17 May 1971

MEMORANDUM FOR THE RECORD

SUBJECT: Noncompetitive Appointment of Agency Employees to
            Positions in the Competitive Service

1. Mr. Harold Leich of the Civil Service Commission telephoned
me in my absence on 14 May 1971 and I returned his call this
morning.

2. Mr. Leich said that following our meeting last month,
he and others at the Commission had reviewed the work done
with the Department of State in connection with the Executive
Order of 1968. The essence of his comment was that he and other
Commission representatives were sufficiently familiar with the
workings of the Foreign Service personnel system to be satisfied
that it met the requirements of a merit system. Also CSC attorneys
felt that the Commission lacked sufficient authority to wave
Veteran's Preference. Therefore, the Commission initiated action
to obtain the Executive Order. "However, in your case we don't
have the kind of information about your system - -" which would
allow Commission representatives to proceed in the same fashion.
"In your case, therefore - -" your Agency should initiate action
through OMB for an Executive Order with prior understanding that
the CSC not object to such an order.

3. Mr. Leich said that he had forwarded a memo for approval
by the Civil Service Commissioners which would record their
agreement to such action. He said he thought it best to have
such an agreement on record rather than to rely on oral statements.
He said he would call me again as soon as he had the Commissioners'
approval and expressed hope that it would not take long.

4. Mr. Leich and I agreed that this Agency should take no
further action pending his receipt of approval by the Commissioners.
Mr. Leich suggested that our people could be working on the
appropriate wording of an Executive Order in the meantime.

5. I thanked Mr. Leich for his help and said I would await
further word from him.

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( ) Chief, Review Staff