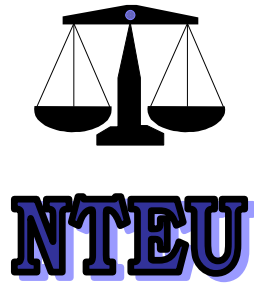


June 2003

# Alert!



**NTEU**  
**Chapter**  
**25**

## **Law Enforcement Officer Status Bill for Customs and IRS - HR 2442**

*NTEU National President, Colleen Kelley*

Congressman Bob Filner (D-CA50) along with Representative John McHugh (R-NY23) has introduced HR 2442. This bill would amend the United States Code to include Customs Inspectors, Canine Enforcement Officers and IRS Revenue Officers as law enforcement officers for purposes of 20-year retirement. A copy of the legislation is attached.

The House Government Reform Subcommittee on Civil Service and Agency Organization plans to hold a hearing on law enforcement status for federal employees in mid July. It is imperative that HR 2442 has a significant number of cosponsors before the July hearing to indicate to the Subcommittee members that this legislation has the strong support of a large number of representatives.

Please know that NTEU will continue to work with Representatives Filner and McHugh, along with their colleagues to pass HR 2442, which would give law enforcement officer status to Customs Inspectors, Canine Enforcement Officers and IRS Revenue Officers.

### **White House Opposes Pay Parity Language**

*FedWeek, June 04, 2003*

The Bush administration has stated its opposition to several features of the DoD authorization bills, including the pay parity language. Said a statement: "Civilian and military pay linkage is not necessary. The administration proposed a 2 percent pay raise for all civilian employees, which is very generous at this time when many in the private sector are unemployed or facing shrinking paychecks. The administration has proposed a human capital performance fund to finance higher pay raises for high-performing federal employees. DoD has different recruiting and retention needs for each group, and recent civilian pay raises have exceeded the rate of inflation. The administration is particularly concerned that these additional civilian pay increases are unfunded (costing DoD about \$660 million and government-wide about \$2.1 billion if so applied)."

## **Refusing to Provide Statements**

*Fedmanager June 17, 2003*

Sometimes managers find it difficult to do anything about problem employees because other employees, who are witnesses, refuse to provide statements, saying that they do not want to get involved or to take sides in a dispute. I am always surprised when I hear this because of the very clear and very strong message in decisions from the Merit Systems Protection Board and the Federal Circuit Court of Appeals upholding removals for employees who refuse to cooperate with official inquiries. As a general rule, unless the employee is exercising a Fifth Amendment right against self-incrimination in a criminal matter, or something that could become a criminal matter, the employee must answer official questions in an investigation. This applies whether the employee is a target of the investigation or just a witness. Employees who witness workplace misconduct have an obligation to answer questions about it and cannot refuse to “get involved.” Managers have an obligation to enforce this workplace principle and should not let employees with relevant information simply decline to provide it. These principles especially apply to allegations of sexual harassment, where the law provides that failure to fully investigate could be the reason why your agency may have to pay a large judgment if an EEO complainant successfully prosecutes a charge of sex-based workplace harassment.

## **Teleworking Can Help Agencies Stay Up and Running During a Disaster, Says GSA’s Stan Kaczmarczyk**

*Fedmanager June 17, 2003*

One benefit of allowing employees to telework that federal agencies and managers may not have considered is that it can allow agencies to stay “up and running” if a situation or an event closes the office, said GSA’s Director of the Innovative Workplace Division Stan Kaczmarczyk on last week’s FEDtalk® radio show. While there are numerous reasons to promote teleworking – from reducing traffic and air pollution to helping employees better balance their work and home responsibilities – the practice could also permit an agency’s teleworking employees to continue working from remote locations if the agency’s building is shut down due to a disaster.

## **The New Bounty Hunters: Is the IRS Onto Something or ON Something?**

*by Mike Causey 5/19/03 FederalNewsRadio.com*

The IRS could soon use private debt collection service agents to retrieve uncollected taxes. These are people who aren't afraid to call you while you are having toddies, or putting the kids (or yourself) to bed. They don't mind yelling into the phone, using threats and calling or showing up at all hours. These folks play hardball. After all, if they don't get a piece of your hide (and wallet) they don't eat. It's a tough living!

The privatized collectors (which some IRS workers refer to as "bounty hunters") would be paid 25 percent of whatever they collect. Regular IRS personnel would be used to train the collectors, and the bounty hunters would use government data, government facilities and government equipment to get the job done -- unless it's decided to let them take highly confidential tax data back to their office, or homes.

Some IRS employees believe the collectors would be given soft cases where there is a good chance they can collect something for Uncle Sam, and get 25 percent of it for themselves. Meantime IRS personnel who don't -- thank God -- get a cut of what they collect would be assigned to tougher cases - the kind the private collectors wouldn't touch because there is no percentage in doing it.

Sounds like a great idea. But why stop there. What about this?

**Saddam Hussein** is still unaccounted for. He may be dead, but just before the bombing started his son picked up ONE BILLION dollars and euros (that we know of) from a bank. He may have even more cash hidden in Mason jars in Baghdad, or in numbered Swiss, German or Bahamian banks.

**Osama bin laden** (master-mind of the 9-11 September 11th attacks) is still unaccounted for as well. He may be dead. But he's a rich and knows how to hide. So far nobody has collected the huge reward posted for him.

The CIA, FBI, NSA, DIA and the British, French and Israeli intelligence services haven't found either one of them yet. This is not a criticism. Just a fact.

So why not privatize the hunt? Hire some of the world's best debt collectors -- masters at skip tracing - to go after Saddam and Osama. Give the hunters an unlimited credit card, government data and support -- and turn them loose! Offer them 25 percent of the fugitive's assets, plus any other reward. In return the grateful contract workers -- or their company -- would probably give back some of the money they collected from the government, in the form of campaign contributions to select political candidates. Although that sounds like a good idea, if you think about it, not everybody agrees.

The National Treasury Employees Union has been fighting it big-time. A coalition of unions (including the American Federation of State, County and Municipal Employees, the AFGE, NFFE, NAGE and the NAACP) plans a rally against generic privatization Tuesday at noon, at Freedom Plaza in downtown Washington, D.C.

Meantime, Sen. **Byron Dorgan** (D-N.Dak.) has promised to work against the plan to privatize IRS collections. The NTEU says the IRS tried it in a pilot program in the mid-1990s and it backfired, partly because the private collectors got a little too rough, too often.



## THE FUNDS – Rates of Return



Rates of Return were updated on **June 13, 2003**.

	G Fund	F Fund	C Fund	S Fund	I Fund
May 2003	0.34%	1.87%	5.26%	9.42%	6.07%
<u>Last 12 Months*</u> (6/1/2002 - 5/31/2003)	4.43%	11.72%	(7.97%)	(4.74%)	(12.25%)

\* The G, F, C, S, and I Fund returns for the last twelve months assume, except for the crediting of earnings, unchanging balances (time-weighting) from month to month, and assume earnings are compounded on a monthly basis.

## **TSP DAILY VALUATION UP AND RUNNING**

*Following stories regarding TSP from FedWeek, June 18, 2003*

The Thrift Savings Plan, having been burned several times by setting goals for getting its new computer system running and then having to backtrack, launched the system on Monday (June 16) -- with no advance announcement. The feature of greatest interest to many investors in the new system, which has been in the works for six years, is the change from monthly valuation to daily valuation of accounts. The change means that investors will be able to get account balances updated every business day rather than having to wait until a month's end, and transactions such as loan and withdrawal requests and transfers of money among the TSP funds will occur much faster. Accounts now are being expressed in terms of numbers of shares owned and share price rather than just by a bottom-line dollar amount. Each of the five funds started with a share value as of June 1 of \$10, although there already is variation among fund prices because of market performance since the start of the month.

### **Not Quite Day Trading**

One much-anticipated feature of the daily valuation system is the end of the prior lag time--ranging from two to six weeks--imposed on inter-fund transfers. Many investors had complained that the delay hampered their ability to take advantage of changes they anticipated in the financial markets and that during down times for the markets the delay caused them to suffer continued losses after they had asked to move out of a fund. Under daily valuation, investors will be able to move money among the funds as often as every business day. However, a transfer request will have to be received by 11 a.m. Central time in order to be processed that day and occur at a fund's price as of the close of business on that day. Requests received later will be processed on the following day and will occur at a fund's price as of the close of business on the second day.

### **New Loan, Withdrawal Options on Tap**

Other changes related to the new computer system include: there is no longer a limit on the number of times a loan can be re-amortized; general purpose loans can be taken out for up to five years rather than four; partial repayments of loans are allowed; repayments can be made with personal checks and not just with guaranteed funds; the process for applying for a financial hardship in-service withdrawal has been simplified; one-time partial withdrawals after retirement or separation are allowed for those who did not take an age-based in-service withdrawal; mix-and-match withdrawals are allowed, replacing a requirement that a withdrawal be for the entire amount in an account; the option to take "substantially equal" monthly payments according to a set number of months has been ended; those who take "substantially equal" monthly payments according to a set dollar amount will be able to change that amount at the end of each year; and those who take "substantially equal" monthly payments according to life expectancy will be able to make a one-time switch to a set dollar amount.

### **Some Special TSP Considerations**

Although the transfer to the new computer system will not require any special action by the large majority of investors, some special considerations apply. Those who had pending inter-fund transfer requests as of the new system's launch had those requests processed on Monday, rather than having to

wait until the end of the month. Meanwhile, those who filed loan or withdrawal requests between June 1 and the launch will have to reapply; they will be eligible for the new loan provisions applying under the system.

## **Exodus From Stock Funds Stemmed**

Thrift Savings Plan investors in April reversed their pattern of recent months of shifting money away from the three stock-oriented funds and into the bond (F) and government securities (G) funds. Through March, investors had moved nearly \$1.6 billion out of the common stock (C) fund and \$19 million total from the small capitalization U.S. stock (S) fund and the international stock (I) fund, on a net basis, with the G fund picking up \$870 million and the F fund getting \$800 million. In April, a net \$63 million was moved into the stock funds from the G and F funds. Twenty percent of investors under the CSRS system and 26 percent of those under the FERS system now have all their TSP money in the G fund.

## **Funds to be restored to the Thrift Savings Plan (TSP) and Civil Retirement and Disability Fund (CSRDF)**

*NTEU National President, Colleen Kelley*

As you know, because the Congress had failed to provide for an increase in the federal debt limit (the federal government's legal borrowing authority), the Administration began suspending reinvesting portions of the TSP's G Fund earlier this year. In addition, the Administration redeemed and suspended investments of monies that were due to be credited to the CSRDF during this period.

NTEU has been in touch with officials at the Department of the Treasury as well as with the Thrift Investment Board and has learned that all monies have been, or soon will be restored to both the Thrift Plan G Fund and the Civil Service Retirement funds. All interest that would have accrued during this period will be credited to the proper funds as well.

By law, all funds must be restored to these accounts as if the borrowing had never occurred, however, NTEU nonetheless strongly opposed these actions taken by the Administration and will continue to oppose such actions should they occur in the future.

## **Around the Office**

*By Chapter 52 Alert! Editor*

- An informational picket was held at the Austin Customer Service Building on June 4, 2003. The event was to inform the Agency and others regarding the disapproval of the proposed termination of the ACS night shift at the center. Chapter 52's President Tom Jones and Chief Steward Bill Grace took annual leave to participate in this presentation with Chapter 247.
- If you have any news regarding your POD or an event, please fax your story to 210-706-5376 or mail to NTEU Chapter 52, Stop 1700SANW.

## TOM'S HUMOR PAGE



In Japan, they have replaced the impersonal and unhelpful Microsoft error messages with Haiku poetry messages. Haiku poetry has strict construction rules – each poem has only 17 syllables; 5 syllables in the first line, 7 in the second, 5 in the third. They are used to communicate a timeless message, often achieving a wistful, yearning and powerful insight through extreme brevity. Here are some actual error messages from Japan.

The Web site you seek  
Cannot be located, but  
Countless more exist.

Yesterday it worked.  
Today it is not working.  
Windows is like that.

Chaos reigns within.  
Reflect, repent, and reboot.  
Order shall return.

Your file was so big.  
It might be very useful.  
But now it is gone.

Program aborting:  
Close all that you have worked on.  
You ask far too much.

Having been erased.  
The document you're seeking  
Must now be retyped.

Windows NT crashed.  
I am the Blue Screen of Death.  
No one hears your screams.

A crash reduces  
Your expensive computer  
To a simple stone.

Three things are certain:  
Death, taxes and lost data.  
Guess which has occurred.

You step in the stream,  
But the water has moved on.  
This page is not here.

Stay the patient course.  
Of little worth is your ire.  
The network is down.

Out of memory.  
We wish to hold the sky,  
But we never will.

Serious error.  
All shortcuts have disappeared.  
Screen. Mind. Both are blank.

The Window closes.  
Nothing will open it now.  
Everything lost.



Chapter 52 *Alert!*, all the news that is fit to be copied!

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