

Foreign Service Grievance

May 17, 1972

TO: Director of Personnel & Mps
Agency for International Development,

SUBJECT: Record of Proceedings Grievant 7I-17-4XD-F2:
Administrative Order in the Case of FSSL-S (sep.)

SEP: 3 FAM 667-2.E.{1

{Grievant advised that one of his sons, [redacted], is a "drug" abuser. He asserts that several copies of this material were placed in his personnel file and that the Board examined the circumstances surrounding his separation and the allegations against him with a view to clearing his family's

The investigation of his grievance by a member of the Board included an examination of his official personnel folder and interviews of officials in the Personnel and Security offices of the Agency, as well as a State Department medical officer. Information was obtained from the Security Officer in the American Embassy, redacted; Dean of Students, redacted American School; and former Air Force officials and dependents who knew the [grievant] far in advance; redacted. The former head of the Naval Investigative Service was interviewed. The grievance was discussed. ih bi 5 hi A i

During [grievant's] assignment in [redacted] his family resided in [redacted], where his son Chester attended, the American School [redacted]. [redacted] was a group of students who were interviewed in May 1971 during a joint U.S. inquiry into drug abuse by military personnel and [grievant's] dependents at the post. Following the interviews, separate statements were prepared in a number of cases by the SIS interrogator, [grievant], for the students to sign. As noted in his report, some of these refused to execute statements and [redacted]. The latter contends, in a signed statement for the Board, that certain remarks attributed to [redacted] in [grievant's] summary of the interview are false, i.e. that no acknowledged lie is a user of marijuana* that [redacted]

used it a great deal in the past, and that he expects to continue the use. [grievant's wife], who is the only person other than her son and [grievant] at the interview, affirms in a statement given to the Board, that redacted "admitted having tried smoking marijuana" but did not make the remarks cited above.

Without supporting evidence, the Embassy, redacted, cable informed AID Washington on August 17, 1971: "Records indicate this dependent persistent narcotics user and has admitted intention to continue practice. Letter statements made to Security Investigator in presence [grievant's spouse] last May during investigation then in process." This cable and others on the same subject were placed in the grievant's official personnel folder (not his performance folder). Also in the same folder is a letter from USAID/redacted, similarly drawing on the interview report and indicating clear inaccuracy, which is summarized below. The letter, addressed to [grievant] with a copy for AID Washington, states in part: "During the interview and in the statement prepared by redacted, he readily admitted his use of several forms of narcotics in the past and of his intentions to continue to do so in the future."

From the record before it, the Board finds that the cited remarks attributed to redacted in [grievant's] statement of the interview and which were presented in official communication as an admission on his part, have no basis in evidence. The Board rules, therefore, that the grievant's claim that these charges are falsely prejudicial is a meritorious one; and that the communications containing these should not have been placed in his official personnel folder. Accordingly, the Board directs that the following listed material, pertinent to this decision, in the grievant's official personnel folder be recited and destroyed:

1. Letter from AXS, redacted Support Group, redacted, 6/5/71.
2. Letter from AID to The Honorable Killian B. Eroomfield-10/6/71.
3. Letter from AJD to The Honorable Philip A. Hart, 10/6/71.
4. Cable No. 4112 from the American Embassy, redacted, 8/18/71*
5. Cable No. 150558 from the Department of State to the Embassy, redacted, 8/17/71.
6. Cable No. 4051 from the American Embassy, redacted 8/17/71.

7. Cable Ko. 150096 from the Department of State to the American Embassy, redacted and redacted 8/16/71.
8. Cable Ko- 13GCS from the American Embassy, redacted, 8/14/71.
5. Cable No. 147071 from the Department of State to the American Embassy, redacted, 8/11/71.
10. Notes and letter referring to the annulment of redacted - medical clearance.
11. Airgrss (A-2174) from AID, redacted, 6/22/71.
12. Cable No. 6934 froiG the American Embassy, redacted, 6/8/71,

Further, the Board has noted that contrary to Section 661.3.a. of the Foreign Service Grievance Board regulations, a note dated 8/14 indicating that [grievant] filed a grievance is also in his personnel folder. This should likewise be removed and destroyed.

Insofar as that portion of [grievant's] grievance is concerned which, relates to the termination of his limited appointment, this matter is specifically excluded from the Board's authority under Section 662.2. of the Foreign Service Grievance Board regulations.

Certification of compliance with the Board's order should⁷ be submitted to the Board within the next 30 days.

Killiarr. E. Siiskin Chairman,
Foreign Service Grievance Board

cc: Grievant

Mr. Bradford J. Johnson, AFGI