

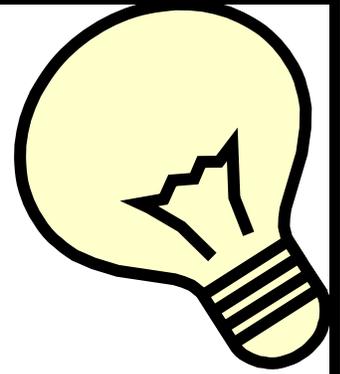
The

Illuminator

Shedding Light on the HR World

5-2009

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This publication is issued to ensure the Fort Benning commanders, managers, supervisors, and employees are kept informed of employment and staffing issues. Monthly issuances will contain updated information on specific employment topics (i.e., compensation, recruiting procedures, travel entitlements, classification issues, NSPS implementation information, the Maneuver Center of Excellence (MCOE) civilian transition, etc.).

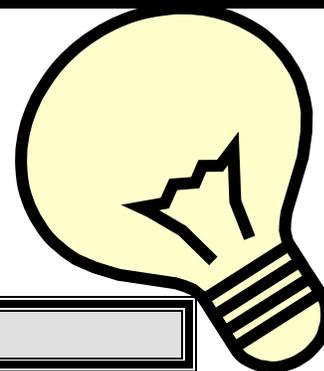
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Retirement, Life/Health Insurance, TSP, Social Security and Such

New TSP Options Likely . Congress is poised to add three benefits to the popular Thrift Savings Plan.

- A Roth 401(k) option, which would let participants put some or all of their after-tax salary into an account that will grow without tax liability on future earnings.
- A survivor benefit that would allow spouses of deceased TSP participants to maintain TSP accounts.
- A mutual fund option that would allow participants to direct their TSP funds to private-sector mutual funds.

All three are included in a bill passed by the House this month and which is expected to move quickly through the Senate. The bill, HR 1256, also would automatically enroll new civilian employees in the plan.

It is unclear, however, if the bill's provision authorizing a mutual fund option will survive — a TSP official is pressing key senators to strip it or change it.

The Senate is likely to vote on the bill before the Memorial Day recess, said Tom Trabucco, who handles legislative and public affairs for the board that oversees the TSP.

“This legislation could very well move through the Senate during this time. There's support for it, and it's on a relatively fast track,” Trabucco said.

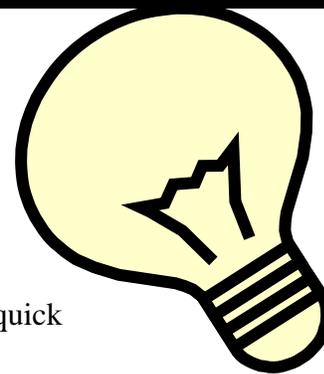
Backers of the new options say they will keep TSP's offerings on par with private-sector retirement plans.

The addition of a Roth option would be especially appealing to military personnel because they typically fall into lower tax brackets early in their career and finish their careers in higher tax brackets.

Two of the features — the Roth option and the spouse benefit — won a key endorsement last week from the board that governs TSP, the Federal Retirement Thrift Investment Board. Both features had previously been endorsed by another important player, the Employee Thrift Advisory Council, an advisory council comprising various federal unions and manager groups.

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The groups' backing for those benefits is expected to pave the way for their quick approval by Congress.

But the two groups stopped short of endorsing the mutual fund option, largely on grounds that such an option would pose too much risk to participants and overly complicate TSP. But some lawmakers appear anxious nevertheless to include that among the proposed changes. Staffers on the House Oversight and Government Reform Committee said the TSP board's lack of an endorsement for the mutual fund option doesn't lessen the committee's support for it.

"We are still committed to getting the mutual fund included ... in the final bill," one staffer told *Federal Times*.

Roth 401(k)

The Roth option would be a change from existing TSP funds, in which participants make pretax contributions and then pay taxes on the earnings at retirement.

A November survey conducted by TSP shows most plan participants want the Roth option — 56 percent of all participants and 63 percent of those in the military. Military service members are most likely to benefit from the Roth, since their early career tax rates tend to be lower than other federal employees, TSP executive director Gregory Long said.

"When it comes to the uniformed services, this is a game changer," Long said.

Chuck Witschonke, representing the Defense Department on the employee advisory council, said the Roth option was the uniformed services' "No. 1 issue to improve TSP."

Another group pushing for the Roth option is federal judges. They don't get any benefit from waiting until retirement to pay taxes on their earnings because they earn the same high salary in retirement that they earned while employed.

However, adding the Roth option to the plan is a "very major undertaking," said Renée Wilder, TSP's director of research and strategic planning. The changes that would be required, which could take one to two years to complete, include:

- Modifying TSP's recordkeeping, accounting and payroll systems to accept and properly track Roth contributions and distributions. These changes would cost about \$1.3 million.
- Updating agency payroll systems to add the Roth component.

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- Changing TSP enrollment and loan forms, tax notices and communications materials. Those changes would cost about \$5 million.

In addition, participants have signaled that they would need financial and tax advice to help them decide whether or how to invest in the Roth option. TSP currently doesn't offer that type of investment advice, and providing that service could cost between \$4 million and \$6 million in the first year and between \$1.5 million and \$2.5 million annually thereafter.

The board agreed that it would continue TSP's policy of offering education, not advice, pending a formal proposal from the TSP staff to make the change.

Board member Thomas Fink voted against adding the Roth, arguing that too few people will participate to justify the large expense that will be incurred by all participants.

But Long said a Roth option is needed to keep TSP competitive with other retirement plans.

"Five years from now, if we don't have a Roth, it would be difficult for us to make the case that we're still best in class," Long said.

Mutual fund pros and cons

The TSP board split 2-2 over the proposed addition of a mutual fund option.

As proposed by the TSP administrative staff, participants would be able to invest in a broad range of mutual funds chosen by a brokerage firm hired by the board. Costs associated with these transactions, including a monthly charge from TSP to cover maintenance and administrative costs, would be passed on to those participants investing in a mutual fund. The staff recommendation would not allow for participants to purchase stocks from individual companies and would limit total mutual fund investments to half of TSP account balances.

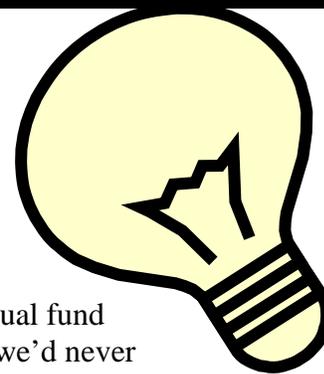
Allowing participants to put as much as 50 percent of their TSP balances in a mutual fund option is "way too high," said James Sauber, chairman of the employee advisory council and chief of staff of the National Association of Letter Carriers. Too many people would not understand the risks and make foolish choices, he said.

"Our role ... is to look out for the interests of our members," he said.

The House-passed bill is different: It directs TSP to select the mutual funds that would be available to plan participants. But TSP staff said this would present too many administrative, logistical and political challenges.

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The House bill only authorizes — but does not require — TSP to offer a mutual fund option, however. And if the House version of the mutual fund is approved, “we’d never do it,” Long told the employee advisory council.

Another House staffer said in an interview that the committee is open to revising the mutual fund proposal to address the TSP staff’s concerns.

TSP’s Trabucco told the employee advisory council he is working with the offices of Sens. Edward Kennedy, D-Mass., and Joseph Lieberman, I-Conn., to have the mutual fund language changed or removed. While the TSP staff has no mandate from its board or council to seek the change, “we would not want a suboptimal approach in law, even if it’s not required.”

Long and others recommended that the mutual fund be added to discourage attempts by lawmakers or third-party groups to add new funds to TSP, such as socially responsible investments or real estate investment trusts (REITs). Those narrow funds would be open to participants through the mutual fund option.

“It allows access to individual funds that have a narrow focus, like REITs, that we’re not likely to offer,” Long said.

Some board members said the mutual fund option could weaken the overall TSP program.

“What’s made this plan the success that it’s been has been its simplicity,” said Board Chairman Andrew Saul.

Updating the record-keeping system to include the mutual fund would cost about \$1 million, Long said, while revising communications materials to reflect the new fund would cost up to \$2 million.

Spousal accounts

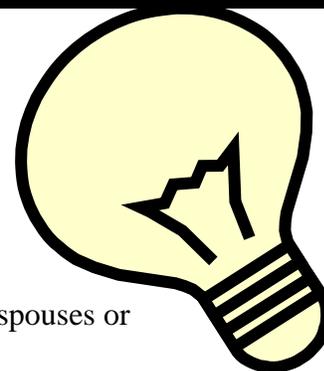
The other proposal endorsed by the board and council would allow spouses of TSP participants to stay in the plan after the participant dies. Current rules require spouses who are beneficiaries of the participant’s account to transfer the benefit within 60 days of the participant’s death to an individual retirement account or take the benefit as a cash withdrawal, which is subject to a 20 percent federal tax withholding.

The proposed change would allow spouses to keep their benefits in TSP and give them the same withdrawal options as retired participants.

Spouses eligible for the accounts would be determined according to guidance from the Office of Personnel Management, which currently limits benefits to married, opposite-sex

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spouses of plan participants. If the rules were expanded to include same-sex spouses or domestic partnerships, TSP would adopt those rules, Trabucco said

After Canceled Contract, OPM Lacks Plan for RetireEZ The Office of Personnel Management's effort to automate its retirement system is in trouble, a new Government Accountability Office report concludes.

Six months after canceling a \$290 million contract for the system's modernization, OPM lacks a coherent plan for how it will proceed, GAO said.

The computerized record-keeping and retirement calculation system, RetireEZ, is intended to replace the current paper-based system and speed up the payment of full annuities to new retirees, who now wait six months or more for accurate checks. It also is intended to provide a reliable benefits calculator that employees can use to model various financial scenarios as they plan their retirements.

Those two goals are among six that have not been met. GAO credits OPM with partially meeting only two goals: development of a database of retirement information on active employees, which is not complete; and improvements in customer service.

OPM's original goal was to complete the system by February. It terminated its contract with Hewitt Associates in October after it determined flaws in the system could not be fixed.

"We didn't lose \$290 million by closing the contract; we cut our losses," John Berry, OPM's new director, said last week in testimony before the House Oversight and Government Reform subcommittee on the federal workforce, Postal Service and the District of Columbia.

OPM can learn from the Hewitt project by designing the next system piece by piece instead of trying to create a system that solves all problems at once, Berry said at the hearing, which marked the end of his first full week on the job.

The Hewitt contract was the third attempt to modernize the retirement system since 1982, which has cost about \$100 million, he said.

"What we have to show for that is precious little," Berry said. "We have cobbled together a patchwork quilt system that manages to work but does not inspire confidence."

He said the Hewitt project was much too ambitious to succeed.

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“They were trying to solve everything, and as an end result, solved nothing. The retirement systems to pay checks are barely working. This must be revised and fixed,” Berry said, promising to look into the issue and provide more information to members of the subcommittee.

The new system is needed because the current one is nearing the end of its life and the paper-based system is prone to mistakes, which can lead to benefit payment errors, the report states.

“It’s so old the people who understand how the system works are getting fewer and fewer,” Berry said in an interview after the hearing.

That’s a point echoed in the GAO report, which points out that the paper-driven system is hard to navigate.

“Attracting qualified personnel to operate and maintain the antiquated retirement systems, which have about 3 million lines of custom programming, is challenging,” the report states.

Berry said he plans to examine what needs to be done to get RetireEZ on track, and GAO urges OPM to create a game plan for improving the system.

“While the agency has taken steps to restructure the RetireEZ program without the ... contract, it has not developed a plan to guide its future modernization efforts,” it states.

GAO questions when and whether OPM will meet all of its goals for RetireEZ now that the contract has been canceled, including allowing active and retired federal employees to use online calculators to access retirement information and see benefits. It also said federal agencies are not able to electronically submit retirement information to OPM, continuing to depend on a paper trail.

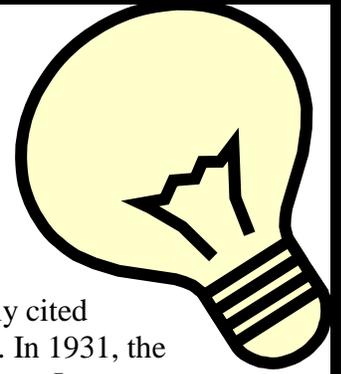
Nearly 600,000 federal employees could retire by 2016, according the GAO’s citation of OPM figures. Currently 2.5 million people are retired federal employees, according to OPM.

Thrift Savings Plan Funds Rebounding: Are We in a New Era or Can History Tell Us Anything About Our Financial Future? Thrift Savings Plan investors, like other Americans with investments in the stock market, have been feeling shell shocked over the past two years with the C fund dropping about 37% in 2008 and the I fund dropping more than 42%.

Some may be wondering if this is the worst performance ever for the stock market.

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If you look at the Dow Jones Industrial Average, which is the most commonly cited statistic for the stock market, the answer is "no". In fact, 2008 comes in third. In 1931, the stock market dropped 52.67% and in 1907 it dropped 37.73%. In 2008, the Dow Jones average dropped 33.84%.

More recently, the stock market has been going back up--as you have undoubtedly noticed if you follow your TSP balance on a regular basis.

The biggest percentage gain for the stock market in 2009 was on March 23, 2009. On that date, the market went up 6.84%. That is a long way from a record increase. In fact, it comes in at about number 20 on the list of daily record returns. Back in 1933, the market went up more than 15% in one day.

It isn't a big surprise to see the largest drops in history and the largest gains in history coming in the 1920's and 1930's. What is more disturbing to see records for stocks in the last two years mixed in with the stock market volatility of the depression era.

With a rapid rise and fall of the stock market, it is a relief, if only temporary, to see that TSP funds have taken a big jump in recent weeks.

The big winner since March 1st has been the S fund. It is up about 26% through April 22nd. The C and I funds are also up significantly with gains of about 21%. That sounds good (and it is) until you consider that the C fund is still down almost 6% so far in 2009 and the I fund is down more than 9% so far this year.

The current stock market seems to be eerily similar to the stock market's performance in 1938. In that year, after hitting a bottom in the spring, the stock market went up 62% in seven months. If the current run continues, you will add significantly to your TSP portfolio in the next few months.

The current stock market run is impressive and we may be on track to go up significantly from the current stock market level.

But here is another indicator that predicting the future of the stock market is tricky--and probably impossible. While the stock market closed at just above 154 in 1938, the depression did not end. In fact, the stock market closed lower in 1942 than it did in 1938. In 6 of the 12 years of the Great Depression, the stock market actually went up. This happened even though unemployment continued to rise, home foreclosures were going up and Americans were losing their homes (or farms were lost as we were still largely an agricultural society).

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Most readers were not following the stock market in the 1930's. Most of us have seen pictures and read about it but may not be that knowledgeable.

Since it is our money at stake, looking closely at the performance of the stock market in that period may be useful--and probably surprising.

President Franklin Roosevelt is often given credit for ending the depression through his "New Deal" policies. The years of 1938-1942 followed the implementation of President Franklin Roosevelt's "New Deal" which actually began in 1933 followed by the "Second New Deal" that began in 1935.

Even in retrospect, it is not possible for agreement on why the stock market continued to fall with the large infusion of government money into the economy. Some have argued that the infusion of money and expansion of government prolonged the depression and that it wasn't until the World War II draft that the economy rebounded and unemployment went down.

As Secretary of the Treasury Henry J. Morgenthau testified before the House Ways and Means Committee in 1939: "I say after eight years of this Administration we have just as much unemployment as when we started... And an enormous debt to boot."

We don't know if today's stock market will continue as it did in 1938. If it does, the rest of this year will be good for stock market investors.

We also do not know if the trillions of dollars being spent as a result of the new budget package and the stimulus plan will lead to the same results as we went through in the 1930's. Certainly, all taxpayers hope that will not be the case.

Perhaps it is your view that the large spending about to enter our economy and the government action with regard to banks and large companies is a good idea and will end the economic problems. Perhaps you think that the spending and government intervention in the economy will delay a recovery or create a state-run economy that will create a new depression.

Regardless of your personal political philosophy, you need to be careful in your investments to protect your financial future. Those who take all of their money out of the stock market, may miss out on spectacular returns of the market rebound continues as it has in the past few weeks.

On the other hand, those who are very optimistic and put all of their money into the stock market could find that the market takes another downturn as it did after a significant increase in 1938. The F and G funds of the TSP will provide a safety cushion of that should occur.

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Whether you love or hate the passage and implementation of the current economic plans underway, keep your emotions in check until you vote in the next election. You need to protect your own personal financial future. You are responsible for making your own financial decisions. But, when making those decisions, keep in mind that the future does not always follow the path you think it will and make your investment decisions accordingly

Committee Approves Akaka-Inouye Bill to Provide Retirement Equity to Federal Workers in Hawaii, Alaska and Territories. The U.S. Senate Homeland Security and Governmental Affairs Committee approved the Non-Foreign Area Retirement Equity Assurance Act of 2009 (S. 507), as amended. The bill would transition federal employees in Alaska, Hawaii, and the U.S. Territories from non-foreign cost of living allowance (COLA) to locality pay to ensure they receive the same retirement benefit opportunities as mainland federal employees. The bill is sponsored by Senator Daniel K. Akaka (D-Hawaii) and cosponsored by Senators Daniel K. Inouye (D-Hawaii), Lisa Murkowski (R-Alaska), and Mark Begich (D-Alaska).

There are approximately 20,000 federal employees in Hawaii that would be affected by this legislation.

"I am pleased that the Committee has endorsed the Non-Foreign AREA Act again, which will provide much-needed pay and retirement equity to federal employees in Hawaii, Alaska, and the Territories. Non-foreign COLA rates are scheduled to drop later this year, so we need to act quickly on this bill to protect employees' take-home pay. I will work with my colleagues to move the bill through the Senate as soon as possible," said Senator Akaka, Chairman of the Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia.

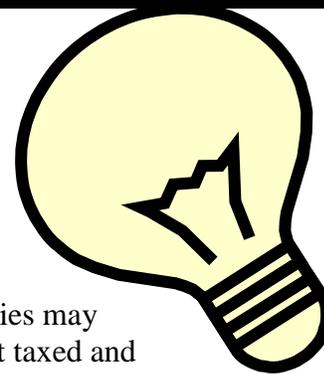
Senator Inouye said: "I am pleased that the Senate Homeland Security and Governmental Affairs Committee approved S. 507. We are once again, one step closer in the Senate to addressing the issue of retirement equity for Hawaii's federal employees. This is an issue of fairness, and we are committed to ensuring that federal employees in the non-foreign areas are no longer disadvantaged."

The committee adopted one amendment today to ensure coverage of Senior Level Scientific and Technical professionals and to provide agencies with needed regulatory authority to comply with the provisions in the Act.

The bill now goes to the full Senate for approval. A similar bill passed the committee and full Senate last year but was not passed by the House.

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Under current law, federal employees in Hawaii, Alaska and the U.S. territories may receive up to 25 percent of their base pay as non-foreign COLA, which is not taxed and does not count toward an employee's retirement. The amount of non-foreign COLA is based on the local cost of living compared to the cost of living in DC. Locality pay is based on labor costs in a particular area.

S. 507 would establish a three-year transition period beginning January 1, 2010, and phase out non-foreign COLA as locality pay is phased in. The COLA adjustment would use a formula under which, for every dollar of locality pay that the employee receives, the COLA would be reduced by 65 cents, helping to mitigate the new cost burdens associated with locality pay such as federal income tax and additional retirement contributions.

Life Insurance is Essential in Real Estate Planning. You need estate planning. It doesn't matter how much you make. It doesn't matter where you work. What matters is whether you want to decide where your assets – no matter how great or small – end up after you die. Or would you rather have someone else make those decisions?

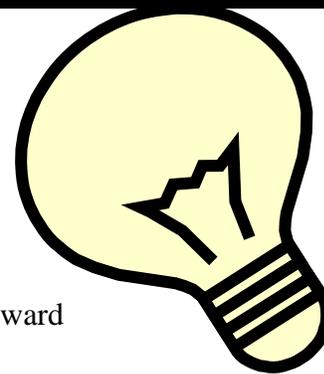
Estate planning is how you make sure that your assets – your lifetime accumulations – pass to your heirs in a manner of your design. It's how you make sure your family is secure, and your assets end up where you want them. It's taking care of your family, your business – whatever is important to you.

Proper estate planning, whether through a will or some other vehicle, will make sure you, and not the state, decide where and how your assets are distributed after your death. Life insurance can give you options that make your planning an easier process. There are two basic ways in which life insurance can assist in your estate planning:

1. Estate Enhancement – primarily for younger families and those families with children. Adequate life insurance that protects a family from financial loss due to a premature loss of life can help pay for future college tuition, mortgage payments, medical bills, etc. Tax-free life insurance benefits can help the surviving spouse and children maintain their standard of living.
2. Estate Liquidity – primarily for older folks with somewhat larger estates. Those individuals who are worried about federal and state death taxes can use life insurance proceeds to help pay those taxes. Many times, people with significant assets have those assets in "hard" form – they are hard assets, meaning that they are not easily or quickly sold. Your home, jewelry, artwork, cars and other material possessions are some examples. If those assets must be sold quickly to pay taxes that are due a few months after death, chances are you are not going to get top dollar for those assets. Life insurance can remove that concern.

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There are more advanced uses of life insurance, many of which are geared toward business owners. Some of those examples follow:

Estate Equalization for Family-Owned Businesses – Family businesses operated by parents with one or more children are often in need of liquidity when the parents die, as a majority of the estate is "tied up" in the business. Life insurance provides a way to pass the business to interested heirs while being fair to those children outside the business.

Buy-Sell Funding – Life insurance can be an indispensable tool enabling surviving co-owners of a business to own and continue the business without outside intrusion, while the deceased owner's heirs obtain debt-free assets from the estate.

Key-Person – Business owners use "key-person" policies to help replace earnings associated with the loss of employees whose unique talents and knowledge made them valuable assets of the business.

Credit Enhancement – Life insurance is often used to stabilize a business concern's financial position and serves as a valuable asset to pledge as collateral.

Informal Funding for Deferred Compensation – An important ingredient in any deferred compensation plan that is "non-qualified" is life insurance. Such policies owned by and payable to the employer remain a primary building-block of all such plans. For more information on how life insurance can play a valuable role in your estate planning, be sure to visit with your insurance agent.

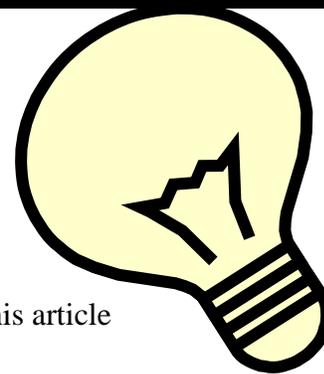
Disability Retirement and the Federal Employee. This is a time of economic turmoil, where job security is in question, the financial markets appear to be in a constant state of jittery hiccups, and the expanding Federal deficit is looked upon with trepidation. Such issues are considered "macroeconomic" in scope, and impacts both the private sector employee as well as the Federal sector employee. When a medical condition or disability is thrown into the mix, impacting a Federal employee and his or her inability to perform the essential elements of one's job, then it becomes a "microeconomic" issue.

The difference between a macroeconomic issue and a microeconomic issue involves a simple distinction: When it impacts your neighbor, it is the former; when it impacts you, it is the latter.

Fortunately for Federal and Postal employees, disability retirement benefits exist as part of the "employment package" which constitutes the career-choice made when one decided to forego the private sector. This may have occurred for many complex reasons, or for a combination of some or all: job security; career opportunity; total benefits package; consistent COLAs and step increases; disability retirement benefits. The list is

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not exhaustive, but for purposes of this article, it is the latter benefit which this article will focus upon.

Disability retirement benefits – perhaps it was merely a minor footnote in the total employment opportunity which was considered before accepting a position as a Federal or Postal employee. Yet, as with all things medical, it is a benefit which becomes important only when the necessity arises. When one is twenty-something, one is invincible; when thirty-something, somewhat vulnerable; when over forty, the aches and pains of a lifetime begin to take their toll. For the Federal employee who finds that he or she is facing not only a medical condition (which would be serious enough), but further, that the medical condition is impacting one's ability to perform one or more of the essential elements of one's job – the prospect of having the security of disability retirement benefits transforms that formerly "minor footnote" into a wise employment choice of great foresight at the beginning of the employee's career.

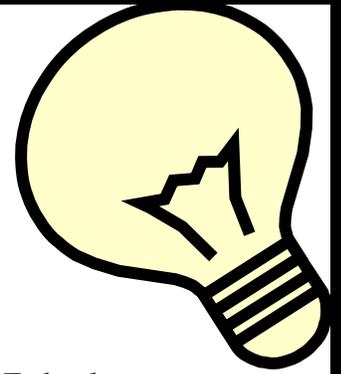
The [Office of Personnel Management website](#) and many other sources provide the "basics" involving the eligibility requirements, the "process" involved in filing, and the various administrative steps one must go through to obtain Federal Disability Retirement benefits. The initial application is submitted to the Office of Personnel Management (it must be filed with them within 1 year of being separated from Federal Service, or one forever loses the right to file) – if still will on the rolls of the Federal Government, or recently separated from service but not more than 31 days, then the application must first be routed through the Agency personnel department; if separated from Federal Service for more than 31 days, then the application is submitted directly to OPM in Boyers, PA.

If, once the Office of Personnel Management reviews the disability retirement application, the agency finds that you meet the eligibility criteria, then the process ends, you are happily retired, and your annuity checks will be directly deposited into your bank account. If it is denied at the initial stage, however, then you have the right to "Request Reconsideration" of the denial. Such a request for reconsideration must be submitted to OPM within thirty days of the denial; during this process, you may request an additional thirty days within which to obtain, and submit, additional supporting medical documentation to bolster your case. If your Request for Reconsideration is denied, then you will be accorded the opportunity to file an appeal of the entire matter to the "Third Stage" of the process – the Merit Systems Protection Board.

Thus, as you can see, the process of attempting to obtain disability retirement is not a simple matter. It is a "benefit" – one which all Federal and Postal employees under FERS and CSRS "signed onto" as part of the "total employment package" with the Federal Sector. However, as with most benefits, it must be fought for. To "win the fight", it is important to be knowledgeable about the "rules of the fight".

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Here are some basics to know:

To be eligible for a disability retirement annuity under the FERS or CSRS, a Federal or Postal employee must establish by a preponderance of the evidence that:

1. He or she has completed 18 months (for FERS) or five years (for CSRS which, presumably, all CSRS employees already have the minimum eligible period of federal service) of civilian service;
2. while employed in a position subject to FERS or CSRS, he or she became disabled because of a medical condition (note, however, that unlike OWCP – Department of Labor requirements, the medical injury or condition does not need to be caused at or by the job; indeed, one may have received the injury while skiing in the Alps and still be eligible for disability retirement), resulting in a deficiency in performance, conduct, or attendance, or, absent such deficiency, the medical condition must be incompatible with either useful and efficient service or retention in the position;
3. the disabling medical condition is expected to continue for at least one year from the date the application is filed; and,
4. accommodation of the disabling medical condition in the appellant's former position or in an existing vacant position must be unable to be accomplished by the agency. 5 U.S.C. § 8337(a); 5 C.F.R. § 831.1203(a).

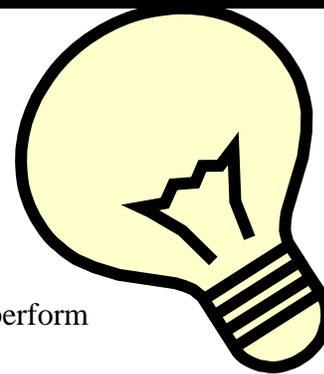
The Federal employee need not prove that he or she is "totally disabled"; rather, the standard of proof which must be met is to merely show that he or she is unable, because of disease or injury, to render useful and efficient service in the position occupied. *Baumann v. Office of Personnel Management*, 42 M.S.P.R. 257, 259 (1989). "Useful and efficient service means (1) acceptable performance of the critical or essential elements of the position, and (2) satisfactory conduct and attendance." 5 C.F.R. § 831.1202.

There are multiple complex surrounding legal issues which may clearly impact a disability retirement application. For instance, an employee's removal for physical inability to perform the essential functions of his or her position constitutes "prima facie evidence" that a federal employee is entitled to disability retirement. *Bruner v. Office of Personnel Management*, 996 F.2d 290, 294 (Fed. Cir. 1993). This is often referred to as the "Bruner Presumption".

Based upon this presumption, the burden then shifts to OPM to produce enough evidence from which a reasonable fact finder could conclude that the appellant did not qualify for disability retirement. *Treva v. Office of Personnel Management*, 69 F.3d 520, 526 (Fed. Cir. 1995); *Klein v. Office of Personnel Management*, 71 M.S.P.R. 366, 370 (1996). OPM can, of course, meet its burden of production to rebut a presumption of disability "by demonstrating a lack of objective medical evidence providing a reasoned explanation of

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how certain aspects of a particular condition render the employee unable to perform specific work requirements." Trevan, 69 F.3d at 526-27 (citations omitted).

If the Office of Personnel Management meets its burden of production, the Merit Systems Protection Board then considers the totality of the evidence in deciding the disability issue, including objective clinical findings, diagnoses and medical opinions, testimony of all parties, review of all submitted documents, subjective evidence of pain and disability, evidence relating to the effect of the applicant's condition on his or her ability to perform in the grade or class of position the employee last occupied, and evidence that the applicant was not qualified for reassignment to a vacant position at the same grade or level as the position which was last occupied. *Dunn v. Office of Personnel Management*, 60 M.S.P.R. 426, 432 (1994), dismissed, 91 F.3d 169 (Fed. Cir. 1996). Regardless of the shifting burdens of production, the disability retirement applicant always retains the burden of persuasion – meaning merely that at all times, the applicant is the "primary person" to establish entitlement to disability retirement.

Then, of course, there are more recent wrinkles in the process – for example, where the Merit Systems Protection Board more recently held that a removal of an employee based upon "extended absences" can be considered "equivalent" to a removal for inability to perform for medical reasons where it is accompanied by specifications showing that the decision to remove was based upon medical documentation which suggested that the appellant was disabled and unable to perform his or her duties.

Such are the legal mazes which potentially confront a Federal Disability Retirement applicant – and those mentioned herein are the "tip of the iceberg".

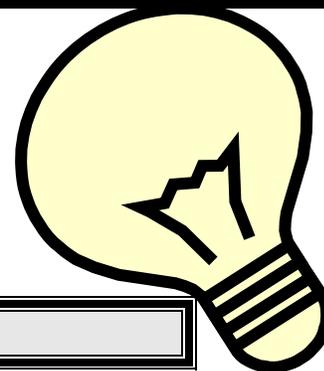
Conclusion

When a medical condition enters into the fray of life, the greatest consequential impact always involves the financial stability and security of the Federal or Postal employee. In these times of economic turmoil, it is important to know the eligibility criteria, the administrative procedures involved, and the potential legal impediments which comprise the totality of the process called, "Federal Disability Retirement".

If a medical condition or injury begins to impact one's ability to perform the essential elements of one's job, it is important to consider all available options – including disability retirement. In considering such an option, it is vital that the Federal or Postal employee become armed with the knowledge necessary to secure the financial future for not only him or herself – but also for one's family. While the concept of disability retirement may have begun as a "minor footnote" at the beginning of one's career, let it not remain so when the need arises at the sunset of one's life.

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Employment-Related News

Stimulus Package to Increase Government Hiring. The federal government will need to hire an additional 200,000 workers over the next three years as a result of [President Obama's stimulus plan](#) and additional spending included in his budget plan.

That may sound like a lot of jobs, but it's just slightly less than half of the 384,000 additional employees Uncle Sam already needed to pick up between 2009 and 2012 just to replace existing federal employees expected to leave their jobs. "That 384,000 is a projection for retirements, voluntary separations, reductions in force and a few folks who will die on the job," says John Palguta, vice president of policy for the [Partnership for Public Service](#), a Washington, DC, advocacy group working to advance public-sector careers.

With a total of nearly 600,000 openings over the next three years, what options could there be for you?

About 85 percent of federal jobs are located outside Washington, DC. But, since many stimulus-related jobs involve command, control, tracking or oversight, a sizable proportion -- up to 22 percent -- could be located in the District of Columbia itself, Palguta says.

Who's Hiring?

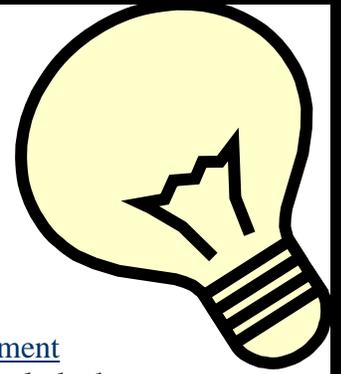
The federal government currently employs 1.9 million civilians -- about the same number it did during the Kennedy administration. Gerald Ford, Jimmy Carter, George H.W. Bush and Bill Clinton downsized the federal bureaucracy, while Ronald Reagan and George W. Bush increased it, Palguta says.

Some of this administration's 200,000 extra workers will be added thanks to changing priorities. For example, President Obama's 2010 budget increases funding for the [Social Security Administration](#) (SSA), so it can hire additional employees to work through a backlog of cases. The agency will hire more than 5,000 people by September 2009, says Kia S. Green, an SSA spokesperson. "These include front-line positions in the local field offices and Teleservice Centers as well as legal support positions in our hearing offices," she says.

Another budget priority -- better care for veterans -- resulted in a \$25 billion increase for the [Department of Veterans Affairs](#). "A good part of that will go into hiring more [medical and health professionals in the VA](#)," Palguta says.

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Jacque Simon, public policy director for the [American Federation of Government Employees](#), says agencies expected to add staff due directly to the stimulus include the [Environmental Protection Agency](#); [the Department of Defense](#); [the Food and Drug Administration](#); [the Border Patrol](#); [the Small Business Administration](#); the departments of [Labor](#), [Education](#), [Agriculture](#) and [Housing and Urban Development](#); and the [National Science Foundation](#).

Many agencies are still toting up the numbers. The Environmental Protection Agency estimates it will take tens of thousands of contractors and employees to handle clean up, assessments, design and monitoring of the projects in the areas it will target with stimulus money. These areas include Superfund sites, brownfields, leaking underground storage tanks, clean water, drinking water and reducing diesel emissions.

Bring on the Watchdogs

With so much stimulus money flowing out of Washington, DC, virtually every agency will have to hire additional auditors, attorneys and investigators to handle the fraud that will inevitably follow. In government, those positions are part of the [Inspector General's](#) office within each agency or department.

"The Inspectors General are going to be beefing up staff," Palguta says. The Department of Health & Human Services www.hhs.gov, for example, has \$27 million for increased oversight. In addition, Congress slotted \$50 million to create the Recovery Act Transparency and Accountability Board, a group of Inspectors General that will watch over stimulus spending.

Given the talk about tighter regulatory scrutiny of the financial markets, there will also likely be jobs openings at the [Treasury Department](#) and the [Securities and Exchange Commission](#).

The [Government Accountability Office](#) planned to start hiring 100 people familiar with government auditing by mid-March 2009, says Patrina Clark, deputy chief human capital officer.

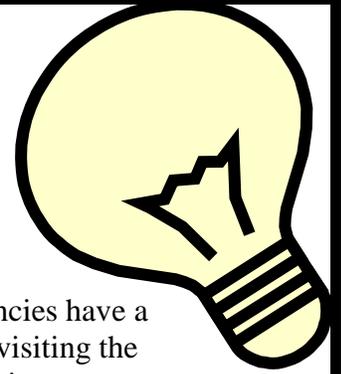
Prior federal government auditing experience is great, but it's not the only way to qualify for these positions. "If they've done any kind of state or government auditing, or they've audited public entities or nonprofits, that would be qualifying experience," Clark says.

Focus on the Mission

If a federal job is your best career move, don't look for a stimulus job -- look for a

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government job, Palguta says. "Look at who's got a job to fill and which agencies have a mission that you're interested in," he suggests. Gather career information by visiting the [official federal government hiring site](#) as well as the individual agency Web sites.

Expect to have a lot of company when you apply. In January 2009, after the [Federal Bureau of Investigation](#) said it wanted to [hire 2,100 professional staffers](#), it received 230,000 applications. "There are a lot of people vying for those jobs," an FBI spokesperson says.

As long as you're not working in retail, chances are the federal government hires people from your profession, Simon says. For example, a VA hospital hires everyone from food-service workers right up to brain surgeons. Even at an advanced career level, professionals from [information technology](#), legal, [law enforcement](#), [healthcare](#), science, [engineering](#), program management, purchasing and [education](#) are all in demand.

And, working for the federal government often means swapping a bottom-line focus for a public-interest one. "You're concerned with what's in the best interest of your fellow citizens and how to best serve them," she says.

Study: Gender Pay Gap Shrinks Among Government Workers. Women working in the federal government still earn less than their male counterparts, but the pay gap is shrinking.

The difference between average annual salary for men and women in the federal work force declined from 19 cents to 11 cents on the dollar between 1998 and 2007, according to a draft report from the Government Accountability Office.

The draft, obtained by The Associated Press, is set for release at a hearing of the Congress' Joint Economic Committee.

All but 7 cents of the gap can be accounted for by differences in measurable factors, such as differences in education levels and the type of jobs men and women had, the report said. The gap narrowed the more men and women shared characteristics, including the jobs held, levels of experience and education.

The GAO said factors such as work experience outside government and discrimination may account for some or all of the remaining gap.

New York Rep. Carolyn Maloney, who chairs the Joint Economic Committee, said the report shows the need for federal legislation to address the remaining pay gap.

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"As families continue to struggle during this economic crisis, they should not also be robbed by discrimination against women in the labor market," Maloney said.

The gap among federal employees has been steadily shrinking since 1988, when female government workers earned 28 cents on the dollar less than their male co-workers.

In the general work force, a previous GAO study found that women earned on average 20 cents less for every dollar earned by men in 2000 when differences for occupation, work patterns, marital status and other factors were considered.

Maloney and other congressional Democrats have been trying for years to pass pay equity legislation that would treat gender discrimination involving pay in the same as race, disability and age discrimination.

The bill, known as the Paycheck Fairness Act, would allow for compensatory and punitive damages, ban employers from retaliating against workers who share salary information with colleagues and require employers to prove that paying a woman less than a man is job-related and necessary.

The measure, which passed the House last year but stalled in the Senate, could have new life under President Barack Obama and the increased Democratic majority in Congress.

Extra Pay in Your Check May Have to be Repaid. If you're like most American workers, you're seeing a little more in your paycheck beginning this month, thanks to a new federal tax credit.

Not all of you will get to keep the extra money.

Some workers will need to give all or part of the additional take-home pay to Uncle Sam in the form of a smaller refund or a higher tax bill next year, the Internal Revenue Service warns.

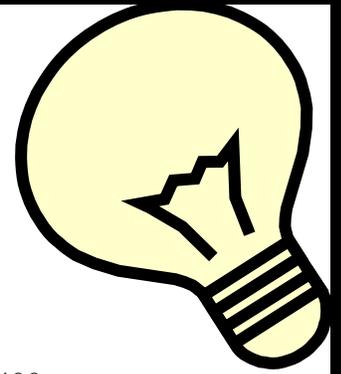
Among those most likely to be affected are individual taxpayers with more than one job or couples where both spouses work.

If you fall into either category, "You really should look at your W-4 and see if you should adjust it," said Will Wright, a partner with the Eide Bailly financial services firm in Fargo.

A W-4 is the form you fill out when you're hired to make sure the right amount of federal income tax is withheld from your paycheck.

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A little background:

The new federal Making Work Pay credit allows taxpayers to pocket up to \$400 per person per year.

Unlike last year's economic stimulus payment, taxpayers aren't getting a check from the IRS.

Instead, the new credit changed federal withholding tables to give taxpayers a little more take-home pay each month.

Employers generally began using the updated tables earlier this month.

The employers of most people who receive a paycheck handled the credit through automated withholding changes, the IRS said.

However, some taxpayers are having more money withheld than the credit entitles them to, the IRS said.

By adjusting their W-4s now, those affected can avoid the tax consequences next year, Wright said.

According to the IRS:

The credit, available for tax years 2009 and 2010, is 6.2 percent of a taxpayer's earned income for a maximum credit of \$800 for joint filers and \$400 for other taxpayers. Most workers will qualify for the maximum credit.

Many higher-income taxpayers will see little or no change in their take-home pay. The credit is phased out for a married couple filing a joint return and earning \$150,000 to \$190,000, and other taxpayers earning \$75,000 to \$95,000.

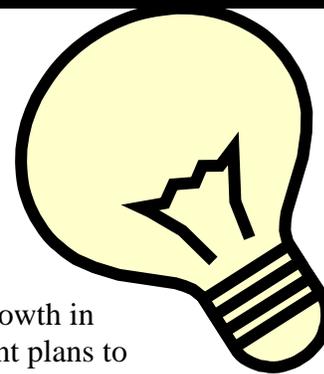
Carrie Resch, an IRS spokeswoman in Minneapolis, suggested taxpayers check out the IRS Web site to see if and how they're affected by the credit.

The site includes a withholding calculator that can work through each taxpayer's specific situation.

The site also includes IRS Publication 919, which has more information on tax withholding

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DoD to Add 20,000 Contracting Officers. After years of unprecedented growth in contract spending and no growth in in-house staffing, the Defense Department plans to swell its acquisition workforce by 15 percent.

Secretary Robert Gates recently announced plans to hire 20,000 new acquisition professionals by 2015. Of those, 9,000 would be new jobs and 11,000 would convert from contractor-held positions. The shift would begin in 2010, with 1,600 new jobs and 2,500 conversions.

The positions will fill gaps identified in a recent workforce competency survey, Shay Assad, the department's acquisition policy director, said in an interview. They include contracting, engineering, evaluation, purchasing, financial, cost-estimating and auditing specialists.

"The secretary wanted to change the mix," Assad explained. "It wasn't necessarily, in some organizations, that we didn't have enough people. We just needed to change the mix from contractors to federal civilians because we felt those [jobs] were more appropriately performed by federal civilians."

The plan will add or bring in-house 800 specialists to address one of the biggest shortfalls identified in the study: the ability to estimate costs and prices of various services and solutions. In addition, the plan calls for 600 more auditors at the Defense Contract Audit Agency. Additional engineers and technical experts also will be hired by the Defense Contract Management Agency to evaluate companies' proposals for highly specialized equipment.

Gates also proposed insourcing by 2015 another 19,000 support jobs outside of the acquisition field currently performed by contractors. The department has not explained what those jobs are. This would bring the total number of planned additional staff to 39,000 by 2015.

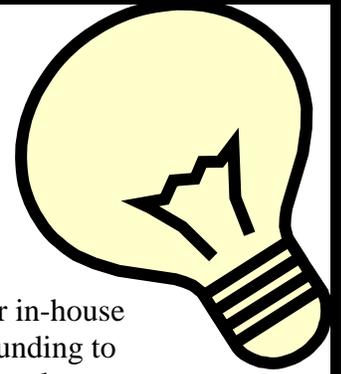
Insourcing would "reduce the number of support service contractors from our current 39 percent of the Pentagon workforce to the pre-2001 level of 26 percent and replace them with full-time government employees," Gates said.

Defense spending on goods and services more than doubled between 2001 and 2008, from \$145 billion to \$388 billion, according to the Government Accountability Office. At the same time, the number of in-house acquisition staff has remained stable.

"To supplement this in-house acquisition workforce, DoD relies heavily on contractor support," GAO reported last month. GAO said that managers at 31 program offices it

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reviewed said they hired contractor employees who possessed skills that their in-house staffs lacked. The managers said they used contractors because they lacked funding to hire enough full-time employees and because the process to hire people took so long.

Getting more staff on board

Assad said the department will use streamlined hiring authorities, such as direct hire authority, to bring new employees on quickly. Many new hires will start as interns and go through extensive training, with the goal of developing lifelong feds, he said.

Attracting qualified candidates shouldn't be a problem, he said. The economic crisis has opened a new pool of applicants, particularly in the financial sectors, he said.

Some portions of Defense are already moving to shorten their hiring procedures. The Air Force now allows managers to use direct hire authority to fill acquisition positions, meaning qualified candidates don't have to go through the normal competitive hiring procedures. Direct hire authority allows agencies to hire qualified candidates after posting a position publicly without having to go through the time-consuming competitive rating and ranking processes.

This shortens hiring times from roughly five months to only two weeks, said Michelle Siples, an Air Force human resource specialist at the Air Force Personnel Center.

Since the Air Force started using direct hire authority, it has hired 17 people, Siples said. The Air Force has approximately 1,500 acquisition vacancies that can be filled using the streamlined hiring process. Depending on how details of Gates' plan are decided by Congress, that number could grow.

To insource work, the department will not renew affected contracts when they expire. Those jobs will then be posted publicly, meaning the affected contractor employees and others could apply for those jobs. But the Defense Department could use direct hire authority to hire qualified applicants quickly, Assad said.

Industry is skeptical

But industry is skeptical whether employees can be hired quickly enough to make the five-year plan a success.

"They need a transition plan with realistic expectations about the ability to convert people," said Stan Sloane, president of SRA International, a large government contractor that provides acquisition support services, among others, to Defense.

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Defense needs to consider the experience of contractors performing work that will be insourced. “You can recruit 11,000 college students, but that won’t help you get the experience level you need,” Sloane said.

Assad said he anticipates displaced contractors will apply for the new government openings. But many of the contractor employees being replaced are retired federal employees, said Robin “Pug” Gutridge, president of Cherokee Information Services, an acquisition support firm. These workers might not want to return to government service. If they do, they would need assurances their retirement checks wouldn’t be affected, he said. Assad said the department is seeking special authorities to rehire some annuitants, but it is also looking to create a long-term workforce by hiring younger people.

Also, while the high rates of unemployment may help bring in new hires, the government still faces a competitive market for skills such as engineering and contract specialists, said Stan Soloway, president of the Professional Services Council. Government doesn’t offer the rapid hiring, compensation and work-life balance many private firms can, he said. In addition, acquisition personnel are frequently the targets of blame when things go wrong, making those jobs less attractive, he said.

Soloway also questioned the necessity for the conversions. If the jobs hold sway over government decisions, it’s wise to bring them in house, Soloway said. “But the presumption that contractors should not perform any functions in an acquisition organization is both unreasonable and unnecessary,” he said. In cases where the skills aren’t critical, it may not be cost-effective to hire full-time employees with benefits and employment rights, he said.

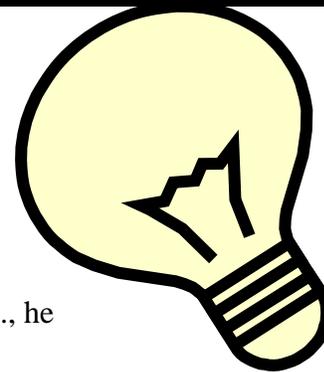
Sloane acknowledged some rebalancing of the contractor and federal workforce needs to occur. While insourcing may cause some pain to industry, in the long term, the right balance will benefit everyone, he said. The lack of balance today has hurt in-house experience in procurements, causing increases in bid protests, delays in delivery and other acquisition problems, he said.

Management-Employee Relations

Reemployed Annuitant’s Restoration Rights. In a recent decision, the U.S. Court of Appeals for the Federal Circuit held that reemployed annuitants are “employees” for purposes of the Federal Employees’ Compensation Act (FECA) and are, therefore, entitled to a statutory right to restoration. See *Delalat v. Dept. of the Air Force*, (Fed. Cir. No. 2008-3038 (February 23, 2009)). In 1998, the appellant retired from federal service and began receiving a retirement annuity. Four years after his retirement, the appellant

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began working for the United States Air Force as a reemployed annuitant, i.e., he continued to receive his annuity after reemployment.

Upon returning to work, he suffered an on-the-job injury that qualified him for compensation from the Office of Workers' Compensation Programs (OWCP).

The appellant requested restoration with his job at the Air Force once he was cleared by his physician to return to work, but the Air Force did not respond to his requests. Three months later, the Air Force terminated the appellant.

The appellant appealed to the MSPB, asserting that the Air Force was required to restore him to his prior position pursuant to 5 C.F.R. § 353.301(a). However, the administrative judge dismissed the appeal for lack of jurisdiction, holding that "a reemployed annuitant lacks restoration rights." The MSPB denied the appellant's petition for review; thus, he appealed to the Federal Circuit.

The court determined that a reemployed annuitant is an "employee" pursuant to the broad statutory definition under FECA, since it defines an "employee" to include "a civil officer or employee in any branch of the Government of the United States." See 5 U.S.C. § 8101(1)(A). Thus, the court held that the appellant was clearly an "employee" because he was already classified as such, under FECA, for purposes of receiving OWCP benefits. See 5 U.S.C. § 8151(b)(1).

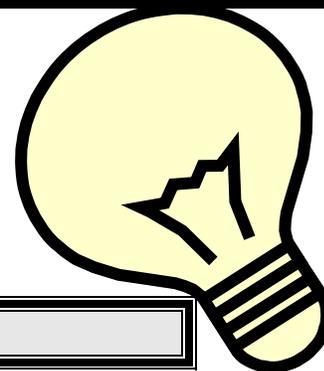
The court recognized that a reemployed annuitant does have less employment rights than other federal employees since termination is allowed with or without cause.

However, the court explained that this does not mean a reemployed annuitant is wholly without rights because such an employee is statutorily protected from against discriminatory and/or prohibited personnel practices. Also, the court pointed out that there is no specific statutory provision that excludes a reemployed annuitant from restoration. Therefore, allowing reemployed annuitants who are injured on the job to receive OWCP compensation implies that such employees should not be excluded from other FECA protections, including the right to restoration under § 8151. Finally, the court held that "although a reemployed annuitant's at-will employment status may make the annuitant vulnerable to termination upon restoration, the statutory right to restoration nonetheless protects the reemployed annuitant from termination predicated on a compensable injury." See *Roche v. USPS*, 828 F.2d 1555, 1557 (Fed. Cir. 1987) (holding that a probationary employee, also non-tenured, can appeal a termination as a denial of restoration rights if "his removal was the result of a compensable injury or was substantially related to a compensable injury.").

This information is provided by the attorneys at Passman & Kaplan, P.C.

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Training, Self-Development, and Personal Improvement

Human Resources (HR) for Supervisors Course. The HR for Supervisors Course encompasses instruction applicable to the National Security Personnel System (NSPS) and the Legacy (i.e. GS) System. The course is 4.5 days long, includes lecture, class discussion and exercises; and, is designed to teach new civilian and military supervisors of appropriated fund civilian employees about their responsibilities for Civilian Human Resource Management.

The dates for remaining training dates is highlighted below. Registration information will be disseminated not less than 3 weeks from the course start date.

1 - 5 June 2009

14 - 18 September 2009

Instruction includes the following modules:

- Introduction of Army CHR which includes coverage of Merit System Principles and Prohibited Personnel Practices, CHRM Life Cycle Functions, Operation Center and CPAC Responsibilities
- Planning
- Structuring – Position Classification
- Acquiring – Staffing and Pay Administration
- Developing – Human Resources Development
- Sustaining – Performance Management, Management Employee Relations, Labor Relations

This instruction does *not* cover supervision of non-appropriated fund (NAF) or contract employees.

RPA and ART Workshop. The Fort Benning CPAC HR specialists are available to conduct RPA and ART desk-side walkthroughs and/or workshops to assist managers/supervisors and new DCPDS account holders with accessing and using DCPDS, ART, initiating RPAs, creating Gatekeeper Checklists, forwarding and tracking RPAs, generating reports and printing SF 50s. Training can be accomplished via individualized sessions or activity specific workshops upon request. If you desire training of this nature, please contact your servicing HR specialist to arrange for scheduling.

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Job Aids Available on the Web. Lotus ScreenCams (how-to-movies) are available to assist DCPDS users with DCPDS, Army Regional Tools (ART), Oracle 11i and other automation tools. ScreenCam movies ART Logon, Ghostview, Gatekeeper, Inbox Default, Initiating an RPA, Logging On, Navigator, RPA Overview and RPA Routing are available on the web at: <http://www.chra.army.mil/>. Click on HR Toolkit and then click on the name of the movie to download or play it. Managers/supervisors and administrative personnel responsible for initiating RPAs are encouraged to review this site and check out these new tools. ART Users Guide has been updated and provides descriptions of and instructions for using tools available in ART, including such tools as Employee Data, Inbox Statistics (timeliness and status information about personnel actions), Organization Structure (information about positions in various organizational elements), and many more tools. It is intended for use by managers, resource management officials, administrative officers, and commanders as well as CPAC and CPOC staff members. There is both an on-line and downloadable Word version (suitable for printing).

In addition, to the ART Users Guide, there is a Defense Civilian Personnel Data System (DCPDS) Desk Guide which provides how-to information about tasks and functions that end users might need to perform in DCPDS, such as initiating a Request for Personnel Action (RPA) and creating a Gatekeeper Checklist. The ART Users Guide and the Desk Guide can be accessed from the CHRA web page at: <http://www.chra.army.mil/>, by clicking on HR Toolkit. In addition to these tools the Fort Benning CPAC staff is available to assist you in accessing DCPDS, ART, initiating RPAs, creating a Gatekeeper Checklist, forwarding and tracking RPAs, generating reports and printing an SF 50. If you have any questions or need assistance, please contact your servicing HR specialist to arrange a time so we can come to your office to help you.

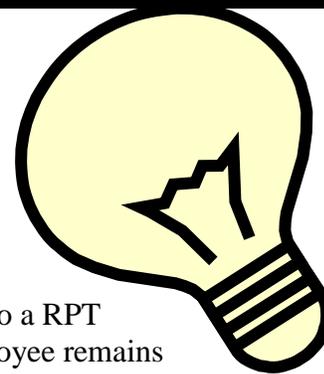
The NAF Corner

Noncompetitive Conversion of NAF Flex and Regular Part-Time Employees to Regular Appointment Categories. All regular part time and flex employees who for the majority of the previous quarter (preceding 90 days) have worked either 40 hours per week or over 19 hours but less than 40 hours will be noncompetitively placed into the regular part-time category*. This directive, effective April 14, 2009, and prescribed via an Installation Management Command (IMCOM) Network Call (NETCALL), Bulletin No. 7, provides procedural guidance for the conversion of these employees.

The NETCALL guidance reflects that managers will monitor employees hours worked and those flexible and RPT employees who work 40 hours per week for the majority of the [preceding] 90 days shall be noncompetitively converted to a RFT appointment category. Similarly, NAF flexible employees who for the majority of the 90 days worked

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over 19 hours per week but less than 40 shall be noncompetitively placed into a RPT appointment category. These conversions may only be made when the employee remains in the same position with no change in duties, grade and/or band level.

Once activity managers have monitored/reviewed the employees hours worked over the prescribed 90-day period, a Request for Personnel Action (RPA) requesting “conversion of employment category” will be submitted to the NAF Human Resources Office for each employee who meets the aforementioned criteria.

These conversions will occur each quarter. Accordingly, on the last working day of each quarter, NAF installation managers and supervisors will be required to identify the number of employees who converted to regular employment categories [based on the last working day of previous quarter].

This NETCALL guidance does not alter obligations existing under current collective bargaining agreement nor does it obligate reemployed annuitants to convert to a RPT or RFT appointment category.

For additional information surrounding these conversions, please contact your servicing NAF Human Resources Office.

*Exceptions will be made for seasonal employees pending approval at the Regional level with copies of the approved action forwarded to Family and Morale, Welfare and Recreation Command Human Resources.

NAF Employees and Whistleblower Protection. The Department of Defense (DoD) Nonappropriated Fund Instrumentality (NAFI) Employee Whistleblower Protection Act protects NAF employees, former NAF employees and applicants who report violations of law, rule, or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or substantial or specific danger to public health and safety. The Act states that individuals who wish to make protected disclosures of information submit their complaints directly to the Inspector General (IG). The confidentiality of the individual making protected disclosures is of paramount concern; however, in the event the representative handling the case determines that disclosure of the individual’s identity is necessary to resolve the complaint, disclosure is permitted by law.

Under the Whistleblower Protection Act it is unlawful for officials/employers to take or threaten to take a personnel action against an employee because of their disclosure. In other words, if an employee finds themselves in the position of being a “Whistleblower” by voluntarily coming forward to report illegal or wasteful practices, the official or employer or can not reprise, threaten, harass, or take measures to punish the “whistleblower” with such actions as a demotion, suspension, reduction in pay, or

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transfer the employee to a less desirable position. Other protected actions may involve performance evaluations and any benefit of employment such as leave, promotion, training or other related benefits associated with pay. Officials who maliciously violate the Act may be subject to disciplinary or adverse actions themselves.

Individuals who wish to report complaints of reprisal to the IG, may do so telephonically at 1-(800) 424-9098, by e-mail via hotline@dodig.mil, or by letter addressed to: Inspector General of the Department of Defense, Attention: Defense Hotline, 1900 Defense Pentagon, Washington, DC 20301-1900.

To receive more information relating to NAF employees and the Whistleblower Protection Act, please view DoD Directive 1401.03 dated 23 April 2008 or contact your NAF Human Resources Specialist.

BLANCHE D. ROBINSON

Human Resources Officer

Fort Benning CPAC

Phone: 545-1203 (ComL); 835-1203 (DSN)

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