

FBI Firing for 'Necking' Is Upheld

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A lawyer in District Court ripped into the FBI yesterday for firing a fingerprint clerk because he spent two nights with his fiancée "doing a little pre-marital necking."

Thomas H. Carter "lost his job for doing what 90 per cent of the population does," argued attorney Richard M. Millman, citing the Kinsey Report in an impassioned but unsuccessful plea before Judge Alexander Holtzoff to reinstate Carter.

Holtzoff dismissed the Carter complaint in its entirety. Millman said he would appeal.

Government attorney Joseph M. Hannon rose to the FBI's defense:

"When the mothers of America read that Mr. Millman and Dr. Kinsey believe it's all right for their daughters to spend two nights in the same bed with a man, I'm afraid all the doors throughout the Nation are going to be locked."

The exchange stemmed from Carter's written admission to the FBI that his fiancée from Texas had spent two nights in his Oxon Hill apartment last summer. He denied having sexual relations with her.

The FBI first learned of the incident when it received an

*On this day also the US admitted FBI
14th violation in Carter 'necking' case!*



Dr. Farber

Mrs. Shriver

Dr. Palade

Dr. Sidney Farber, professor of pathology at Harvard Medical School, and Dr. George E. Palade, a professor at the Rockefeller University, received the 1966 Albert Lasker Research Awards at a luncheon in New York yesterday. At the same time Eunice Kennedy Shriver was given the Albert Lasker Public Service Award in Health for her work to improve the care of the mentally retarded. Dr. Farber received the clinical research award and Dr. Palade was honored for basic medical research. The two received \$10,000 in cash each.

anonymous letter accusing Carter, 28, of "sleeping with girls and carrying on at his apartment," Hannon said.

The Bureau then confronted Carter. He made his statement and was fired.

Through attorneys Millman and Mary M. Burnett, he filed suit asking the Court to compel FBI Director J. Edgar Hoover to reinstate him.

Millman argued yesterday that firing persons for pre-marital necking is an unlawfully discriminatory as firing them because of their race or religion.

Hannon countered that "exceptionally high standards of conduct" are expected of FBI employes and Carter knew it when he joined. Also, he said, FBI employes are not protected by the usual remedial processes of the Civil Service Commission and they can be fired summarily.

The FBI can hire and fire as it pleases except when "invidious discrimination" can be proved, he said. Race and religion may be sources of that kind of discrimination, he said, but not pre-marital necking.

Millman retorted that Carter had not committed a crime nor was there any breach of national security. "He didn't do anything immoral," he insisted.

"I don't know whether it was immoral," observed Judge Holtzoff, "but it was highly indiscreet . . . Two people were sleeping in a room. They

were apparently observed by someone who was scandalized by it" and wrote the anonymous letter.