

MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 53

SUSPENDING FOREIGN AFFAIRS OFFICER AND CONSUL JUSTINIANO D. QUIRINO.

This is an administrative case against Mr. Justiniano D. Quirino, foreign affairs officer and consul in the Philippine Embassy at Washington, D.C., for improper conduct in connection with the unsuccessful attempt of the Aircraft Engine and Parts Corporation of New York City to sell airplane spare parts to the Philippine Air Force. The specific charges against him are:

"1. That Mr. Justiniano D. Quirino, for the personal gain and benefit of his uncle, Judge Antonio Quirino, and in consideration of past favors and free transportation tickets to Manila and back to Washington, received by him from Judge Quirino, hand-carried a letter-proposal of the Aircraft Engine and Parts Corporation in the United States to his said uncle, Judge Quirino, in Manila for the latter (in his capacity both as counsel of the Aircraft Engine and Parts Corporation and as the business associate of General James A. Mollison, Retired, who was promoting the transaction in question for and in behalf of the Aircraft Engine and Parts Corporation) to submit to the Commanding General, Armed Forces of the Philippines, with the end in view of negotiating the sale to the Philippine Air Force of airplane engine spare parts valued at \$3,000,000;

"2. That Mr. Justiniano D. Quirino, without the knowledge and consent of, or authority from, his superiors so to do, displayed more than ordinary interest in the promotion of the transaction in connection with the sale of airplane engine spare parts to the Philippine Air Force and helped to induce the Army authorities to accept the offer of the Aircraft Engine and Parts Corporation; and

"3. That Mr. Justiniano D. Quirino, without the knowledge or consent of, nor the authority from, his superiors, performed functions relating to the procurement of military equipment which were not within the province of his office or position in the Embassy."

The case, original inquiry into which was started in 1949, was formally investigated by the Board of Foreign Service, which found the following facts duly established:

Sometime in February 1949 the respondent telephoned former Judge Antonio Quirino in Manila to help him go home to settle a

mortgage on his property. At the time Judge Quirino was counsel in the Philippines of the Aircraft Engine and Parts Corporation. Towards the end of March 1949 Judge Quirino had another overseas telephone conversation with him in which the latter was informed that arrangements had been completed by the former for the respondent to go home, and was asked to carry some business literature, brochures and a letter from Judge Quirino's associates in Washington and New York. On the same day the respondent contacted by phone General James A. Mollison (retired) as requested by Judge Quirino. A day or two thereafter the respondent contacted by phone Harvey H. Dwight, president of the Aircraft Engine and Spare Parts Corporation, had luncheon at a certain restaurant in Washington, D.C., during which the proposal contained in the letter to be carried by the respondent was discussed or mentioned. On March 30 or 31, 1949, General Mollison handed to the respondent the letter of proposal to the Chief of Staff dated March 30, 1949, saying, "Tell Tony to get to work on it because time is of the essence." On April 2, 1949, the respondent left for Manila, General Mollison seeing him off at the airport. All the while that the respondent was in Washington he never mentioned the said proposal either to the Military Attaché's Office (Procurement Group) or to the Financial Attaché.

After arriving in Manila, the respondent in the morning of April 10, 1949, delivered the letter of proposal to Judge Quirino and after breakfasting together they went to see General Mariano N. Castañeda, then chief of staff, AFP, to whom the proposal was explained. On April 18, 1949, upon instructions of Judge Quirino, the respondent went to see General Pelagio A. Cruz, chief of the Air Force, and told him all that he knew about the War Assets credit line. Speaking of his conversation with the respondent on this occasion, General Cruz in his letter of January 26, 1950, to the Acting Secretary of Foreign Affairs stated the following:

"Mr. J. Quirino came to my office on the morning of 18 April 1949 and discussed with me the matter mentioned in page 11 of the Committee report. I was particularly interested in that feature of the proposal which would enable the Philippine Air Force to purchase aircraft engines and spare parts from the U.S. utilizing the credit facilities which could be extended to the Philippine Government by the War Assets Administration. Mr. J. Quirino lengthily explained this matter to me and the members of my staff in the morning of 18 April 1949." (Underscoring supplied. Gen. Cruz' letter, p. 15, Quintero Report.)

When Judge Quirino went to see General Cruz in the afternoon of the same day, April 18, 1949, respondent went along with him. After the two had left, the controversial radiogram dated April 18, 1949, addressed to the Financial Attaché in the name of General

Gastañeda was drafted. In this radiogram the PAF manifested its intention to purchase aircraft spare parts and tools from the authorized agent of the War Assets Administration through the use of the credit extended the Philippine Government by the War Assets Administration, pursuant to the letter received from the Aircraft Engine and Parts Corporation which was hand-carried by the respondent. According to General Cruz, the radiogram in question was drafted by his air staff as a result of the decision reached by him after consultation with Judge Quirino and after the respondent had told him and his staff that the Air Force had to immediately manifest at least an intention to purchase airplane spare parts. Elaborating on this point, General Cruz testified that were it not for the explanations made by the respondent about the time element of the proposal, the procedure for utilizing the credit line and the fact of addressing the cable to the Financial Attaché, he would not have sent the aforesaid radiogram of April 18, 1949, to said official but would have merely written instead to the Military Attaché.

The foregoing, according to the Board, shows the direct participation of the respondent in pushing, if vainly, the deal in question. It considers as potent aid in the determination of respondent's guilt or innocence the following circumstances: that the respondent is the nephew of Judge Quirino; that it was the latter who had paid his transportation fare to and from Manila; that up to the time of the submission of the Board's report his uncle had not made any demand to pay him back; and that although the respondent was able to finish within five or six days of his arrival his personal affairs, which was the main reason for his coming home, he deferred his return to his post in Washington for some weeks more.

In view of the foregoing, the Board finds the respondent guilty as charged in the light of existing law and regulations governing the conduct of government officials in general and foreign affairs officers in particular (Art. VII, Sec. 11 <sup>2</sup>/<sub>2</sub>, Const.; Ex. Ord. No. 18 <sup>29</sup>/<sub>29</sub> dated Sept. 16, 1946; Chap. IV, Foreign Service Regulations, Note 3, par. <sup>2</sup>/<sub>2</sub>). Of respondent's conduct, the Board quotes with approval the following observation made by former Ambassador Joaquin M. Elizalde: "J. D. Quirino displayed more than ordinary interest in promoting the transaction of his uncle and the latter's associates. He made his uncle's cause his own cause."

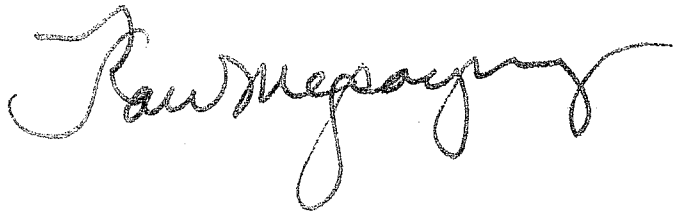
After going over the record of the case, I agree with the above findings and observations. From nowhere is a higher and more scrupulous norm of personal conduct and official decorum required than from the personnel of the Foreign Service. Thus, the Foreign Service Regulations expressly declare:

"By the very nature of the Foreign Service, it is absolutely essential that the standards required of its

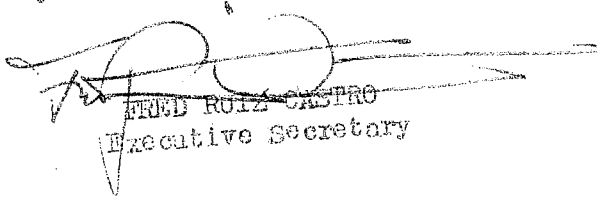
personnel be most exacting. In addition to the high mental, physical and moral qualifications which our Officer or employee of the Foreign Service must have, it is also indispensable that there be nothing in his personal history or actions, during his tour of duty, that can cast a shadow on his reputation."

Wherefore, and in accordance with the recommendation of the Board of Foreign Service and the Acting Secretary of Foreign Affairs, Mr. Justiniano D. Quirino is hereby suspended from office for fifteen days without pay. He is further reprimanded and warned that repetition of similar acts will be dealt with more drastically.

Done in the City of Manila, this 10th day of August, in the year of Our Lord, nineteen hundred and fifty-four, and of the Independence of the Philippines, the ninth.



By the President:



TEODORO R. CASTRO  
Executive Secretary