

(4) *USI* Please note memo
to initiate action

MEMORANDUM
17/5/85

B. R. CAMPBELL
MGEN
CPCSA

1605-19-20/1605-19-21



(3)
CPCSA
Concur.
Action as proposed.
J. E. VANSE LGEN
ADM (PER)
27582
MAY 16 1985

Distribution List

OPI FOR CFAOs 19-20 AND 19-21 (1)

1. As you know, CFAOs 19-20 and 19-21 contain the CF policy and procedures in respect of Homosexuality - Sexual Abnormality and Drug Abuse, respectively. (Copies are herewith attached for your convenient reference). DPLS is currently the OPI/Sponsor for both of the CFAOs in question and that has come to be a matter of some concern which I would wish to have examined.
2. In both of the prescribed policies, DPLS does and, I would suggest, should continue to play a specific role. That is, a legal advisory role as to the acceptability and sufficiency of evidence to support contemplated administrative action and the addressing, as required, of issues pertaining to procedural fairness to the member concerned. It is noted, however, that DPLS does not and should not set policy or administer career action. To become involved in such roles would detract from the objectivity and impartiality required for DPLS' primary role as a legal adviser, particularly in the context of the grievance process. Although the dangers referred to have always been present, it is the increased general sensitivity and scrutiny being given to "personal rights" that have made me think that we cannot afford even the appearance of impropriety. Accordingly, after discussions with several senior personnel authorities, I have concluded that this would be a propitious time to reassign sponsorship of CFAOs 19-20 and 19-21 so as to remove any appearance of conflict of interest or lack of impartiality in staffing grievances or providing advice on matters which arise out of the provisions of these Orders, presently sponsored by DPLS.
3. I have submitted these comments through CPCSA as a result of our earlier discussion and in the belief that he may appropriately comment

(2) ADM(PER)

I agree with the DPLS position and am prepared to assign DPCAO as OPI for both CFAOs. Please note and return for my follow-up action
14/5/85

B. R. CAMPBELL
MGEN
CPCSA

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upon options for reassignment. I, of course, remain available for further comment should it be required.



Robert L. Martin
Colonel
DPLS
5-3447

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<u>Action</u>	<u>Information</u>
→ ADM(Per) (thru CPCS)	DGC of Svc

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