Recommendations to Improve NSF's Hiring Process

We received allegations that a temporary NSF employee, hired through the Intergovernmental Personnel Act (IPA), inappropriately participated in the hiring of a division director who would be directly involved in determining significant funding for the IPA's home institution. Based on our review, we made two recommendations to NSF to strengthen the integrity of its hiring process. Our investigation into the alleged conflict of interests is ongoing.

The IPA had sought advice from NSF's Designated Agency Ethics Official (DAEO) on his involvement in an earlier hiring effort for a program position related to his home institution, and the DAEO advised him not to participate. When the hiring process began for the new director of the division that included that same program—raising, in our view, the same conflicts issues—the IPA did not directly seek new or clarifying advice from the DAEO for the new position. Late in the selection process, concerns came to the DAEO's attention and she advised the IPA not to participate in the selection process. NSF's Division of Human Resource Management was not notified of the DAEO's advice and therefore did not recuse the IPA from his role as selecting official or other aspects of the selection process.

Since many NSF supervisory program executives are IPAs, the issue that arose could recur. In response to our recommendations, NSF concluded that the new division director will handle any issues on which the IPA may be conflicted without involvement of the IPA. NSF agreed to revise its Manual 14, "Personnel Manual," to explicitly require IPAs (including Assistant Directors (ADs) and Division Directors) with selection authority to seek advice from the DAEO regarding participation in the hiring process. HRM will consider implementing mechanisms to ensure that hiring actions are conducted consistent with the DAEO's advice. In addition, the DAEO agreed to provide such guidance to ADs in writing; this latter step is consistent with recent OGE guidance to DAEOs on conflict of interest waivers.