



Royal Canadian Mounted Police Gendarmerie royale du Canada

CONFIDENTIAL

IP 371-9

The Honourable Bob Kaplan, P.C., M.P.
Solicitor General of Canada.

Dear Mr. Kaplan:

Thank you for your letter of August 31, 1983 dealing with security clearances; specifically, Bulletin SSOM 72.

I am in full agreement with your first point. Policy must exclude all value judgements and so it will be retitled, Security Screening - Reliability Factors - Homosexuality. We are now working on the development of guidelines for the overall security screening program and SSOM 72 will eventually be incorporated into these guidelines. At that time, even the designation "homosexuality" will disappear but for the time being, it serves to draw investigator attention to what constitutes a major shift in policy and I prefer that it remain.

To your second point, and in this same vein, it was my intention that this Bulletin deal with investigations into homosexuality beyond those necessary in respect to security screening. Perhaps this warrants further explanation.

For example, a Soviet defector might tell us that a Canadian has been compromised during a visit to the Soviet Union on the basis of homosexuality and is now operating as a Soviet intelligence source. Though this example, in many cases, would have nothing at all to do with security screening, the fact of the person's homosexuality would be directly related to the espionage investigation and consequently would be reported and retained in our files.

The Commissioner / Le Commissaire

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These examples would admittedly be few in number and it might have been better to separate them entirely from the issue of security screening and deal with them under general investigative guidelines. In effect, this is exactly what will happen when the screening guidelines I have referred to above are developed. For the time being though, I feel it best to deal with the full issue of investigations into homosexuality in one place and I feel that intent is clear from 2.a.1 and 2.a.2. Your suggestion to add the words, "is relevant according to this bulletin" to 3.b might imply that information could only be reported in the context of C.D. 35 and I would not want to leave that impression.

For the present, I would recommend leaving 3.b essentially as it is drafted. Its intent is to ensure that in no case will information about a person's homosexuality be collected, reported or retained, unless it can be directly related to an operating program or activity of the Service. I am confident this will prevent the creation of lists. I do think perhaps that we might make it a little clearer by adding after the words "Security Service", the words "as described in 2.a.1. and 2. above".

Turning now to your third point, I agree. I think 4.a.2. can be improved with wording as follows:

"In security screening cases, avoid any subjective comment as to whether the individual should be afforded access to classified material".

I would go on to add a third subsection at 4.a.3.:

"Provide comment where you have formed a valid opinion during the investigation or interview that a subject's homosexuality could have a bearing on his or her loyalty".

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With respect to your fourth point, the present policy directs the investigator to obtain corroboration of allegations of homosexuality to the fullest extent possible. This is not intended to bar him from collecting or reporting uncorroborated information. The most dangerous threat to security in this context is from those persons who are extremely embarrassed and consequently secretive about their homosexuality. In respect to these persons, it simply may not be possible to obtain corroboration and this is why I feel it critically important to explore fully with the person making an allegation the basis upon which his opinion rests.

It has been our experience that sources will often quite flatly state that the subject of inquiry is a homosexual. As our investigator probes further it often emerges that the basis for the source's allegation is no more than the opinion that he dresses oddly, has effeminate mannerisms or receives a lot of male visitors. In consequence, I feel it essential out of fairness to the individual, for our investigator to go as far as he must to satisfy himself that the source is reporting without bias and has some reasonable grounds for his belief. I do agree that in no case should our investigator go beyond the establishing of these simple facts.

It is also quite likely that we will encounter situations where a source justifies his allegation with the admission that he himself has had homosexual relations with the subject of inquiry. We ought never, of course, provide the name of the source to the department, nor open a file on that person simply on the basis of his confession in this respect.

I would suggest perhaps that your concerns in this area can be met by letting 4.d. stand as it is and adding 4.e. as follows:

"When a source in a security screening investigation admits to homosexuality, make no inquiries and report no information unrelated to the subject of the screening inquiry".

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While it is perhaps redundant in the full context of the Bulletin, I feel it prudent to balance this with a 4.f. provision:

"Nothing in 4.e. precludes a full exploration of the subject's homosexual activity".

I would also add a section 2.b.:

"Sources who admit homosexual activity shall not be reported on or made subject of file simply on the basis of that admission alone".

To your last point, I agree that the assessment to departments should always be based upon "relevant" facts but to equally require these facts to always be corroborated is in my judgement unwise from the point of view of ensuring good security. As I noted earlier, it is not always possible to obtain independent corroboration. I would suggest that the best we can do to protect an individual from scurrilous slander and at the same time ensure good principles of security, is to satisfy ourselves to the fullest extent possible of the reliability of the source and to clearly qualify our report to the department with the statement that the information is uncorroborated. This, I think, may best be accomplished by a 5.a.2. provision:

"In all cases where an allegation of homosexuality is uncorroborated, clearly note this in the assessment".

5.a. 1. will be amended as follows:

"Provide a full explanation and assessment of relevant facts in respect of the vulnerability of the subject due to his or her homosexuality".

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I would appreciate your advice as to whether I have correctly understood your concerns and whether or not the suggestions I have made satisfy the points you have raised.

Yours sincerely,

R.H. Simmonds,
Commissioner.

JSW/tm