

UNCLASSIFIED

AMCCC-B

POINT PAPER

21 May 1999

SUBJECT: AMC Command Counsel's (AMCCC's) Civilian Deployment Legal Issues Roundtable - 3 May 1999

Purpose: To provide information to the CG concerning the genesis of and discussion summary during AMCCC's Roundtable

FACTS:

o To ensure that there is consistency and clarity in current and emerging DA deployment policies concerning civilians (Department of the Army civilians (DACs) and contractor employees), AMCCC hosted a Civilian Deployment Legal Issues Roundtable on 3 May 1999 at the HQ AMC Building.

oo The recent staffing of numerous civilian deployment related draft Army regulations and field manuals and issues raised during recent field visits by and on behalf of the AMC Command Group had highlighted the need to hold the Legal Issues Roundtable.

oo Given the broad scope of the session and to foster a substantive discussion of the myriad of deployment legal issues concerning Department of the Army civilians (DACs) and contractor employees, AMCCC had to limit the list of attendees to a number smaller than the number of interested parties from the legal, personnel, acquisition and logistics communities at large from DA, AMC, TRADOC, CASCOM and DLA. The invitees were limited primarily to the legal community and a minimum number of representatives from the DA and AMC Civilian Personnel, Acquisition, Logistics and Inspector General communities who provided their subject matter expertise to enhance the discussion of the legal issues with factual and background information.

o This was a significant gathering for the Legal Community that had been long overdue. For many years, we had been working Civilian Deployment legal issues but never had the opportunity to meet and engage in a substantive discussion of the myriad of legal issues surrounding the deployment of our DACs and our contractor employees.

- oo The development and establishment of deployment policies for our DACs and contractor employees have been evolving through the years. In providing appropriate legal advice to our clients on such matters, it is important that we be fully engaged in the policy development process and provide clear and meaningful legal advice to help shape these policies.

- oo The legal community must ensure that there is consistency and clarity in current and emerging deployment policies so that affected DACs and contractor employees are aware of their rights and responsibilities during our deployments. Some of these deployment issues are controversial and sensitive to those affected individuals. Thus, it is imperative that the legal basis for these policies is sound and that we speak with one voice when advising our clients on matters that impact these employees.

- o To facilitate discussion, a resource notebook was provided to all attendees containing relevant regulations, current and draft versions.

- O Presentations were provided by AMCCC's Cassandra Tsintolas Johnson on Overview of the Development of AMC Deployment Policies for DACs and Contractors; DAJA-IO's Hays Parks on Law of War Status of Civilians Accompanying the Military Forces in the Field - Traditional and Evolving Theories; AMC LOGSA's William Vaughan on AMC Logistics Assistance Program; CASCOM's MAJ Peggy Devereux on Contractors in the Battlefield; AMCLG's Jon Schandelmeier on Lessons Learned From Recent Operations - Identification of Issue; and AMCPPE's Lill Gravatt on Civilian Deployment Realities.(Att 1.)

- o The work product of the Roundtable will be shared with the AMC DCSPER and the deployment community at large to assist in their resolution of related policy questions. A Memorandum of Law on "The Law of War Status of Civilians Accompanying Military Forces in the Field" prepared by Mr. Parks (Att. 2) and a summary matrix chart of the key issues discussed during the Roundtable (Att. 3) are some of the key work Roundtable products.

- o Given the strong support expressed for a wider discussion of policy issues, AMCCC will explore with the AMC DCSPER the feasibility of conducting a general session in which more members of the deployment community can participate.

Additionally, AMCCC is contemplating holding a follow-up
Civilian Deployment Legal Issues Roundtable for Fall 1999.

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