



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: A04060041

Page 1 of 1

June 17, 2005

Complainants¹ challenge the propriety of NSF's policy and practice prohibiting non-Federal employee Intergovernmental Personnel Act (IPA)² Program participants from any type of employment at NSF following their IPA assignments. This prohibition, commonly referred to as the 12-month rule, is embodied in NSF's Personnel Manual³ and in IPA Agreements entered into between NSF and participating institutions.

We reviewed the allegations and analyzed relevant law, regulation and OPM guidance to determine whether the 12-month rule violated merit system principles. We requested a formal opinion from OPM regarding same. We informed OPM that we would consider the absence of a formal opinion as tantamount to a conclusion by OPM that NSF's 12-month rule was acceptable and did not violate merit system principles. We have not received an opinion from OPM as of this date.

Accordingly, this case is closed.

¹ Redacted

² 5 U.S.C. § 3371 et seq

³ Relevant sections of the Personnel Manual are Sections 621, 642, 650.