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April 14, 1975

SUBJECT:

ACTION'S HIRING CRITICIZED
BY CIVIL SERVICE COMMISSION

Is the President concerned about the Civil Service Commissioner's criticism of ACTION, and is the White House looking into it?

GUIDANCE: It is my understanding when ACTION was created in July 1971, it brought together Peace Corps, VISTA and other volunteer programs as well as a dual personnel system--both Foreign Service Reserve and GS personnel.

Two-thirds of the Staff was made up of Peace Corps personnel who were, and many still are, Foreign Service Reserve. Sargent Shriver set up this system back in 1961 under his own administrative authority and Congress wrote the five-year limit on staff service into law in 1965. It always has been outside the civil service system and outside the jurisdiction of the Civil Service Commission.

The CSC report and the Washington Post story unfortunately do not make this background clear and so furthers the misunderstanding of a dual system which ACTION inherited.

I am told that ACTION reaffirms what it told the Post: "ACTION does not use, and will not use, any of its appointing authorities improperly. We are authorized by law to make appointments under both the Foreign Service and the competitive (Civil) Service."

If you have additional questions, you should contact ACTION.



JGC

1. Was the Foreign Service authority in ACTION mis-used?

The Foreign Service authority in ACTION has never been improperly used. ACTION is an Agency that was created from elements of 5 separate agencies - Peace Corps, HUD, HEW, SBA, and OEO. The appointing authorities used by those agencies were all carried over into ACTION.

ACTION does not use, and will not use, any of its appointing authorities improperly. We are authorized by law to make appointments under both the Foreign Service and the Competitive Service. We utilize our authorities with great care and are scrupulous in our adherence to law and regulations.

2. Is there any assurance that promotions are made on a merit basis?

The Civil Service Commission evaluated the ACTION Headquarters Office in February 1974 and covered the period from the beginning of ACTION (July 1, 1971) to the time of the evaluation. For a significant portion of that time (July 1971 until December 1973) the ACTION Merit Promotion Program requirements concerning documentation and record-keeping did not apply to Foreign Service positions. Thus, the Civil Service Commission found few assurances, in the form of records and documents, relating to Foreign Service positions. There was, of course, documentation on GS positions.

Since December 1973, our revised Merit Promotion Program encompasses essentially the same requirements for both FS and GS positions. We now maintain documented assurances that promotions are made on a merit basis for FS and GS positions.

3. Are many of the Agency's positions not properly classified?

The Commission began their evaluation of ACTION in our Regional Offices in July 1973. By the time they issued their report in October 1974, our entire nationwide structure of 10 Domestic Regional Offices had been reviewed and all positions classified. To a large extent the Agency has complied with the CSC requirement that positions be properly updated and graded in accordance with published CSC standards.

Periodic reviews of an Agency's position classification program are undertaken by the CSC in order to assure that the intent of Classification standards are fully understood and implemented by agencies.