

Subject: Comments on Public Draft FIPS 201
From: "Barbara Atkin" <barbara.atkin@nteu.org>
To: <DraftFips201@nist.gov>

Attached please find comments on FIPS Pub 201, relating to Personal Identify Verification for Federal Employees and Contractors, submitted by Colleen M. Kelley, National President, National Treasury Employees Union.



[fips201atkin_20041222125713.pdf](#)



By e-mail

December 22, 2004

Computer Security Division
Information Technology Laboratory
National Institute of Standards and Technology
Gaithersburg, MD 20899-8900

Re: Comments on Public Draft FIPS 201

Dear Sir or Madam:

The National Treasury Employees Union, which represents over 150,000 federal employees in 30 federal agencies and departments, submits these comments on the Public Draft relating to the proposed standards for Personal Identity Verification for Federal Employees and Contractors.

NIST is proposing to issue mandatory standards for government-wide Personal Identity Verification (PIV) cards. As federal employees, NTEU's members will be required to apply for and carry a PIV card. They therefore have a keen interest in the standards, to assure that the resulting requirements meet the President's goals of enhancing security and efficiency, while reducing the possibility of identity fraud and protecting personal privacy.

As an initial matter, NTEU urges NIST to publish the proposed standards in the Federal Register for notice and public comment before the standard becomes effective on February 25, 2005. NTEU believes that NIST would benefit from the wider exposure and fuller comments that would follow, as a result of publication.

NTEU has the following specific comments:

1. The policy provides that new employees will not receive their credentials until after the completion of the

background investigation. They are to be treated as "visitors" until that point. See 2.2.3. It is NTEU's experience that background investigations are often not completed until a considerable period of time has passed after the new employee reports to duty. Requiring the agency to follow "visitor procedures" in the case of such employees could lead to substantial delays in entry to buildings, as well as much inconvenience to the new employee and to others (i.e., escort requirements). NTEU suggests that employees be issued temporary ID cards to permit them more convenient access, until the completion of their background investigations.

2. Some of the information proposed to be included on the front and back on the PIV card should not be permitted, even at the option of the agency. Thus, the standard, as proposed, would permit an agency to require the pay grade and rank of employees to be printed on the front of the card, and a description of physical characteristics on the reverse. Many employees would find it an invasion of their privacy to disclose this information to any curious person who might glimpse the card. Financial information is particularly sensitive. Therefore, NTEU recommends that this information, currently listed as optional, be deleted.

3. The PIV card will include a photograph of the employee. NTEU was unable to determine what, if any, accommodation is planned for employees who, for religious reasons, wear head coverings such as turbans or scarves. NTEU urges NIST to recognize and accommodate the interest of these employees in wearing their head coverings in the photographs.

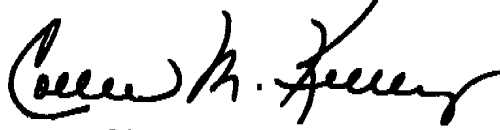
4. NTEU notes that highly personal information will be encoded into the chip in the PIV card. We would like more assurance that the information is sufficiently protected from access by unauthorized individuals should the card be lost or stolen. We also request reassurance regarding the security of the information systems on which this data is stored.

5. Finally, NTEU is concerned that agencies, in implementing this standard, will attempt to use the PIV cards for additional purposes that might invade employees' privacy and contravene other interests of employees. For example, an agency might seize upon this technology as a means to track employees as they move throughout a building. That is troubling standing alone; it would be particularly objectionable if the agency tried to track visits to

particular sites such as the union office, Employee Assistance Program offices, and the Inspector General's office. NTEU would therefore appreciate guidance by NIST to agencies that limits the possible uses of these cards to employee identification. Should agencies attempt to use them in another fashion that adversely affects employees' interests, NTEU will take appropriate action.

Thank you for your attention.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Colleen M. Kelley". The signature is fluid and cursive, with the first name "Colleen" being the most prominent part.

Colleen M. Kelley
National President