

Point Paper: Reject New DoD Policy to Restrict/Deny DoD Civilian Retirees Access to DoD Installations

May 30, 2023

This point paper addresses the recently issued policy “Department of Defense Civilian Retiree Identification Card Termination” dated Feb 17, 2023, from the Undersecretary of Defense for Personnel and Readiness (Attachment 1 – 1st Memo). We are asking that a congressional investigation be launched to determine the actual negative impacts on the parties involved, and to request that the Undersecretary of Defense issue a retraction of this new policy and instead reinstate the previous one that was issued Aug 26, 2009 (Attachment 1 – 2nd Memo), until a thorough analysis of any potential new policy is accomplished.

This new policy has significant negative consequences, and it appears no analysis was accomplished to determine the pros and cons of issuing it. It has too many adverse impacts and potentially significant cost increases to government facilities and programs, too many unintended consequences, and will result in reduced income to self-supporting activities and non-appropriated funds activities - which will then adversely impact current employees, military members and their families, as well as retirees. This is due to less usage of on-site MWR facilities and therefore less income for them – which will potentially reduce or eliminate their services. This is especially important to those who can least afford them or their alternatives – such as airmen and their families who are below the poverty line and/or need income assistance.

This new policy will serve to restrict and potentially deny access to those DoD civilian retirees who have a legitimate reason for access to an installation, as well as potentially allow access by personnel who should not be authorized and who could pose a threat to the installation and its personnel. Note that this policy applies to the thousands of DoD civilian retirees throughout the world.

Current Policy for DoD Retiree Access to DoD Installations: Currently, DoD civilian retirees are issued a DoD Civilian Retiree ID Card – a white, plastic, chipless Common Access Card (CAC) that must be renewed every 4 years. The front of the card has the cardholder’s picture, first and last name, and the expiration date. The back of the card has a security image of the cardholder, a barcode and a magnetic strip. Support for this ID program is provided by the Defense Manpower Data Center, and the Defense Enrollment Eligibility Reporting System (DEERS) is used to establish eligibility for retirees. (See Attachment 1 – 2nd Memo). This card is used by DoD civilian retirees for admission to all military installations – at which the security personnel scan the barcode on the back of the card to ensure the holder’s ID and authorization to enter. This entrance policy, and means of ID are universal throughout all installations, and the DEERS identification database is a single, centralized database for all retirees. This policy and process meet the requirements of DoD 5200.08-R, Chapter 1, para. C1.3.4. – which is to “Standardize personal identification and authentication to DoD installations and facilities, including interoperability with other Federal entities, utilizing the DoD PIV credential (Common Access Card (CAC)) as the universal authority of individual authenticity, consistent with applicable law. The DoD PIV credential will provide the HSPD-12 mandated level of

identity assurance and government-wide recognition.” This is the same type card as is used for active employees – minus the electronic chip used by employees to access government equipment – and therefore is easy for installation security personnel to recognize and use to identify the retiree.

New Policy for DoD Civilian Retirees: The new policy (Attachment 1 – 1st Memo) proposes to eliminate the CAC card for retiree access, and instead use the REAL ID Act-compliant driver’s license, and establish their fitness as described in DoDM 5200.08. However, the REAL ID Act is implemented differently in each State, does not have a centralized database, does not have a database to determine eligibility of DoD retirees, and in fact allows a number of different persons to obtain one – some of whom would not normally be eligible for DoD installation access (such as non-US citizens with “approved deferred action status,” with Temporary Protected Status, citizens of Freely Associated States, those in a “temporary lawful status,” noncitizens lawfully admitted for permanent or temporary residence, noncitizens with conditional permanent resident status, noncitizens with an approved application for asylum, noncitizens who have entered the US as refugees, and Afghanistan citizens and nationals who are paroled into the US). It also allows those without a Real ID, but with a State Enhanced Driver’s License access to a federal facility. The Real ID Act allows each jurisdiction to tailor an exceptions process to meet its individual needs and circumstances for persons to obtain a Real ID from them, and each State is allowed to have different designs to indicate their Real ID – further complicating anyone from determining the legitimacy of that ID. Also, State-issued Driver’s Licenses are easily subject to counterfeiting/fraud, there is no standard for their appearance, and no standard for identifying the legitimacy of their Real ID indicator.

New Policy Increases Security Risks at Installations: By allowing access to installations by holders of a Real ID (many of whom should not be granted access – as described above), and relying on the individual judgement/discretion of access security personnel on duty at the time at each access point responsible for trying to identify the ID and whether it meets all requirements for access to that installation, this policy will greatly increase the potential for installation access by undesirable personnel, who could present a significant risk to the installation and its personnel. The Real ID Act requirements vs DoD retiree requirements are vastly different—it is far easier to obtain a Real ID – including by those that may be spying on sensitive installations (as we have seen a significant increase in these types of activities through other means), and it therefore opens each installation up to espionage and enemy activities. No longer having a centralized database or government-wide access policy that determines access eligibility, and having no common overall policy for security personnel to follow for installation access is a major mistake. Not only is this new process defeating the intent of DODM 5200.08 by increasing the potential for access by personnel who should not be allowed, it is significantly increasing the security risk at each installation.

New Policy Will Unfairly Restrict and Potentially Deny Legitimate Installation Access by Retired DoD Civilian Personnel: This new policy also requires DoD civilian retirees to use their retirement Standard Form 50 and request individual access to each installation separately. This is an unreasonable requirement (especially since their eligibility is already included in the DEERS database), plus this will be the first use of this form for many who have been retired for many years, and who may not have easy access to it. While there is a process for retirees to obtain a copy of their SF-50 (by applying in writing to the National Personnel Records Center, which may also involve a fee) – this is now a major impediment to obtaining installation access, and then requires each retiree to

carry a copy of it with them at all times for any installation they are going to visit. The new policy also states that if an individual wishes to make future visits to the installation, they need to bring their Standard Form 50 (SF-50) to that installation Visitor Control center to apply for future visits. Some installations have already issued a new process requiring that persons requesting access must bring their State Real ID and their SF-50 to their Visitor Control Center and enroll in their Defense Biometric Identification System – which gives them access to only that installation. Then this process must be repeated for every other installation that the retiree wishes to access. This is the first requirement that a civilian retiree needs to carry with him/her this form, which may or may not be easily obtainable-especially for those who have retired many years previously.

New Policy Will Raise Overall Costs: The possible minor savings by implementation of this policy will be far outweighed by major cost increases and a potentially significant decrease in services to current employees, military members, retirees and their families. It will require additional training of gate guards and visitor control personnel, will likely require hiring more visitor control personnel at each installation to handle the increased workload due to the new process requiring review of each retirees' SF-50 and enrolling them into the Defense Biometric Identification System. This is hardly advisable in these days of needing to minimize costs during declining budgets.

New Policy Will Result in Decreased Use of MWR facilities: This new policy will result in the decreased use of installation MWR facilities – thereby significantly reducing their income, and potentially causing them to reduce operations or even close. Many of these activities are self-supporting activities/operations – such as clubs, meal serving facilities, ceremonies, museums, golf courses and RV campgrounds. There is no provision in this new policy for the access to installation RV parks (FamCamps), many of which do not accept reservations and which require the DoD Civilian retiree to “show up” at the installation to use them.

New Policy Will Result in Adverse Impacts on Current Staffs: In order to accommodate the thousands of civilian DoD retirees, this new policy will result in a huge increase in visitor requests, therefore additional staffing will be required to address them. This new policy will significantly increase staff workloads – such as the need for each installation to develop and/or modify visitor policies, additional training of security and visitor control personnel, as well as the need for coordination of multiple policies and processes amongst hundreds of facilities.

New Policy Will Result in Delays in Getting Other Needed Personnel Onto Installations: By impeding the process for installation access by civilian DOD Retirees (both through the individual installation visitor control areas as well as the access gates) other personnel requiring access (in addition to all the military members and other employees requiring daily access) – such as construction contractors working projects, official visitors, VIPs, community members/leaders, etc. will also be delayed. This can result in unacceptable delays, traffic backups, etc. – which can then result in further security concerns, as well as increased pollution due to all the vehicles required to wait in lines.

New Policy Can Result in Lack of Access for Other Important Purposes: Installation access will be delayed, restricted or denied for other needed purposes such as: attendance at annual Health Fairs

– which are necessary to inform civilian employees and retirees of the annual Open Season for health benefits – to allow them to obtain the necessary documentation and talk with the health plan representatives; meetings and information exchanges between installation representatives and local community representatives – especially with those supporting and advocating for the facilities and programs that employees and military members are unable/prevented from doing so - will be delayed or have to be cancelled; community members who are emissaries/advocates for installations will be restricted or prevented access and therefore lose the ability to observe operations and needs; there will likely be adverse impacts on on-base education capabilities since retirees will be limited in their ability to support on-base education programs, STEM expos, and other voluntary support of activities such as tours and open houses.

Requested Actions:

- Members of Congress should immediately contact the Secretary of Defense, and request an investigation into this new policy, to determine it's overall negative and positive impacts – especially on the legitimate installation access by civilian DOD retirees, as well as the potential for increased risks to security and increased costs.

- Members of Congress should request the Undersecretary of Defense immediately rescind this new policy and reinstate the previous policy, until it can be determined that a new policy is actually required, and what that new policy should be.

- Members of Congress should request the Undersecretary of Defense to immediately initiate a thorough study to fully investigate all the positive and negative impacts of initiating a new policy for installation access by DoD civilian retirees, to accomplish tradeoff studies to compare any new policy to the previously working policy, and to properly submit any new proposed policy to be reviewed by the appropriate Congressional Oversight Committees to ensure it does not infringe upon the ability of properly vetted DoD civilian retirees to obtain legitimate and reasonable easy access to installations, while still meeting the intent and requirements of DoDI 5200.08.

Attachment:

2 Memoranda:

- 1st is “Department of Defense Civilian Retiree Identification Card Termination” dated Feb 17, 2023, from the Undersecretary of Defense for Personnel and Readiness
- 2nd is “Department of Defense (DoD) Civilian Retiree Identification (ID) Cards” dated Aug 26, 2009, from the office of the Undersecretary of Defense for Personnel and Readiness