8-1959

Twelfth Regional Investigations Division
Recommended Rating Action

Bern Porter

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TO: CHIEF, R&R SECTION  
FROM:  
DATE: 8-14-59

SUBJECT: RECOMMENDED RATING ACTION

<table>
<thead>
<tr>
<th>Case Subject: PORTER, Bernard Harden</th>
<th>DOB: 2-12-11</th>
<th>CSN:</th>
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<tbody>
<tr>
<td>Position: Engineer</td>
<td>( ) L/S ( ) O/M ( ) SSD</td>
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<tr>
<td>Agency: APPLICANT</td>
<td>Application Date: 10-14-58</td>
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<td>EOD</td>
<td>Type of Appointment: Annc. #12-95-1(5)</td>
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NOTE: Subject's NACI-SENS case 12.59.27284 is awaiting "notification" closing action per CSC 603 dtd. 7-30-59; his pending application identified above was submitted on 12RD-441 on 8-4-59 per Region's request.

The current NACI case initiated per SF 85 request from LENA Naval Shipyd dtd. 4-28-59 for a "--POSTAPPOINTMENT NACI FOR A SENSITIVE-NONGRITIC-U.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 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 of 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 80 10150 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 CCWNAIR, 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 Rev. for San Diego-figs. 3 & 4 attached 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:

USCSC, 12th Region, J. F., Calif.
FBI's Los Angeles rport. (pg 1) reflects that state that this person is identical to our subject but 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.: 

No other evidence raised regarding morals by investigation.

CONCLUSION & RECOMMENDATION:

The circumstances surrounding subject's 10/56 reported forced resignation
from CCNAIR are not considered sufficiently materially derogatory as to
(disqualify for Federal employment at this time. (stated that after subject left CCNAIR, 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 rport.)

Subject's actions preceding his 9/60 resignation from CIA as described by
witnesses in FBI rport. 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 8-19-59 that applicant is "medically acceptable." DE 72A dated 6-22-59 reflects that the FBI 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 RMQ has found "medically suitable", I recommend "acceptance" of
pending application.