



2019 -Celebrating 20 years of WIFLE

September 2019

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Women in Federal Law Enforcement
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WIFLE Founders 2019

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WIFLE Half Marathon and 10 K!

Are you registered for the WIFLE Half Marathon and 10k event? Run with WIFLE on September 22, 2019, at Burke Lake Park, Fairfax Station, VA. Sign up and get additional information at www.wifle.org/halfmarathon. Perhaps you are busy that day, or just want to read the paper and have another cup of coffee. No problem, just opt for the virtual run. See option at the website above. Come join us at Burke Lake Park for a fun morning!



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EXCELSIOR COLLEGE AT WIFLE 2019 LEADERSHIP TRAINING

Excelsior College had the pleasure of attending WIFLE's 2019 Leadership Training in Virginia. We spoke with many WIFLE members about the educational partnership between Excelsior College and WIFLE.

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Don't delay – the second Fall start date is October 21st!





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Premier Professional Liability Protection



POLITICAL AGENDAS

By FEDSProtection

With the 2020 election season already in full swing, so are the political action groups. Most of you don't realize just how vulnerable you are when it comes to political agendas – and how just the perception that an agency or employee did something wrong could result in very serious allegations and investigations. When something goes awry, politicians, the media, special interest groups, and investigators start looking for anything that might make a case or a headline. Most of you don't anticipate being associated with a workplace scandal, but when the microscope is placed upon you, your agency or your office, you'd be surprised what an investigator may find.

When the Tea Party scandal involving Lois Lerner broke, investigations embroiled employees across the Internal Revenue Service. With ATF's Fast and Furious scandal, the media sensation and scrutiny on both sides of the aisle was so fierce that all the agents and supervisory officials involved sought legal counsel. The performance of Veterans Administration personnel across the country has been put under the microscope after an investigation began into the manipulation of wait-times and scheduling at just one location. GSA employees with exemplary records, agency wide, were subject to investigations into fraud, waste and abuse and improper expenditure allegations made by some seeking political and personal gain. Most of these employees were shocked by their need for legal counsel as their role in the event or "scandal" was extremely limited or not at all related to initial allegation or investigation. And while many of the employees involved in these investigations, and countless others, were ultimately vindicated, the process of accomplishing such wasn't cheap.

THE REALITY IS...law enforcement officers are targeted for various reasons, or used to make examples or as political pawns. Sometimes, it is the most dedicated and unexpected civil servants that are investigated. What's uncovered during these investigations may not even have anything to do with the initial incident or individual; however, the need to assign blame or accountability opens the floodgates for scrutiny at all levels. Without the proper legal counsel, you could be served up as the scapegoat.

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Your Federal Benefits Explained

by Sandra K. Harman
President, Harman & Associates, Inc.

UPDATED INFORMATION ABOUT CHANGES TO TSP WITHDRAWAL OPTIONS

*By Sandra Harman,
Harman and Associates*

The following is a release from the Thrift Board covering the effects of the TSP Modernization Act, the provisions of which will become effective September 15, 2019:

When will the changes happen?

All of the new withdrawal options will go into effect September 15, 2019.

What happens between now and when the new rules take effect?

From now through September 6, you'll continue to have the same withdrawal options available before the law passed. For details, see the TSP booklet that applies to your situation: *Withdrawing Your TSP Account After Leaving Federal Service* or *In-Service Withdrawals*.

Starting September 15, you'll have those same withdrawal options in addition to those described in the rest of this fact sheet. We'll update guidance in our booklets and on **tsp.gov** when the new options go into effect.

If you need to withdraw money before these changes take effect, we must receive your properly completed request by 11:59 p.m. eastern time on September 6, 2019.

We will not be able to accept withdrawal requests during a brief period between September 7 and September 14. This transition period allows us to finish processing withdrawal requests we receive before the rules change and prepare to accept requests with the new withdrawal options.

Remember, you're only gaining options. We're not taking anything away. You may want to wait until September 15 or later to request your withdrawal so that you can take advantage of more flexibility and use new, more efficient online tools to initiate your request.



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What's going to change?

Beginning September 15, 2019, you will have more options for how and when you can access money from your TSP account. These options fall into the following categories:

After you separate from service, you can take multiple post-separation partial withdrawals.

If you're 59½ or older and still working in federal civilian or uniformed service, you can take up to four in-service withdrawals each year.

You'll be able to choose whether your withdrawal should come from your Roth balance, your traditional balance, or a proportional mix of both.

You will no longer need to make a full withdrawal election after you turn 70½ and are separated from federal service. (You will still need to receive IRS required minimum distributions (RMDs).)

If you're a separated participant, you'll be able to take monthly, quarterly, or annual payments.

You'll be able to stop, start, or make changes to your installment payments at any time.

You'll have enhanced online tools to help you make withdrawals in the My Account section of tsp.gov.

Read the following sections for more details.

Partial Withdrawals

Right now, you're limited to one partial withdrawal in your lifetime—either an age-based in-service withdrawal (when you're 59½ or older) or a partial post-separation withdrawal. Under the new policy:

-you'll be able to take up to four age-based in-service withdrawals per calendar year¹;

-there will be no limit of the number of partial withdrawals you can take after separating from federal service (except that you won't be able to take more than one every 30 calendar days);

-you'll be able to take partial withdrawals while you're receiving post-separation installment payments; and

-having taken age-based in-service withdrawals will not prevent you from taking post-separation partial withdrawals.

1. Current rules on the number of in-service hardship withdrawals will not change.

Roth, Traditional, or Both

Currently, when you take a withdrawal, the money comes from your traditional and Roth balances on a pro rata basis. For example, if 80% of your account is in your traditional balance and 20% is in Roth, any withdrawal you take will be 80% traditional and 20% Roth. Under the new rules, you can still use this method, but you'll also have the option to take your withdrawal only from your Roth balance or only from your traditional balance. These options will be available for all types of withdrawals.

Withdrawal Deadline

Previously, the law required that you make a full withdrawal election once you turned 70½ and were separated from federal service. If you failed to do that, we would initiate an account "abandonment" process.

The new law does away with this requirement. You will never be required to make a full withdrawal election, and we will no longer abandon accounts as we have in years past.



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If your account has already been abandoned, you'll be able to restore the account without making a full withdrawal election. Your restored balance can remain in the plan (subject to RMDs) with all the new withdrawal options available.

You will still need to receive IRS required minimum distributions (RMDs). You can satisfy the requirement by taking a partial withdrawal or installment payments. If you take no action or just don't withdraw enough to meet your RMD, we will automatically send you the remaining RMD amount.

Installment Payments

Monthly payments are currently the only frequency option you have for receiving regular post-separation installment distributions from your account. The new rules will also allow you to receive payments quarterly or annually.

Right now, if you're receiving monthly payments, you can only change the amount of those payments during an open season between October 1 and December 15. When the new withdrawal options go into effect, you'll be able to change the amount and frequency (monthly, quarterly, annual) of your installment payments—and change from life expectancy payments to a fixed dollar amount²—at any time throughout the year.

Now, if you want to stop your monthly payments, you must receive the remainder of your account in a final withdrawal paid to you or transferred to an IRA or other eligible plan. The new rule eliminates that requirement, allowing you to stop and start your payments any time.

² This is a one-time-only change. As is currently the case, once you choose to receive "dollar-amount" payments, you cannot switch to life-expectancy.

What will be the withdrawal process under the new rules?

At the same time as we roll out the new withdrawal options, we'll begin using enhanced online tools to make the withdrawal process even more efficient. Instead of just providing you with a completed paper form to send in, our new online tools will allow you to complete at least part of the transaction online. In many cases, you'll still need to provide notarized signatures or other materials in paper form. But when that happens, you'll be given only the necessary pages to complete and submit. When we receive those pages, we'll be able to link them to the information you've already submitted securely online and complete your transaction. This will greatly reduce the chance of errors that could cause delays, rejections, or—worse—unintended withdrawals that can't be reversed.

Can beneficiary participants use the new withdrawal options?

Yes, beneficiary participants, the spouses of deceased TSP participants who've had accounts established for them, can make all the same withdrawals as separated TSP participants.

If I've already begun receiving monthly payments from my TSP account, or elect to begin receiving payments before the new rules take effect, will the additional withdrawal options be available to me? How about if I've already taken a partial withdrawal (either in-service or post-separation) before the

changes take place? Will that prevent me from being able to take additional withdrawals later?

If you have an account balance when the new rules go into effect, even if you've begun receiving monthly payments or have taken a partial withdrawal before then, you will be able to take advantage of the new withdrawal options. Note that, as is currently the case, if you are receiving monthly payments and elect to make a change that affects the duration of your payments, there may be tax consequences. For more information, see the TSP tax notice *Important Tax Information About Payments From Your TSP Account*.

Why is it taking so long to make the new options available?

It might seem like a simple thing to start allowing something that's currently not allowed, but there's a lot to be done to make these changes happen.

There are substantial programming changes and form revisions to be made just to make it possible for participants to take advantage of the new options. And there are many publications and web pages that need to be changed to reflect our new policy and new procedures.

Also, as a government agency, we have to publish any policy decisions that are necessary to implement new legislation in publicly accessible regulations. So we have to publish new regulations in order to allow the new options. We also have to have a public comment period and take the time to consider comments before we make final regulatory changes.

We asked Congress for these new withdrawal options, so rest assured that we're motivated to enact them as soon as possible. We're pleased to be able to provide the new options beginning September 15, 2019.



Healthy Habits for Women

Nothing matters more than your health — and many of the biggest health risks for women are preventable. Simple things like regular screenings and making healthy lifestyle choices can help you stay healthier, longer.



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Take your health to heart

You may think of heart disease as a men's health issue — but it's not. The good news is that lifestyle changes can prevent 80% of heart attacks and strokes.* Eat right, exercise, don't smoke, and talk to your doctor about your risk.

Be proactive

Stay on top of breast and cervical cancer screenings. If you're pregnant, start prenatal care early. Share your family health history with your doctor. Most importantly, listen to your body — and get care when you need it.

Care for the whole you

With all you do, it can be easy to put your needs last, which can leave you feeling drained, stressed, or depressed. Sleeping and eating well and connecting with others is important — and if you're struggling, ask for help.

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*American Heart Association

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ALZHEIMER'S DISEASE: PLANNING FOR AN UNKNOWN FUTURE

By Long Term Care Partners, LLC

There are an estimated 5.8 million Americans¹ who have Alzheimer's disease, and as the U.S. population ages, many more individuals are likely to be diagnosed. One in 10 people age 65 and older has Alzheimer's disease¹, and there have been no medical breakthroughs to prevent or cure the disease.

Alzheimer's disease has a distinct gender bias: the majority of its victims are women. Women are twice as likely as men to develop the disease, and, once they have it, are far more vulnerable to its effects.² Female longevity was once thought to be responsible for this disparity, but recent medical research suggests that biological, genetic, and even cultural influences may play significant roles.³

Currently, there is no way to prevent or cure Alzheimer's disease. Individuals typically live eight to 10 years after they are diagnosed.⁴ There are progressive stages of Alzheimer's disease and, as time passes, small losses in memory and judgment advance to profound intellectual and social impairment. In the last stage, physical function is reduced as well, ultimately leading to death.

As this disease runs its course, Alzheimer's patients may require increasing levels of assistance with activities of daily living, such as bathing, dressing, and eating. Further, Alzheimer's patients are often unaware of their surroundings and potentially dangerous situations. To maintain the safety of these patients, increased supervision is required. Most care is custodial, not medical, and belongs in the category known as long term care.

Long term care provided by a facility can be expensive and is generally not covered by traditional health plans or Medicare. Medicaid may help pay medical costs, but you must meet your state's poverty criteria.

Paying out-of-pocket is one way to cover long term care expenses. However, you should consider the cost as well as the fact that Alzheimer's disease requires lifetime care. In 2016, the national average cost of a semiprivate room in a nursing home was \$91,615 annually.⁵



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Home care is generally more affordable than nursing home care but is still costly. When averaged nationally, the cost of a six-hour visit by a home health aide is \$126 per day. That's \$32,760 per year for a home health aide visiting five hours per day, five days a week.⁵ Home care can be provided by a relative or friend, but there may be a significant physical and emotional cost for these informal caregivers. Caring for an individual with Alzheimer's disease is difficult, and caregivers commonly suffer from chronic stress,⁶ which can compromise their physical and psychological health⁷ as well as their most intimate family relationships. Often these caregivers leave the workplace or step out of a chosen career path to meet increasing care needs.⁸ This decision can have profound implications for their personal finances in both the short and long term. It's also important to remember that the need for long term care can arise from an accident, illness, or injury at any age. Although no one can be certain that he or she will develop Alzheimer's disease, planning ahead can help to reduce financial and emotional stress on your family.

Fortunately for many, the Federal Long Term Care Insurance Program (FLTCIP) offers protection and support when it's needed the most. The FLTCIP can help pay for personal care and other related services provided on an extended basis to people who need help with everyday activities or who need supervision due to a severe cognitive impairment. It provides comprehensive coverage, regardless of whether you receive care at home, in an assisted living facility (including specialized care for persons living with Alzheimer's disease), or in a nursing home. Additionally, family members and friends can provide care as informal caregivers.

Many members of the federal family are eligible to apply for coverage under the FLTCIP, including federal and U.S. Postal Service employees and annuitants, as well as active and retired members of the uniformed services. Qualified relatives may also apply. For a complete eligibility list, visit LTCFEDS.com/eligibility. Because the FLTCIP is medically underwritten, it's important to apply when you are in good health to avoid the risk that a future illness or condition may prevent you from obtaining coverage later. Also, premiums are directly related to age. This means the younger people are when they apply for coverage, the lower their premium.

To learn more about the FLTCIP, visit LTCFEDS.com. For personalized assistance, call **1-800-LTC-FEDS** (1-800-582-3337) TTY 1-800-843-3557 to speak with a program consultant. They are available to answer any questions you may have and can walk you step-by-step through the plan design and application process. The Federal Long Term Care Insurance Program is sponsored by the U.S. Office of Personnel Management, insured by John Hancock Life & Health Insurance Company, and administered by Long Term Care Partners, LLC.

¹ Alzheimer's Association. "2019 Alzheimer's Disease Facts & Figures, Prevalence," alz.org/facts/ (accessed July 2019).

² *Washington Post*. "Studies Add to Evidence That Women Are More Vulnerable to Alzheimer's," http://www.washingtonpost.com/local/social-issues/women-with-signs-of-alzheimers-appear-to-deteriorate-faster-studies-find/2015/07/21/f7be9aaa-2fca-11e5-8353-1215475949f4_story.html (accessed July 2019).

³ *Washington Post*. "Why Do More Women Get Alzheimer's? Research Points to Genetics, Other Factors," www.washingtonpost.com/local/with-women-perhaps-facing-higher-risk-of-alzheimers-female-scientists-unite/2014/09/03/2aa0506c-28ab-11e4-8593-da634b334390_story.html (accessed July 2019).

⁴ Mayo Clinic. "Alzheimer's Stages: How the Disease Progresses," www.mayoclinic.org/diseases-conditions/alzheimers-disease/in-depth/alzheimers-stages/art-20048448 (accessed July 2019).

⁵ John Hancock Life & Health Insurance Company. "John Hancock 2016 Cost of Care Survey," conducted by LifePlans, Inc., September 2016.

⁶ Alzheimer's Association. "Caregiver Stress," www.alz.org/care/alzheimers-dementia-caregiver-stress-burnout.asp (accessed July 2019).

⁷ National Institutes of Health. "Physical and Mental Health Effects of Family Caregiving," www.ncbi.nlm.nih.gov/pmc/articles/PMC2791523/ (accessed July 2019).

⁸ The Alzheimer's Reading Room. "The Financial Impact of Alzheimer's on Family Caregivers," www.alzheimersreadingroom.com/2014/11/the-financial-impact-of-alzheimers-on.html (accessed July 2019).



GENDER PREFERENCE IN BOSSES

By June Werdlow Rogers, PhD
Retired Special Agent in Charge



“Which would you prefer - a male or female supervisor?” I often pose this question to audiences to facilitate discussion about the double standards that women face in the workplace.

I regret to report that the overwhelming majority response is a preference for male bosses. The first occasion that I polled college students, of which about 90% were young women, “fingers crossed” I expected neutrality.

Instead I was stunned given the largely male supervisor vote and strongly opinionated reasons given.

Hoping that group was an anomaly, I started asking more audiences and got pretty much the same results. Responses typically fall into one of the following types:

“**Women are harder to work for than men are.**” Among the examples given, it is perceived that women bosses are not as easy to manipulate as male bosses. Let’s face it, everyone wants to have it their way and so if it is believed that one gender is less likely to cave on an issue this conclusion is rational albeit biased.

“**Women supervisors are stricter than men supervisors.**” Here the basis concerns accountability. It has been said that while male supervisors are more apt to bend the rules, not so with female supervisors. The illustrations are that male bosses “look the other way,” while female bosses confront the misconduct. (It’s interesting that men often get credit for assertiveness, while women – not so much).

“**Female bosses are uptight.**” The claim suggests that women bosses avoid socializing after-hours with their subordinates while men bosses do. Also, it is alleged that women are more formal in their interactions than the male supervisors are.

As is the case with many claims, while there may be a bit of truth to be found, they are saturated in misunderstandings. It absolutely drives me crazy that women bosses are stereotyped in ways that can adversely impact their performance. But such attacks on the emotional and social intelligence of women supervisors laden with implicit and explicit biases can also be damning. Stereotyping is a foundation for discrimination, so it must be confronted at every opportunity. For my part, I do so by exposing the assertions and urging conference participants to challenge their biases.

So, I put the question to you: “**Would you rather have a male or female boss?**” Does your rationale fall into one of the three categories listed? To the executives reading this, consider if the complaint you receive about “her,” is valid or merely stereotypical. After all, we need all women on deck to realize the objective of keeping our Nation safe. I had the pleasure of viewing the Women Behind the Badge video recently circulated by WIFLE and was proud to learn about the accomplishments of women pioneers such as Assistant US Attorney General Mabel Walker Willebrandt, considered primarily responsible for establishing the Federal Bureau of Prisons. Women in federal law enforcement, let’s keep making history!



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Each week readers will find the following unfiltered, unbiased features in an easy-to-read, straightforward format:

Top News – Get the significant news stories pertaining to federal law enforcement and homeland security.

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Case Law Update – Find comprehensive summaries of recent court decisions written by an attorney in clear, jargon-free language. Topics include the never-ending developments in search and seizure law, federal sentencing guidelines, and the law of governmental immunity.

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WHY FEDERAL
EMPLOYEES NEED
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September 2019

By Starr Wright USA (As featured in *Federal Times*)

Imagine being accused of misconduct while on the job, then draining your bank account — or even depleting your retirement savings — defending yourself against the claim.

While no federal employee likes to think it could happen to them, the scenario is all too common: Whether through an Equal Employment Opportunity (EEO) complaint, an accusation of misuse of government funds, or litigation in the form of a civil or criminal lawsuit, federal employees are often targeted by allegations, complaints and investigations.

Contrary to popular belief, in some cases the Department of Justice may choose not to provide defense, leaving employees to protect their careers, reputations and finances on their own. Even in cases of baseless claims, legal fees, damages and other costs may run into the hundreds of thousands or even millions of dollars, placing employees' — and their families' — financial security at risk.

In a litigious climate defined by uncertainty and shrinking budgets, federal employees at all levels face catastrophic risk, due to liabilities that may arise while on the job. Fortunately, federal employees can protect themselves and preemptively mitigate this risk through [Federal](#)

[Employee Professional Liability Insurance.](#)

Who is at Risk?

Federal employees at all levels — including current and former employees, contractors, and military federal civilian employees — face the risk of exposure to administrative, civil and criminal liability. Co-workers, subordinate employees, managers, members of the public, elected officials, or special interest groups may bring actions or file complaints. Adding to the risk, personal liability insurance as provided under an umbrella liability or homeowner's policy does not usually cover many of the costs incurred from a lawsuit, investigation or administrative action.

Keep in mind that, as a general rule, plaintiffs may file lawsuits without consequence. More than [97,400 charges of workplace discrimination](#) were resolved through the U.S. Equal Employment Opportunity Commission in fiscal year 2016 alone, securing more than \$482 million for claimants. These figures highlight the common nature of such actions, as well as the potentially high cost to those accused of wrong-doing.

Though any federal employee may be targeted, managers and those who deal with the public face the most exposure. Employees who work in law enforcement, customs and border protection, immigration and customs enforcement, and animal and plant health inspection may be especially at



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risk, [according to the Federal Times](#).

In a time when agencies face ever-shrinking budgets and increasing public scrutiny, the risk to employees continues to grow, underlying a harsh reality: Any alleged wrong-doing on the job, whether real or fabricated, may result in significant financial (and disciplinary) consequences. When an employee is accused, they *must* defend themselves, regardless of the validity of the claim.

In some cases, the Department of Justice may choose not to defend an employee; in such situations, the employee is responsible for the costs of their own defense. Adding to the risk, personal liability insurance as provided under an umbrella liability or home owner's policy does not usually cover the legal defense costs that may incur from a lawsuit, investigation or administrative action. Regardless, federal employees must still defend themselves against charges. Legal fees alone may cost tens of thousands of dollars... and damages may run into the millions. It's easy to see how just one lawsuit can lead to financial ruin, placing hardships upon employees' — and their families' — futures.

Federal Employee Professional Liability Insurance, also known as FEPLI, mitigates the risk, protects employees' assets and offers peace of mind.

What is FEPLI?

Designed specifically for federal employees, this professional liability insurance defends against

accusations and covers the cost of legal defense, even in the case of baseless discrimination or harassment accusations, retaliation claims, or expensive liabilities. FEPLI provides the extra protection and indemnity coverage federal employees need to safeguard their stability, careers and financial well-being.

Federal employees have always faced the threat of losing their career and savings over allegations of wrong-doing. However, they didn't have access to a [risk-mitigating coverage option until 1965](#), when Frank Wright grew tired of seeing federal employees lose everything they'd worked hard for to legal fees and court judgments. Wright recognized that federal employees were in need of protection from the high risks they faced on the job every day, so he developed the nation's first Federal Employee Professional Liability Insurance option, [Starr Wright USA](#).

For the first time, government employees could enjoy the peace of mind that comes with knowing they were protected while on the job. Thirty years later, Congress officially recognized the necessity of FEPLI by [passing section 642 of Public Law 106-58](#), which requires agencies to reimburse up to 50 percent of FEPLI premiums to certain qualified employees, such as law enforcement officials, managers and supervisors. This ruling made FEPLI even more affordable, and underscores the importance of carrying this type of liability protection.



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How Does FEPLI Protect Federal Employees?

Federal Employee Professional Liability Insurance defends employees against accusations of wrongdoing. Employees can rest easy knowing that they'll receive legal assistance and indemnity coverage if a claim is made, even if that claim is baseless or false, such as unbecoming or improper conduct, or lack of candor. Common covered claim examples include preferential treatment; unjust firing due to race, age or gender; misusing work computers or other equipment; security clearance challenges; using a government vehicle for non-work purposes; LEOSA cases for intelligence and law enforcement management; or using government funds for unintended purposes.

FEPLI offers three types of protection against liability: administrative, civil and criminal. Administrative complaints commonly include EEO actions, OIG/OSC investigations, whistleblower complaints, or ethics investigations. In such cases, FEPLI coverage may provide the employee with legal advice and representation through the investigative and/or disciplinary process. Civil actions may commonly include constitutional torts, personal capacity lawsuits, or Bivens actions. In the case of a civil lawsuit, FEPLI coverage provides legal services. In the case of criminal charges, FEPLI coverage provides legal defense. FEPLI offers both legal defense coverage and indemnity coverage for administrative, civil and criminal claims.

FEPLI protection is available to current and former federal workers, including:

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- Law enforcement officials and officers
- Military federal civilian employees
- Federal contractors
- Intelligence and Defense Agency employees
- Union employees and stewards
- Judges and attorneys
- Doctors, nurses and other healthcare professionals
- Any other federal government employees

[Federal Employee Professional Liability Insurance](#) is a must for any federal employee and provides the protection they deserve. This essential coverage defends federal employees' careers, reputations and financial futures, allowing them the peace of mind they need to focus on their jobs. Learn more about the FEPLI options available through [Starr Wright USA](#).

***Federal Employee Professional Liability Insurance
Don't Go to Work Without It!***

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Sources:

<http://money.federaltimes.com/2012/08/06/professional-liability-insurance-can-help-protect-savings/>

<https://www.eeoc.gov/eeoc/newsroom/release/1-18-17a.cfm>

<https://www.gpo.gov/fdsys/pkg/PLAW-106publ58/html/PLAW-106publ58.htm>

WIFLE just celebrated its 20th anniversary (July 2019) and during the opening ceremonies, a video celebrating women in US law enforcement was debuted, "**WIFLE Presents Women Behind the Badge: Celebrating the History and the Future of Women Federal Law Enforcement.**" The video runs about 25 minutes. Women Behind the Badge: Celebrating the History and the Future of Women Federal Law Enforcement video <https://vimeo.com/345604660>





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The Federal Employee's Law Firm®

YOU NEED NOT FACE A SECURITY CLEARANCE/INVESTIGATION ADJUDICATION ALONE

By [Peter J. Jeffrey, Esq., Member,
The Jeffrey Law Group, PLLC, The Federal Employee's Law Firm®](#)



For the majority of Federal Law Enforcement Officers (FLEOs), eligibility for access to classified information (i.e., a security clearance) is a prerequisite of the job. While most FLEOs never expect to find their eligibility for a clearance in jeopardy, unexpected events – e.g., a partial lapse in funding that leads to a late mortgage payment or assuming the unknown debts of a former spouse post-divorce – can quite quickly put one's clearance at risk. In these situations, navigating the clearance re-adjudication process, can be daunting and downright frightening. Hiring a security clearance attorney, can mean the difference between maintaining your security clearance or having it revoked.

As noted by the U.S. Supreme Court in *Department of Navy v. Egan*, "no one has a 'right' to a security clearance." *Department of the Navy v. Egan*, 484 U.S. 518 (1988). Nevertheless, the Executive Branch of the Federal government must follow minimum due process requirements in determining whether or not it is clearly consistent with interests of national security to grant or deny a security clearance applicant access to classified information. In order to be found eligible for a Personnel Security Clearance (PCL), you must show that you are able and willing to safeguard national security information, based on your loyalty, character, trustworthiness and reliability.

Executive Order (E.O.) 12968 lays out the minimum due process requirements for Federal employees. Specifically, E.O. 12968 provides applicants and employees whose security clearance is denied or revoked with: (1) a comprehensive and detailed written explanation of the basis for that conclusion; (2) any documents, records, and reports upon which a denial or revocation is based; (3) the right to be represented by counsel; (4) a reasonable opportunity to reply in writing to, and to request a review of, the determination; (5) written notice of and reasons for the results of the review; and (6) an opportunity to appear personally and to present relevant documents, materials, and information at some point in the process before an adjudicative or other authority, other than the investigating entity, as determined by the agency head.



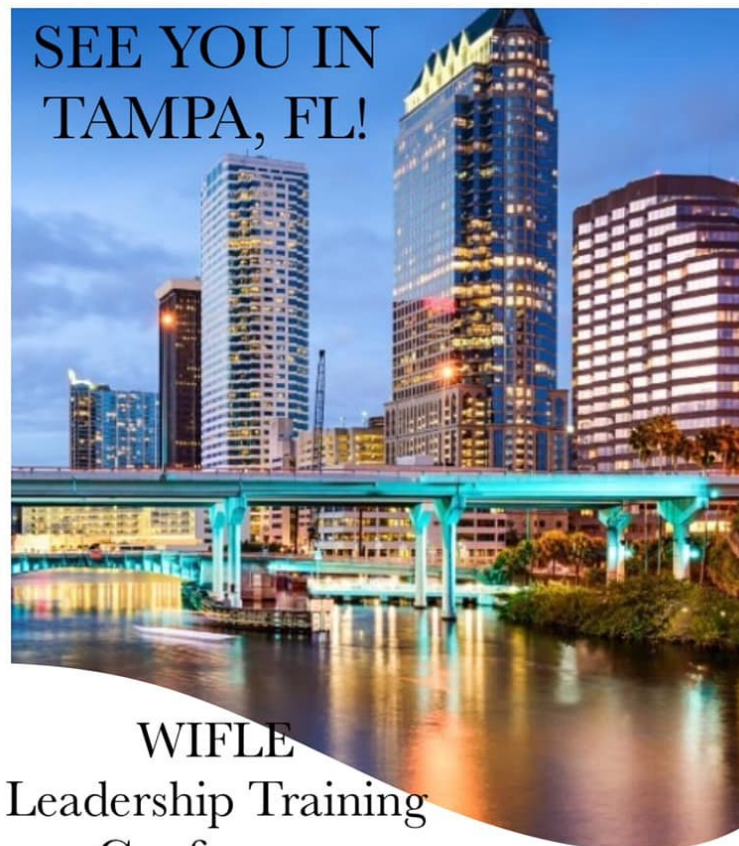
September 2019

At the Jeffrey Law Group, PLLC, we assist Federal employees at all stages of the Security Clearance Adjudication process, such as:

- Initial consultation and assistance in preparing an applicant's Questionnaire for National Security Positions (Standard Form 86) and/or Electronic Questionnaires for Investigations Processing (e-QIP);
- Consultation and assistance in responding to investigative interrogatories;
- Advice and preparation for an applicant's investigative interview(s);
- Responses to Statement of Reasons (SOR)/Letter of Intent to Revoke or Deny a Security Clearance;
- Representation of applicants at hearings before administrative judges of the Defense Office of Hearings and Appeals (DOHA) or at personal appearances before other adjudicative officials; and
- Appeals of adverse decisions.

Honest counsel and intelligent advocacy can make the difference in mitigating a potential security concern.

The information contained in this article is of a general nature and is subject to change; it is not meant to serve as legal advice in any particular situation. For specific legal advice, the authors recommend you consult a licensed attorney who is knowledgeable about the area of law in question.



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FOR TAMPA FLORIDA- PLANNING ESTIMATES

Fees

- Reduced early, single \$525
- Reduced early, group \$500
- Regular, single \$575
- Regular, group \$550
- Booth early, \$1495
- Booth nonprofit early, \$1395
- Booth regular, \$1595
- Booth nonprofit regular, \$1495
- Guest Banquet Ticket - \$55

Travel Planning Tools

Per diem, [GSA Schedule](#)

Airline-City Pairs [GSA Schedule](#)