

This is to clarify the eligibility of persons who work at DoD pursuant to an Intergovernmental Personnel Act assignment (IPA) to receive Mass Transit Benefits.

The entitlement to such benefits is limited to "employees" of the federal government. One becomes a federal employee when he/she is "appointed" to a position on the rolls of an executive agency, thereby entitling the person to receive a federal paycheck.

There are 2 categories of persons who work at DoD under an IPA. The first are those who are *detailed* to DoD by the sending employer. Such persons are not appointed to a federal position and are not on the government's rolls for payroll purposes. Typically, such persons are detailed to DoD under an IPA because the compensation paid to them by the sending employer is greater than which they would be paid by the government if they were "appointed" to a federal position.

The second category of persons who come to DoD under an IPA are *appointed* to a federal position and are placed on the rolls of the Agency as an employee. Attaining the status of an "employee" means the person must be paid at the rate attributable to the grade of his federal position.