

Employees' Sex Lives—

The FBI Has Its Rules

By Marlene Cimons
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Washington

Tom and Marie did not meet at the FBI, although they were both employed there as clerical workers.

In fact, their shifts at the bureau were so different that just about the only time they could be together was during the weekend.

Occasionally, Tom would spend the night in Marie's apartment. When their immediate superiors at the FBI discovered

this (Tom's bachelor roommates, angry with him over a telephone bill, told them) Tom and Marie were reprimanded and placed on probation.

"They called us in separately and asked us if we had been spending nights together," Tom says.

"The man asked me if we'd had sexual relations. I said yes. His questions were really quite personal, and I was getting very angry. I couldn't understand what business it was of his. I told him we were engaged. He said we

would most likely be put on probation—and that if we hadn't been engaged, we probably would have been fired."

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Fred Bosse, now 26, was completing his second year at Georgetown University school of law in April, 1974. One afternoon he saw a notice in the Georgetown placement office of a job opening for a third-year law student in the

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Justice Department's bureau of land and natural resources.

He applied.

That summer Bosse and his girl friend shared an apartment in Boston, where he was working for a moving company. A Justice Department official called him there, he says, and told him he would probably get the job.

"I went through the summer feeling pretty glad I was set with a job in Washington," Bosse says. "When I got back there, I called the bureau of land and natural resources to find out when I could start."

The conversation with the administrative head of the bureau, Bosse says, went something like this:

"Our investigation has uncovered the fact that you are living with someone to whom you are not married."

"That's right."

"It is against our policy to hire anyone under those circumstances."

"I don't see what that has to do with my ability to do legal research with the Justice Department."

"Why don't you take a few days to think it over. If you want to change your living arrangements, you have the job."

"I don't need a few days. I'm not going to take a job under those circumstances."

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The cases described above are now in litigation. As is the custom when the government is involved in legal action, neither FBI nor Justice Department source, however, did confirm the accuracy of the facts of the Bosse case, and an FBI spokesman reiterated the standard of conduct required of all bureau employees.

"There is a code of conduct outlined in a handbook for all employees," he said. "When we become aware that an employee has violated it, he or she could be subject to disciplinary action. Each case is considered on its own merits. There is no standard that covers everything."

Portions of the pertinent sections read:

"No employee shall engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, neglect of duty or other conduct prejudicial to the government . . .

" . . . The FBI . . . expects and requires that high standards of personal conduct on the part of its employees be maintained not only when they are engaged in their official duties, but while off duty . . .

Certain questions inevitably arise as these cases evolve. What kind of behavior, for example, is moral and immoral? Who determine this? What connection, if any, is there between an individual's private sex life and his or her ability to perform a job?