

DD/A Registry
File Personnel 4

DD/A 76-3840

30 July 1976

MEMORANDUM FOR: Deputy Director of Central Intelligence
FROM : John F. Blake
Deputy Director for Administration

Hank :

1. This refers to my memo to you dated 6 July 1976 concerning the Applicant Review Panel.

2. I have asked Mr. Gambino and Dr. Bohrer for their advice concerning the suggestion to add representation from the Office of Equal Employment Opportunity to the Panel. After reviewing their comments along with those made by Fred Janney, I recommend that such representation not be added for the following reasons:

a. The Panel was established on 15 July 1953 by the Deputy Director for Support as the Medical, Security, Personnel (MSP) Panel. Several decades of experience have clearly indicated that the Applicant Review Panel presents an extremely valuable forum for the exchange of suitability information by the screening arms of the Agency. In my view, the membership for the last 23 years has rightly been restricted to the Offices which bring to bear pertinent input which can be utilized in the deliberations. All three Offices have the authority to place a case on the agenda based upon specific information which has been developed in the course of the screening process. The basic concept of the Panel remains valid today.

b. Mr. Gambino pointed out that his representative occasionally has access to privileged and/or particularly sensitive information, sometimes received from another Government agency. Notwithstanding the need for extreme discretion,

the Panel members have worked out a mutual understanding which allows for a free exchange of views while protecting the privacy of the applicant. The Office of Security would be fearful that any inappropriate expansion of membership would have an adverse effect on the free flow of information and candid discussion. Mr. Gambino further commented that the Office of Security has been an enthusiastic supporter of the Applicant Review Panel concept, and their records reflect that in the first six months of this year they referred 104 cases out of the 292 cases considered by the Panel. He indicated that, in his opinion, there was an extremely small percentage of cases which had EEO implications, and he had no reason to feel that any case had been adjudicated unfairly in terms of staff standards of this Agency.

STATINTL

c. [REDACTED] has pointed out that it was OMS policy to protect the details of medical findings in accordance with historical medical practices, as well as the provisions of the Privacy Act. He added that they were not enjoined, however, from discussing questions of suitability with other professionals directly concerned with applicant review as long as medical confidentiality was maintained. He indicated that expansion of the ARP to include individuals not directly responsible for selection of applicants would violate their policy and would be inconsistent with existing law, thereby seriously restricting their participation in the ARP. He concluded that the expansion of the Panel would be a disservice not only to the Agency but to the applicants as well.

d. Fred Janney pointed out the fact that he personally reviews every case in which the Panel has recommended the rejection of an employment application. He

EYES ONLY

further indicated that in most cases he is not aware of the race or religion of the applicant under consideration. As you know, pictures are no longer included in the applicant file and there are no Personal History Statement questions concerning race or religion. He has assured the Director, EEO that any case with the slightest EEO potential would be checked with him.

3. The above are, therefore, our considered reasons for my recommendation that an EEO representative not be added to the Applicant Review Panel.

/s/ John F. Blake

John F. Blake

Distribution:

Orig - DDCI

- * ~~2~~ - DDA
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STATINTL C/SAS/OP: [REDACTED]:bkf (30 Jul 76)

Originator: [REDACTED]

Director of Personnel

STATINTL

*DDA Distribution not shown on original

30 JUL 1976

EYES ONLY

EYES ONLY

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Orig - DDCI

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- 1 - D/Sec
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- 2 - D/Pers (one w/held)

STATINTL C/SAS/OP: [REDACTED]:bkf (30 Jul 76)

(Signed) F. W. M. Janney

Originator:

Director of Personnel

30 JUL 1976

*DDA Distribution not shown on original

EYES ONLY

ADMINISTRATIVE INTERNAL USE ONLY

29 JUL 1976

MEMORANDUM FOR: Deputy Director for Administration

FROM : Robert W. Gambino
Director of Security

SUBJECT : Applicant Review Panel

1. Reference is made to your request for comments concerning the proposal that the Applicant Review Panel be broadened to include representation from the Office of Equal Employment Opportunity (EEO),

2. This is to advise that the Office of Security feels that it would be a mistake to increase the membership of the Applicant Review Panel, whether the new representation would be from the Office of EEO or some other operating element of the Agency. While we are not opposed to change or new and innovative ways of doing business, it is believed that the Applicant Review Panel, in its present form, has been shown to be an extremely useful mechanism in evaluating significant suitability information developed by the Offices of Personnel, Security and Medical Services.

3. By way of background, it is worth noting that the Panel was established on 15 July 1953 by the Deputy Director for Support as the Medical-Security-Personnel (MSP) Panel, and the original Directive is quoted below:

"It is important that marginal administrative information which may lead to the decision that an individual applicant is not suitable for appointment be pooled and coordinated among these offices and subjected to systematic evaluation before decision affecting appointment is made. Marginal administrative information may be data which is incidental to the information developed by an office to enable it to supply the employment standards for which it has responsibility; it may be data which is of such character that standing alone it does not justify a decision to reject an applicant for employment. Occasionally information of this kind acquires greater significance when related to other marginal information in the possession of other offices."

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4. Several decades of experience have clearly indicated that the Applicant Review Panel presents an extremely valuable forum for the "exchange" of suitability information by the screening arms of the Agency. In our view the membership for the last 23 years has rightly been restricted to the offices which bring to bear pertinent "input" which can be utilized in the deliberations. All three offices have the authority to place a case on the agenda, based upon specific information that has been developed in the course of the screening process. The basic concept of the Panel remains valid today.

5. As with other members of the Panel, our representative occasionally has access to privileged and/or particularly sensitive information, sometimes received from another government agency. Notwithstanding the need for extreme discretion, the Panel members have worked out a mutual understanding which allows for a free exchange of views, while protecting the privacy of the applicant. We would be fearful that any inappropriate expansion of membership would have an adverse effect on the free flow of information and candid discussion.

6. The Office of Security has been an enthusiastic supporter of the Applicant Review Panel concept, and our records reflect that we referred 197 cases to the Applicant Review Panel out of a total of 480 in calendar year 1975. In the first six months of this year we referred 104 cases out of 292. I would submit that there is an extremely small percentage of cases which have EEO implications, and I have no reason to feel that any case has been adjudicated unfairly or subjectively in terms of Staff standards of this Agency. Most certainly procedures could be worked out to focus on cases which are of interest from an EEO standpoint, without the Office of EEO becoming involved in the vast majority of applicants where this has absolutely no bearing.

7. This Office has made a conscientious effort to contribute to the deliberations of the Panel, notwithstanding that it is a burdensome and time-consuming process. Because of heavy agendas, we have in the past shared the concern about undue delays and their effect on processing time. It may be a small point, but an enlarged membership or more formalized procedure will undoubtedly generate additional delays, to the overall detriment of the Agency.

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8. From the standpoint of precedent, I would also point out that there are numerous Career Panels within the Agency which consider promotions, transfers and reassignments. If an EEO representative becomes a member of the Applicant Review Panel when there has been no evidence of a problem, logic would dictate that the practice be made relatively uniform throughout the organization. Outgrowths of the Applicant Review Panel concept are the Overseas Candidate Review Panel (overseas assignments), the Personnel Evaluation Panel (problem cases) and the Executive Review Panel (summer employees). There is a common theme of information "input" by the Offices of Security, Personnel and Medical Services. Once the precedent is firmly established, the door will be open for EEO involvement in issues which are not EEO related.

9. In summary, it is our considered opinion that the Applicant Review Panel is an effective unit which has contributed to the high degree of selection enjoyed by the Agency. It has been a smooth working operation, and we would be somewhat fearful that a well intended effort to improve procedures might just have the opposite effect. It remains our position that the deliberations of the Applicant Review Panel should be information based and should continue to render objective determinations based upon positive inputs from the three Directorate offices involved in the screening process.

[Redacted Signature]

STATINTL

Robert W. Gambino

Distribution:

- Orig. & 1 - Addressee
- 1 - Director of Personnel

ADMINISTRATIVE-INTERNAL USE ONLY

6 July 1976

MEMORANDUM FOR: DDCI Designate
FROM : John F. Blake
Deputy Director for Administration

Hank:

1. If you will permit me, I would like to register a minor bleat.

2. I address myself to your memorandum of 28 June to the Director of Personnel on "Consideration of Job Applicants." I do believe that from two different points of view the correspondence should have been directed to me, but I was not even on distribution for it. The first reason I believe it should have been sent to me, personally, was one part of the memorandum addresses itself to the composition of the Applicant Review Panel, such Panel now being staffed by personnel from three Offices of this Directorate. Secondly, as it pertains to the other part of the memorandum, the handling of the applicant case of [redacted] it would appear from my understanding of the case that the Office of Security maybe could have handled it in a little different fashion.

STATINTL

3. I propose to make a copy of your memorandum available to both the Office of Security and the Office of Medical Services as I wish to solicit the advice of both Mr. Gambino and Dr. Bohrer concerning the suggestion to add representation from the Office of Equal Employment Opportunity to the Applicant Review Panel. Because of the sensitive nature of some of the security information on applicants and because of the privileged nature of some medical information on some applicants, I wish to proceed very cautiously before taking a position on adding representation to the Applicant Review Panel.

/s/ John F. Blake
John F. Blake

Distribution: 1 - H/OP w/o Ref (DDA 76-3345)
Orig - DDCI Designate 1 - B/OS w/att

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DDA Distribution Not Shown as Original 1 - DDA Subject No DDA Chrono
DDA:JFBlake:der 1 - JFB Eyes Only Chrono

Executive Security
76-2686/1

28 June 1976

76-1777/A

MEMORANDUM FOR: Director of Personnel

SUBJECT: Consideration of Job Applicants

1. Thank you for your information concerning the case of [REDACTED]. In looking into the background, there are several things that concern me and I would like your consideration of the following. Let me know your reactions.

STATINTL

2. The Office of Security in this case apparently provided the Office of Weapons Intelligence with certain background information which seems to have had the effect of changing OWI's consideration of hiring [REDACTED].

STATINTL

3. It seems to me preferable, in matters of this kind, that information available to the Office of Security, the Office of Medical Services or the Office of Personnel, which relates to the advisability of hiring, should be considered by the Applicant Review Panel in order to get the full benefit of exchange of information among members of the panel. One of my problems here is that the direct supply of unevaluated information from any one of those three offices to an office considering hiring is to decentralize the process to too great an extent. There may well be good reason for the hiring office to change its view upon receipt of such information, but the applicant may have such overall strength that his services should not be lost to other components within the Agency.

4. I think, too, that we would be well-advised to broaden the Applicant Review Panel to include representation from the Office of EEO. This will insure not only a due regard for minority rights and privileges but for the rights and privileges of all regardless of race, creed or color.

[REDACTED]

STATINTL

Attachment:

6/28 Janney Note to [REDACTED]

STATINTL 6/17 Memo for [REDACTED] from Ware

STATINTL

ROUTING AND RECORD SHEET

SUBJECT: **Approved For Release 2001/07/12 : CIA-RDP79-00498A000500040001-1**

Executive Registry
76-2686

FROM: F. W. M. Janney Director of Personnel 5E 58, Headquarters	EXTENSION 6825	NO. DATE 28 June 1976
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TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		

1. DDCI Designate 7E12 HQS				[REDACTED] STATINTL The attached memorandum from Mr. Ware to Chief, Staff Personnel Division, Office of Personnel pretty much summarizes the situation. The Office of Personnel has not been directly involved in this case so we can add nothing of substance. The Applicant Review Panel is made up of representatives from the Office of Security, the Office of Medical Services, and the Office of Personnel. Cases are brought before the Panel by any one of its members. The Panel looks at the entire file and normally makes a recommendation to the Director of Personnel as to the overall suitability of an applicant. In this case, they did not, but apparently went back to the office of immediate interest, i.e., OWI. OWI then withdrew their interest in the applicant. As you know, before a minority applicant is rejected by the Agency, the file goes through D/EEO. That is how Mr. Ware got involved.
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17 June 1976

STATINTL MEMORANDUM FOR: [REDACTED]

SUBJECT : OWI Rejection of Applicant for Employment

1. I have talked to the Chairman of the Applicant Panel and, as you said, the Panel did not reject this applicant. The information which the Panel turned over to OWI apparently included information which, while cause for concern, was not necessarily adequate for rejection. According to the Panel the information included some evidence of marital problems and the fact that he was evicted in 1971 by a landlady over some issue of dishes and pans. Other information concerned matters of more direct interest to OWI. It had to do with his performance on previous jobs. Apparently his previous employers provided Security with information that at some point his performance was lacking; also that he was not responsive to supervision. The other information indicated that he had taken one of his employers or the company by which he was employed to court on a complaint, I believe, of racial discrimination. I also believe that he won the case. We would never want to be in the position of urging OWI to accept an employee that would be inadequate to their purpose. Nevertheless, I feel that prior to rejecting this applicant the information which OWI considers to be derogatory should at least be clarified. If necessary, it would not seem unreasonable if the applicant were asked by OWI or the Office of Personnel to come in for an interview or to correspond with OWI or with the Office of Personnel to explain the factors in his background with which OWI and/or the Agency could be justifiably concerned.

2. I have not seen the security report on this applicant; however, the information critical of the applicant's job performance may possibly have been gained only from one employer -- the same employer that the applicant took to court. In any event, the Agency should never appear to be in the position of having rejected an applicant because he either brought an EEO complaint through administrative channels or utilized the court system to adjudicate such an allegation.

I expect to bring my concerns to the attention of the Director of OWI and urge that you pursue the clarification of this matter by whatever means you consider appropriate.



STATINTL

Omega J. C. Ware, Jr.
Director
Equal Employment Opportunity

Mr. Blake,

Background material for your 2:30 meeting
today, 14 July, w/Messrs. Malanick, Gambino,
Janney and [REDACTED]

STATINTL