DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
200 ARMY PENTAGON
WASHINGTON DC 20310-0200

REPLY TO
ATTENTION OF

DAMI-CD (380-67)

21 May 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Classified Access by Retired General Officers

1. Recently, significant attention has been directed towards the Department of Defense and military components' practice of providing retired general/flag officers access to classified information. Specific questions have been raised regarding the presence of a legitimate need-to-know associated with at least some of these disclosures. Many retired general officers (GOs) have been formally engaged to participate in Army programs as a consultant, civil service, or Defense contractor employee. Their active clearance and need-to-know for such programs is not an issue. However, for those who have not been so engaged, the following serves as a reminder of the limited conditions under which classified disclosures may occur.

2. As specified in DoD 5200.2-R and AR 380-67, in the presence of a compelling reason that furthers the Army mission, an active duty GO may grant a retired GO access to collateral classified information with the following stipulations:

a. Level of classified access granted is no higher than level of security clearance held at time of retirement;

b. The access does not exceed 90 days;

c. The retired GO does not remove classified materials from a Government installation or other authorized classified storage facility.

d. In accordance with AR 380-28 and DoD 5105.21-M-1, a retired GO may participate in activities requiring one-time SCI access under the following conditions:

(1) The retired GO has a favorably completed personnel security investigation that met the requirements of DCID 1/14 (now DCID 6/4) when it was completed;

(2) The retired GO's participation in discussions requiring SCI access is at the request of the U.S. Government, whose interests the retired GO is representing;

(3) No disqualifying information is available that would preclude granting SCI access.

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(4) The one-time SCI access is sponsored by an active duty GO or SES who will forward a request, including a need-to-know justification, to the DCS, G-2 for approval.

3. Prior to making any classified disclosure, the level of clearance/access eligibility held by the GO at the time of retirement will be determined by consulting the Army Central Personnel Security Clearance Facility (CCF) or the Defense Clearance Investigations Index (DCII). The authorizing GO will provide CCF a written record identifying the retired GO by full name, date and place of birth, and social security number, and the classification of the information to which access was authorized. Preliminary contact with CCF reveals that they are not routinely receiving such records and, consequently, are unable to make the required entry to the DCII regarding the disclosure authorized.

4. The above represent the only authorized conditions under which GOs may be provided classified access. Points of contact are Mr. Rich Paller, 703-601-1550, or Mr. Don Stout, 703-601-1596.

KEVIN P. BYRNES
Lieutenant General, USA
Director of the Army Staff

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