his or her representative and identify the location of the hosted event in writing prior to the event.

c. Sharing or loaning of EAs to another G~~O~~/FO who is serving in a position authorized the use of an EA is permitted, in order to support a qualifying representational event. Duty hours may be adjusted to support the qualifying representational event.

d. The EA may support qualifying representational events in the absence of the G~~O~~/FO when:

(1) Authorized in writing by the G~~O~~/FO to whom they are assigned and communicated to the EA(s) prior to the event.

(2) The assigned G~~O~~/FO determines the role of the designated substitute (e.g., another G~~O~~/FO or the assigned G~~O~~/FO's spouse) and ensures that it has a direct connection to the G~~O~~/FO's official duties and responsibilities and that EA support for the event furthers the interest of the DoD, the Military Service, or the command. This includes qualifying representational events attended by spouses of community leaders (or other government officials, foreign dignitaries, or foreign military officers) with whom the G~~O~~/FO is meeting separately in his or her official capacity.

(3) When sharing or loaning EAs, the assigned G~~O~~/FO has the responsibility to determine that it is a qualifying representational event.

e. No G~~O~~/FO may use an EA for duties that contribute only to the G~~O~~/FO's personal benefit or have no substantive connection with the G~~O~~/FO's official duties and responsibilities.

f. An EA is assigned to and supports only an authorized G~~O~~/FO, not a spouse, other family member, or staff of the G~~O~~/FO, except as outlined in paragraph 1d(2) of this enclosure. Due diligence must be exercised to ensure the line of authority remains clear and solely between the G~~O~~/FO and the EA.

g. EAs must be volunteers in the program and may request to be reassigned from the program in accordance with their Service guidance found in Army Regulation 614-200, Office of the Chief of Naval Operations Instruction 1306.3B, Marine Corps Order 1306.18A, Air Force Instruction 36-2123, and Secretary of the Navy Instruction 1306.2D (References (e), (f), (g), (h), and (i)).

h. EAs may be employed by the G~~O~~/FO on a voluntary and paid basis during off duty hours.

(1) The G~~O~~/FO must pay the EA when working events that do not qualify for permissive use under this instruction.

(2) The G~~O~~/FO must pay the EA(s) with personal funds at a rate commensurate with, or above, the fair market value of the work performed in accordance with the Bureau of Labor and Statistics web site at [www.bls.gov/oes/current/oesrcst.htm](http://www.bls.gov/oes/current/oesrcst.htm).

i. Due to the unique duty requirements and working environments among the Services, EAs may be authorized to wear distinctive uniforms and civilian clothes. Funding will be in accordance with chapter 29 of Volume 7A of DoD 7000.14-R (Reference (j)) and determined by each Military Service and joint activity.

j. For EAs assigned to a G~~O~~/FO filling a joint duty position, the controlling guidance will be this instruction and any implementing guidance issued by the Service of the G~~O~~/FO.

2. AUTHORIZED EA DUTIES. Under regulations prescribed by the Secretaries of the Military Departments and in connection with G~~O~~/FO Service and other qualifying representational events and duties, paragraphs 2a through 2i of this section (and section 1 of Enclosure 4), although not exhaustive, provide examples of authorized EA duties:

a. Maintaining the care, cleanliness, and order of those areas of assigned military housing used for qualifying representational events, to include common areas that provide access to these spaces (such as stairways and hallways) or areas of the assigned housing that are used by EAs in support of these events.

b. Maintaining the care of military uniforms, civilian attire worn for official representational events, and government-issued equipment of the assigned G~~O~~/FO.

c. Receiving guests and visitors during qualifying representational events at the G~~O~~/FO's assigned military housing and acting as a point of contact in the G~~O~~/FO's assigned military housing on issues related to any official duties or responsibilities.

d. Planning, preparation, arrangement, and conduct of qualifying representational events, such as receptions, parties, and dinners.

e. Purchasing, preparing, and serving food and beverages in the G~~O~~/FO's assigned military housing for a qualifying representational event.



f. Purchasing and preparing meals for the GO/FO, and those immediate family members eating with the GO/FO, during the EA's normal duty work schedule. Normal duty work schedules may not be extended solely to accommodate preparing three meals each day.

g. Assisting with permanent change of station moves, which may include packing/unpacking of official books, military uniforms, and government-issued equipment. The assistance does not include packing/unpacking the GO/FO's personal items.

h. Performing general yard maintenance, to include lawn care, policing debris and litter, unless there is an existing lawn care contract. If there is an existing lawn care contract, minor general yard maintenance in preparation of qualifying representational events is authorized.

i. Accomplishing tasks that aid the GO/FO in the performance of his or her military and other official duties and responsibilities, including performing errands for the GO/FO, that have a substantive connection to the GO/FO's official responsibilities and/or assist with the physical security of the GO/FO's military housing.

(1) Errands should not be of a personal nature for the GO/FO or his or her dependents.

(2) Local transportation costs for duties performed at the expense of the EA will be reimbursed consistent with chapter 11 of Volume 10 Reference (j), or Part L of chapter 2 of Joint Travel Regulations (Reference (k)).

(3) Physical security includes, but is not limited to, securing the GO/FO's military housing, adhering to basic antiterrorism and force protection measures as the environment dictates, and maintaining situational awareness.

3. UNAUTHORIZED EA DUTIES. GO/FOs may **not** use an EA for duties that do not have a **substantive connection** with the GO/FO's military or other official duties and responsibilities or that contribute solely to the personal benefit of individual GO/FOs or their family members. Paragraphs 3a through 3h of this section (and in paragraph b of Enclosure 4), although not exhaustive, provide examples of unauthorized EA duties:

a. Any form of pet care, including grooming, feeding, exercising, feces removal, and veterinary visits.

b. Any form of caregiving for family members or personal guests of the GO/FO.

c. Operation, care, maintenance, licensing, inspection, or cleaning of any privately owned vehicle.

d. Maintenance of privately owned recreational or sporting equipment, except with the use of such equipment for official purposes.

- e. Personal services performed solely for the benefit of family members or unofficial guests, including driving, shopping, running private errands, or laundry services.
- f. Landscaping or grounds keeping (such as trimming trees or bushes, laying mulch, and planting flowers) in areas not commonly used for qualifying representational events.
- g. Skilled trade services such as electrical, plumbing, personal computer or furnishing repairs, other than routine upkeep and maintenance.
- h. Care or cleaning duties in military housing that contribute solely to the personal benefit of the *GO/FO* or dependents; such as making beds, cleaning private areas, or organizing personal effects. This includes care and cleaning of any area after it has been used for a personal or unofficial event or spaces used exclusively by dependents.

#### 4. METHOD FOR COMPUTING DoD EA CEILING AND SERVICE ALLOCATIONS

- a. The DoD EA ceiling will be determined in accordance with section 981 of Reference (c), or set at a lower number as determined by the USD(P&R).
- b. EAs will be allocated to the Military Services after consideration is given to Joint Pool requirements. The Military Service allocations will be computed based on a percentage of the DoD EA ceiling.
- c. Requests to increase the joint duty allocation or Military Service allocations for any fiscal year will be considered by the USD(P&R) on a case-by-case basis.

#### 5. GO/FOs. *GO/FOs* assigned EAs:

- a. Comply with the requirements of this instruction and any implementing guidance issued by their Service.
- b. Ensure that any event for which EA support is to be provided is a qualifying representational event.
- c. Ensure that official representational duties and qualifying representational events:
  - (1) Protect and conserve federal resources.
  - (2) Do not create the appearance of violating any ethical standards.

ENCLOSURE 4

ILLUSTRATIVE EXAMPLES

The examples in paragraphs a and b are illustrative in nature and not exhaustive. The fact that the use of EAs is permitted does not necessarily mean that the use of appropriated funds is authorized. The fact that the use of EAs is not permitted does not preclude the GO/FO from employing his or her EA on a voluntary and paid basis during off duty hours for the particular activity or event.

a. Use of EAs Permitted

(1) The GO/FO hosts a dinner at his or her military housing to be attended by the mayor and a representative of the local police department to discuss coordinating efforts to stem sexual assaults involving Service members in the local community.

(2) The GO/FO invites a local congressman to his or her military housing for dinner following the congressman's visit to the installation.

(3) The GO/FO hosts a Service member wounded warrior recognition luncheon not associated with any charity or non-federal entity at his or her military housing to be attended by local dignitaries. The GO/FO is unavailable to attend at the last minute, and the GO/FO's spouse stands in for the GO/FO at the event.

(4) The GO/FO hosts a command breakfast at his or her military housing for subordinate commanders. An official briefing is conducted during the breakfast.

(5) The GO/FO hosts a New Year's Day reception at his or her military housing for his or her subordinate officers, senior non-commissioned officers, and spouses. It is an annual event attended by Service personnel and considered to be a custom or tradition of the Service.

(6) The GO/FO hosts an event at his or her military housing for the purpose of honoring arriving or departing members of the organization (e.g., hail and farewell). It is a regular event attended by Service personnel and considered to be a custom or tradition of the Service.

(7) The GO/FO hosts a dinner at his or her military housing for senior officials from different Services who are assigned to his or her installation and in the immediate area as a way to get to know each other and to informally discuss common military issues.

(8) The GO/FO hosts an "ice-breaker" reception at his or her military housing for subordinate commanders and their spouses attending a commander conference.

(9) The GO/FO hosts a Family Readiness Group meeting at his or her military housing for the purpose of distributing information about an upcoming deployment, ongoing deployment, or post-deployment/reintegration operation.

(10) The GO/FO's spouse hosts a luncheon for **the spouses** of domestic or foreign dignitaries (or other prominent officials) who are meeting separately with the GO/FO as part of a **qualifying representational event**.

b. Use of EAs Not Permitted

(1) All of the circumstances outlined in section 3 of Enclosure 3 pertaining to pet care, personal services for family members (or guests) of the GO/FO, maintenance/upkeep of POVs/recreational vehicles or sporting equipment, and personal services performed solely for the benefit of family members or unofficial guests.

(2) The GO/FO hosts a birthday party for one of his or her children at his or her military housing.

(3) The GO/FO's spouse arranges a bridge card game (or other social event) in his or her military housing to be attended by unit spouses.

(4) The GO/FO hosts a barbeque (or other social event) at his or her military housing for his/her alma mater classmates, friends, or other personal guests.

(5) The GO/FO hosts a football tailgate party at his or her military housing that is attended by his or her peers.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

CJCS	Chairman of the Joint Chiefs of Staff
DoDI	DoD Instruction
EA	enlisted aide
GO/FO	general and flag officer
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

These terms and their definitions are for the purposes of this instruction.

military housing. Defined in Reference (d)).

off duty. Any period of time when an EA is not regularly scheduled to perform authorized duties.

official representational duties. Those assigned duties and responsibilities that serve to uphold the standing and prestige of the United States and the DoD through the extension of official courtesies to authorized officials and dignitaries of the United States and foreign countries as described in DoDI 7250.13 (Reference (1)).

qualifying representational event

An event hosted by a GO/FO that primarily serves to further the mission of the agency. The event must be **substantively related** to the official performance of the GO/FO's military and other official duties and responsibilities, including representational duties associated with the GO/FO's assigned position. This includes events that provide opportunities for personal interactions beyond routine day-to-day work interactions which typically occur outside of normal working hours; and, other than the use of EAs, may not involve expenditure of government funds.

An event that is **not substantively related** to the GO/FO's assigned duties or responsibilities or that contributes primarily to the personal benefit of the GO/FO or his or her family is not a qualifying representational event.

The following factors may be considered in determining whether an event is a qualifying representational event. Not all factors need to be present; nor should any single factor alone be conclusive.

The event is intended to improve morale, promote esprit de corps, and develop inter-personal relationships among command members and their families.

The event is attended by dignitaries, civic or community leaders, or senior military personnel as invitees.

The event is one that GO/FOs customarily or traditionally host as part of their GO/FO duties.

The event is held at the GO/FO's military housing or other government location.

An illustrative list of events that are and are not considered to be qualifying social functions is provided at Enclosure 4.