8-1959

Twelfth Regional Investigations Division
Recommended Rating Action

Bern Porter

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TO: CHIEF, RAP SECTION  
FROM
SUBJECT: RECOMMENDED RATING ACTION

Case Subject: PORTER, Bernard Harden  
Position: Engineer  
Agency: APPLICANT  
EOD:  
DOB: 2-12-11  
CSN:  
Application Date: 10-14-58

NOTE: Subject's NACI-SENS case 12.59.27284 is awaiting "notification" closing action per CSC 683 dtd. 7-30-59; his pending application identified above was submitted on 12RD-411 on 8-4-59 per Region's request.

The current NACI case initiated per SF 85 request from LENAval Shipyd dtd. 4-28-59 for a """--POSTAPPOINTMENT NACI FOR A SENSITIVE-NONCRITICAL POSITION WITH AN ADVANCE REPORT OF NAC." Pursuant to that request, requesting agency was furnished FBI reports (not full field) together with previous 1958 rpt. of invest. by CSC.

Under date of 7-28-59, Long Beach Naval Shipyd advised us that "following receipt of the Investigative File in this case, management of this shipyard decided against effecting the appointment of Mr. Porter to the position mentioned above. Mr. Porter has been notified of our decision."

FO 9 dtd. 7-28-59 refers subject's 7-11-59 ltr. to the Commission wherein he states LENS on 7-8-59 advised him that he "had been found unemployable, that I could not know the reason why, that the records would follow me wherever I went." Subject requests to be informed as to who accuses him and the charges or accusation; he adds it is his intention to protest "--this all the way to the Supreme Court."

Apart from the loyalty matters inquired into by FBI's 5/59 investigation (inquiry) under 20 10450 and which did not warrant full field investigation, the investigative file contains generally favorable information re subject's character suitability fitness except as follows:

From 5/56 to 10/56 employed by CCNAIR, San Diego when, according to records he "quit-personal affairs". However, testimony of 2 witnesses reflect that he was asked or forced to resign because of "unprofessional conduct" in that he furnished, in violation of company policy, information to a friend connected with a radio. (see CSC not. for San Diego--pgs. 3 & 4 tabbed in file). Applicant denies this forced resignation in applications.

Subject was last employed by CAA at Anchorage, Alaska from 3-1-56 to 9-8-58 resignation "on advice of physician." FBI report reflects that in opinion of several witness subject was mentally ill; Dr. Leong stated that from his observation, subject appeared to be quite unhappy and a very "depressed person."

Based on facts summarized above, recommendation is

☑ Approved
☐ Modified or changed as indicated:

TCSCC, 12th Region, J. P., Calif.
FBI's Los Angeles r.o.t. (pg 6) reflects that

state that this person is identical to our subject out states that one
Bernard H. Porter who stated "he was an itinerant and would give no residence
address--". The individual's name, an reference to position with CAA and
date of termination therefrom, reasonably identifies him as the same as our subj.

witne

ave conflicting testimony to CSC & F.B.I. investigators re

opinion that subject was a homosexual. (her testimony to F.B.I. & CSC tabbed).

No other evidence raised regarding morals by investigation.

CONCLUSION & RECOMMENDATION:

The circumstance surrounding subject's 10/56 reported forced resignation
from CCWAIR are not considered sufficiently materially derogatory as to
disqualify for Federal employment at this time. ( stated that after subject left CCWAIR, a Master Index which was being prepared
by the Dept. was missing; witness stated he was not inferring subj. deliberately
took said index and that he did not know that such was the case, but that the
index was missing and subject was the last one to have it - pgs 4 & 5 of J.C
San Diego r.o.t.)

Subject's actions preceding his 9/56 resignation from CIA as described by
witnesses in F.B.I. r.o.t. would appear to relate more to a question of his mental
fitness rather than a character defect.

It is recommended that entire case be referred to regional medical officer
for a determination of subject's mental and/or physical fitness. If medically
suitable, I would recommend "acceptance" of pending application insomuch as
suitability (other than loyalty) is concerned.

Sept. 17, 1959

Upon referral of entire case to Regional Medical Officer, he informs under
date of 8-13-59 that applicant is "medically acceptable."

DI 72A dated 6-22-59 reflects that the F.B.I. returned this case indicating that
it does not propose to conduct a full field investigation now "on the basis of
the facts at hand." CCID's said form further instructed that (providing case
was not discontinued) results of the complete NACI were to be furnished agency
unless additional information was developed which would warrant conversion to
full field. In view of this determination by CCID on basis of "facts at hand"
and since no additional information has been developed which warrants FBI conver-
sion- and since RO has found "medically suitable", I recommend "acceptance"of
pending application.