



United States Department of the Interior

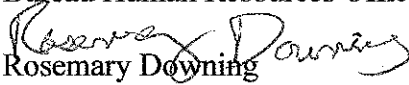
OFFICE OF THE SECRETARY
Washington, DC 20240



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Memorandum

To: Bureau Human Resources Officers

From: 
Rosemary Downing
(Acting) Director, Office of Human Resources

Subject: Suspension of the Federal Career Intern Program

This memorandum provides direction to the bureaus regarding the use of the Federal Career Intern Program (FCIP) in light of the recent decision by the Merit Systems Protection Board (MSPB) in *Dean v. Department of Veterans Affairs*, November 2, 2010.

Background

The FCIP was created in 2000 by executive order. Appointments under the FCIP are to positions in Schedule B of the excepted service and not to exceed two years. OPM issued regulations implementing FCIP which delegated to the agencies the authority to decide which positions would be filled under the authority. The Department subsequently delegated this authority to the bureaus.

In *Dean v. the Department of Veterans Affairs*, Mr. Dean alleged that FCIP violated his veterans' preference rights. MSPB concluded that FCIP is inconsistent with the Civil Service Rules that govern placement of positions in the excepted service under 5 USC 3302(1) and, as such, violated the veterans' preference rights of the complainant. Essentially, the Board found that the Department of Veterans Affairs and OPM could not demonstrate why FCIP positions were being classified as excepted service positions or why it was impractical to apply veterans' preference according to competitive procedures or post the positions on USAJOBS. OPM was directed by MSPB to comply with Civil Service Rules under 5 USC 3302(1).

Policy

In light of this decision and its far reaching implications on FCIP, effective immediately the Department has suspended FCIP appointing authority and no appointments can be made. The use of this program is suspended until further notice. If you have any questions, please contact Craig Welch at 202-513-0755.