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**A Federal Credential for a Federal Instrumentality:  
Why the Coast Guard Must Issue PIV-Compliant  
Identification to Every Coast Guard Auxiliarist.**

**By Robert D. Dittman, Esq.**

**1.1.3.6c—The Coast Guard Auxiliary and the Civil Air Patrol.**

**Disclaimer and identity of the author**

Robert D. Dittman, a member of the Reserve Organization of America (ROA), is an attorney in private practice in Seguin, Texas. He has served in uniformed, volunteer service to our country for more than three decades, including service in the Civil Air Patrol and more than 25 years in the United States Coast Guard Auxiliary. He has participated in operational missions, disaster response, and national-level initiatives, and he was involved in the early development of the Coast Guard Auxiliary's current CG-2650 identification credential. His email address is [robert@robertdittmanlaw.com](mailto:robert@robertdittmanlaw.com).

Robert D. Dittman writes here in his personal capacity. The views expressed in this article are solely his own and do not represent the

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<sup>1</sup> We invite the reader's attention to [www.roa.org/lawcenter](http://www.roa.org/lawcenter). You will find more than 2,300 "Law Review" articles about the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Servicemembers Civil Relief Act (SCRA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the Uniformed Services Former Spouses' Protection Act (USFSPA), the title 38 chapters that provide for veterans' benefits administered by the Department of Veterans Affairs (VA), and other laws that are especially pertinent to those who serve our country in uniform. You will also find a detailed Subject Index, to facilitate finding articles about specific topics. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. I am the author of more than 90% of the articles, but we are always looking for "other than Sam" articles by other lawyers.

Department of Homeland Security, the United States Coast Guard, or the United States Coast Guard Auxiliary.

## **Introduction and Author's Note.**

For more than 30 years, I have served in uniformed, volunteer service, including service in the United States Civil Air Patrol and more than 25 years in the United States Coast Guard Auxiliary. I have participated in operational missions, disaster response, and national-level initiatives. In 2002, I was personally involved in raising and designing the concept that became the current CG-2650 Auxiliary identification card.

That history is the reason that I care about this issue. The CG-2650 was a step forward from the typewritten Department of Transportation<sup>2</sup> paper cards used until the early 2000s, but the CG-2650 is now obsolete. Since 2006, I have raised this issue repeatedly through formal memoranda (2006, 2008, 2011, 2015, 2020, and now 2026).

The purpose of this article is not adversarial. My purpose is to explain, as a private citizen and an attorney, why the current Coast Guard Auxiliary credentialing system is incompatible with federal identity law and why it is time to close the identity gap.

## **The Coast Guard Auxiliary: America's Volunteer Maritime Service.**

The United States Coast Guard Auxiliary is the uniformed volunteer (unpaid) component of the Coast Guard and has served the nation since 1939. Established by Congress and administered by the Commandant of

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<sup>2</sup> The Coast Guard, including the Coast Guard Auxiliary, was part of the United States Department of Transportation until 2003, when Congress created the Department of Homeland Security and moved the Coast Guard to that new department.

the Coast Guard, the Auxiliary provides trained, federally vetted volunteers who augment nearly every Coast Guard mission set. Auxiliarists operate under Coast Guard authority, wear the Coast Guard uniform (with Coast Guard Auxiliary devices, insignia, and decorations), and are integrated into operational, training, and support structures nationwide.

Today more than 20,000 Auxiliarists serve in boating safety education, marine safety inspections, surface and air operations, communications watch standing, incident management, disaster response, medical and chaplain and legal support, environmental protection, and port security exercises and operations. In times of national emergency, including hurricanes, floods, oil spills, and mass-casualty events, Auxiliarists routinely operate alongside active-duty, reserve, and civilian Coast Guard personnel in multi-agency federal environments.

The Auxiliary is not a social club. It is a congressionally created federal instrumentality that provides surge capacity, subject-matter expertise, and community integration that the Coast Guard could not replicate through paid staffing alone. Auxiliarists perform real federal missions, often at personal expense and personal risk. The integrity of their federal identity credential is not a cosmetic issue but a core element of operational readiness.

### **The Coast Guard Auxiliary as a Federal Instrumentality.**

The United States Coast Guard Auxiliary is the uniformed volunteer component of the U.S. Coast Guard. By statute, it is “at all times” a federal instrumentality. 14 U.S.C. §§ 3901, 3902(a). Congress further provided that, when assigned to duty, “the Auxiliarist shall, unless

otherwise limited by the Commandant, be vested with the same power and authority in the execution of such duty as a regular member of the Coast Guard.” 14 U.S.C. § 3912.

This statutory language is not ceremonial. It establishes operational parity between Auxiliarists and active-duty members when assigned. A credentialing system that denies Auxiliarists federally compliant identification is fundamentally inconsistent with this statutory design.

### **The Federal Credential Problem.**

Homeland Security Presidential Directive-12 (HSPD-12) mandates a uniform federal identity standard for individuals performing federal functions. The implementing standard, Federal Information Processing Standard-201 (FIPS-201),<sup>3</sup> requires a secure, interoperable credential for access to federally controlled facilities and information systems: the Personal Identity Verification (PIV) card.

The Coast Guard complies with HSPD-12 for its military and civilian workforce—but not for the Auxiliary, despite Congress’s declaration that the Auxiliary is a federal instrumentality at all times. This exception is not grounded in statute. It is an internal policy choice.

### **Two Scenarios That Should Never Occur.**

The following scenarios illustrate how the absence of PIV-compliant credentials creates foreseeable operational and legal risk.

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<sup>3</sup> Federal Information Processing Standards are promulgated by the National Institute of Standards and Technology in the Department of Commerce.

## **1. The Retired Auxiliarist at a Federal Installation.**

A retired Auxiliarist lawfully attends a flotilla meeting or official event on a Department of Defense installation while wearing the Coast Guard uniform. The member presents the Auxiliary “retired” card marked “not an ID card.” Gate security must manually vet the individual or deny access, creating confusion, delay, and potential exposure under 18 U.S.C. §§ 701–702 through no fault of the Auxiliarist.

## **2. The Assigned Auxiliarist at a Military Treatment Facility.**

An Auxiliarist injured while assigned to duty presents at a military treatment facility. By statute, the member is entitled to the same medical care as a regular Coast Guard member. The first question at intake is “May I see your ID?” The CG-2650 cannot be authenticated, requiring escalation and manual verification—precisely what HSPD-12 was designed to eliminate.

## **The “It’s Been Working Since 2002” Defense Fails.**

The Coast Guard has issued the current Auxiliary credential since 2002. The argument that “it isn’t broken” misunderstands the issue. The federal credentialing environment has fundamentally changed since HSPD-12 was promulgated. Interoperable identity proofing is no longer a convenience—it is a federal security mandate. An outdated system does not become lawful through longevity.

## **The Statutory Authority Already Exists.**

Congress has already provided the Commandant with authority to grant rights and privileges to Auxiliary organizations and officers consistent with law. 14 U.S.C. § 3901. Auxiliarists are authorized access to the Coast Guard Exchange, Morale, Well-Being and Recreation programs, and other federal benefits precisely because the Commandant may confer such privileges.

Nothing in Title 14 prohibits the issuance of a PIV-compliant credential. The oft-quoted language that Auxiliarists “shall not be deemed to be employees of the United States” except for limited purposes was intended to preserve their volunteer status and preclude pay entitlements—not to deny them a secure federal identity credential necessary to perform federal functions.

The Coast Guard cannot simultaneously declare the Auxiliary a federal instrumentality “at all times,” empower its members to exercise Coast Guard authority when assigned, and then deny them the same baseline credential used by every other federal instrumentality.

## **Every Auxiliarist Performs Federal Functions.**

Some have suggested that only Auxiliarists “performing federal functions” should receive PIV credentials. That distinction is artificial.

Every Auxiliarist, by virtue of membership, performs federal functions—whether teaching boating safety, participating in incident management, staffing communications centers, or attending required training and

meetings under Coast Guard authority. The Auxiliary Chief Director's office itself is a federal Coast Guard function. There is no category of "non-federal" Auxiliarist.

## **Conclusion**

The United States Coast Guard Auxiliary is a federal instrumentality at all times. When assigned to duty, Auxiliarists are vested with the same power and authority as regular Coast Guard personnel. Federal law does not permit the Coast Guard to rely on this workforce while denying it federally compliant identity credentials.

HSPD-12 is not optional.

FIPS-201 is not aspirational.

And the Auxiliary has long outgrown a home-printed identification card.

**Issuing PIV-compliant credentials to Auxiliarists is not a reform—it is a correction of a long-standing institutional omission.**

## **A Simple Fix with System-Wide Benefits.**

The Coast Guard should issue a PIV-compliant identification card to every Auxiliarist, including retirees authorized to wear the uniform. Doing so would:

- Eliminate gate-access anomalies at federal installations.
- Prevent unnecessary delays in medical treatment.
- Reduce legal exposure under federal impersonation statutes.

- Align Coast Guard Auxiliary credentialing with DHS-wide security policy.
- Honor Congress's declaration that the Auxiliary is a federal instrumentality at all times.

This is not about privilege. It is about operational integrity, statutory fidelity, and the basic duty of care owed to volunteers who pay to serve their country.

For over two decades, Auxiliarists have raised this issue—in 2006, 2008, 2011, 2015, 2020, and again now. The solution has always been straightforward. The failure has been a matter of institutional will.

The Coast Guard does not need new legislation to act. It needs only to recognize that those who participate in a federal instrumentality deserve a federal credential.

### **Join the Organization That Fights for You**

This article is one of more than 2,300 "Law Review" articles available at [www.roa.org/lawcenter](http://www.roa.org/lawcenter)— a free legal resource that the Reserve Organization of America (ROA) has built and maintained since 1997, adding new articles every month.

ROA is the only national military organization dedicated exclusively to America's reserve components — all eight of them. From the 6,179 members of the Coast Guard Reserve to the 329,705 soldiers of the Army National Guard, ROA exists to serve the nearly 773,000 men and women who answer the call while maintaining civilian lives. No other organization does what we do, for the people we serve.

Our roots run deep. On October 2, 1922, veterans of the Great War gathered at Washington's historic Willard Hotel — at the invitation of General of the Armies John J. Pershing — to build something lasting. One of the junior officers in that room was Captain Harry S. Truman, who, as President, signed ROA's congressional charter in 1950. That charter gives us a clear mission: advocate for policies that ensure adequate national security. For more than a century, we've made the case that America's Reserve Components and National Guard are among the most cost-effective pillars of our national defense.

Beyond this library of legal resources, ROA files amicus curiae ("friend of the court") briefs in the Supreme Court and federal courts, and actively educates service members, military spouses, attorneys, employers, legislators, and others about the legal rights of those who serve — and how to enforce them. We provide this information to all service members, regardless of membership. But it's ROA members — through their dues and contributions — who make it possible.

### **Your membership makes the mission possible.**

If you are currently serving, or have ever served, in any of America's eight uniformed services, you are eligible to join ROA — and membership starts at just \$20 for a full year, or \$450 for life. Officers and enlisted personnel alike qualify, whether your service was in the Active Component, the National Guard, or the Reserve. ROA has also recently expanded eligibility to include ancestors and lineal descendants of past or present service members, so families can stand with those who serve.

Join online at [roa.org/membertoptions](https://roa.org/membertoptions) or call 800-809-9448.

If you are not eligible for membership but believe in this mission, your financial contribution directly funds this resource and the advocacy work that protects those who serve. Donations may be mailed to:

Reserve Organization of America  
1 Constitution Ave. NE  
Washington, DC 20002

### **Robert D. Dittman is the first “lineal descendant” member of ROA.**

Almost half a century ago, the Internal Revenue Service (IRS) recognized ROA as a “veterans’ organization” under section 501(c)(19) of the Internal Revenue Code (IRC).<sup>4</sup> Section 501(c)(19) organizations are both tax-exempt and tax-deductible. Unlike charities recognized under section 501(c)(3) of the IRC, veterans’ organizations are permitted to lobby (advocate for changes in federal, state, and local public policy) without limitation. The Supreme Court has specifically upheld the constitutionality of this special privilege for veterans’ organizations.<sup>5</sup>

Section 501(c)(19) provides as follows:

A post or organization of past or present members of the Armed Forces of the United States, or an auxiliary unit or society of, or a trust or foundation for, any such post or organization—

**(A)**

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<sup>4</sup> The IRC is title 26 of the United States Code (U.S.C.).

<sup>5</sup> See *Regan v. Taxation With Representation*, 461 U.S. 540 (1983). See generally *Law Review* 24009 (February 2024).

organized in the United States or any of its possessions,

**(B)**

at least 75 percent of the members of which are past or present members of the Armed Forces of the United States and substantially all of the other members of which are individuals who are cadets or are spouses, widows, widowers, **ancestors, or lineal descendants of past or present members of the Armed Forces of the United States or of cadets, and**

**(C)**

no part of the net earnings of which inures to the benefit of any private shareholder or individual.<sup>6</sup>

At our 2025 Annual Meeting, ROA members amended the ROA Constitution to expand the eligibility to join ROA to include all the groups that are mentioned in section 501(c)(19). The two groups that were previously ineligible to join ROA and who are now eligible are ancestors and lineal descendants of past or present members of the armed forces of the United States.

Robert D. Dittman is eligible to join ROA because his late father, Major Charles M. Dittman, USAF (Ret.), served 31 years of enlisted and officer service in the United States Air Force. Robert D. Dittman is our first and for now our only lineal descendant member.

### **Note for ROA Members.**

If ROA is to survive, we must act now to recruit new members who are substantially younger than the elderly members we have now. Please help us by recruiting and sponsoring new life members who were born

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<sup>6</sup> 26 U.S.C. § 501(c)(19) (emphasis supplied).

after 1964, the last birth year of the Baby Boom Generation. You can start by recruiting and sponsoring your own children, grandchildren, and great grandchildren of whatever age.

A life membership in ROA costs \$450, regardless of the age of the new life member. To join ROA or to sign up someone else as a member, please go to <https://www.roa.org/page/memberoptions> or call ROA at 800-809-9448.