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U.S. Civil Service Commission.



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WASHINGTON, D. C., *June 4, 1873.*

TO THE PRESIDENT :

The circumstances under which the Members of the Civil Service Commission were called upon to hold their session, now just brought to a close, attracted their early inquiry into the practical administration of the Rules and Regulations thus far, as well as into the immediate prospects and probable utility of Civil Service Reform, as now inaugurated.

Were it not for the facts that some of the Members have recently come to their places, and that it is the purpose of the Commission to hold an early session, at which it is intended to bring the existing Rules and Regulations, perhaps somewhat modified in details, into a regular series, we should consider it useful to present more fully than we now propose to do, the results of our inquiries and reflections upon those subjects.

We now submit a brief report, and therewith several new Rules suitable, in our opinion, to be prescribed by the President at this time.

But before presenting some of the reasons which justify these new Rules, we wish plainly to declare our conviction that those having the duty of enforcing the Civil Service Rules and Regulations have brought to the discharge of that duty perfect fidelity to the essential principles of Civil Service Reform, as well as that degree of vigor which only needs the support of an appreciative public opinion to secure the complete enforcement and vindication of that reform. A change so considerable as it proposes in some of our political methods can hardly succeed if not very gradually introduced. Even

if at once correctly appreciated by public opinion, the difficulties of its early stages would not be small ; but they are greatly increased when so many misconceive both the aims and the practical operations of the reform itself.

The new rules we submit, more clearly define some of these aims, and we are able, as the result of our investigation, to speak, upon the warrant of the highest authority, as to some of the results of the practical operation of the rules in the great Departments at Washington, where the clearest tests have been obtained. It appears to be the unanimous opinion of those at the Heads of these Departments that there has been a decided mitigation under the operation of such rules of the serious evils that before prevailed and steadily increased. Mere personal importunity and partisan intrigue have diminished in the same ratio that individual merit and just rules for testing such merit have been made the basis of appointments and promotions. The application of these tests has been gradually extended as experience has seemed to warrant, and in every case with good results.

In the Department of State, for example, a rigorous system for the examination of applicants for the position of consuls has been put in operation under the Executive order of March 14, 1873, and there is every reason to believe that incompetent persons will, in a great measure, cease to urge themselves upon that branch of the public service, and that those who pass the examinations will be competent to serve their country in a satisfactory manner.

In the Patent Office, the results of examination and competition have been, more skilled ability in places where it was much needed and more capacity in the same number of officials for a prompt and satisfactory discharge of their

duties. Similar illustrations might be drawn from the other Departments, if it was our intention to present a full report at this time. And one consequence of a fair and full examination into the qualifications of applicants, by boards competent for such duty, has been that the Heads of Departments have had more time to attend to the public business, and have only been called upon to make a final selection from among a small number, each one of whom had been shown to be among the better qualified of the many that pressed for appointments.

On the other hand, defects have been discovered in the new methods, and some inconvenience, resulting, however, only in pecuniary gain to the Government—has been experienced in filling certain places in the service in strict conformity to the rules. But none of these impediments in the way of success are of a nature which appear difficult to remove, and we believe the modifications we now propose will remove most of them.

The most serious obstacles we find to overcome in the discharge of the duties to which the President has called us appear to originate in a misconception, on the part of many honest people, of the theory and object of civil service reform, and in the prejudice and interested opposition it may be made to encounter through the selfish exertions of those who arraign the motives of the Executive, and attack the reform itself, in the interest of mere personal ambition or party aggrandizement.

We are far from intending to suggest that opposition is confined to those governed by interested or unpatriotic motives; for we by no means believe such to be the fact.

But while no man's opinion upon the merits of the attempt

to improve our Civil Service should be regarded as any just test of his honesty or of his regard for the public welfare, it is yet plain that political opposition and personal interests may attempt to promote their common ends by the easy method of attacking the sincerity and predicting the failure of the attempt itself. We are convinced that the success of Civil Service Reform is to be decided by the intelligent fidelity with which its friends shall present its true methods to the popular judgment. When presented within their true sphere, as a method and an agency through which the appointing power, without invading the proper functions and influence of parties under republican institutions, shall be most effectually aided in selecting for official places and in promoting those whose characters, abilities, and attainments best qualify them to serve the people, we are convinced that fair public examinations to test such qualifications will receive the permanent support of the people, as against any method of mere personal solicitation or partisan influence for securing office. From all such tests, of course, there should be excepted, as the Rules now provide, the President, the Heads of Departments, and all those high officers who really represent that policy of a party and those principles of a campaign which the people have approved; but by no means should there be excepted those officers and clerks whose tasks should be performed in the same non-partisan, clerical, and faithful manner, whatever principles may guide and whatever party-leaders may control the Administration.

It has been our aim to recognize the right which requires that a victorious party should be able to name the officers so far down the official scale as their principles may justly

be involved in fair and honest administration, at the same time that we have resisted that pernicious theory which insists that every clerk in a public office, no matter how subordinate or how useful, shall mingle as a partisan in every contest and go out as a matter of course with a retiring Head of Department. But the new rules we submit will show that we do not regard the question of the proper duration of the tenure of office or of clerkships, as one with which civil service reform, as now inaugurated, has any other than an indirect connection.

1. The first rule appended aims at securing to the appointing power some better evidence of the real qualifications of those, often wholly unworthy, who are importunately, and doubtless sometimes reluctantly, pressed for appointments or nominations. It is due to the people that those having the duty of nominations should insist on the best evidence of fitness; and it will certainly promote the public interests, if those reluctantly compelled to urge candidates upon the appointing power shall find some relief in a method which, at the same time, asserts the true theory of the Constitution.

2. The second rule, in substance declares, that the rules and regulations for improving the civil service are intended neither to restrict the right of removal nor to extend the tenure of office; but leave the Executive responsibility, the rights of Congress, and the interests of the people, in that regard, without qualification. If the fact of more competent persons being found in office shall create a desire to retain them longer, it may be presumed no public interest will be thereby injured.

3. The third rule is intended both to mark out the path

of duty before any abuse shall arise and to remove a false and mischievous impression known to exist in the public mind, by declaring that the members of the Civil Service Commission and of the Boards of Examiners, have nothing to do with procuring nominations, with aiding promotions, or with adjusting political disputes; but are substantially limited to the functions of framing proper rules and regulations and of supervising and conducting examinations directed to be held under them.

4. The fourth rule relates to a class of females who seek employment below the grade of the lowest class of regular clerks, and from among whom patriotism and public justice seem to require that selections shall be made, after examinations have shown the applicants to be qualified, not wholly in reference to attainments and capacity, as shown by competition between themselves, but largely in reference to their just claim upon public regard, which have arisen by reason of those on whom they were dependent having suffered or died in the public service of the nation.

5. The fifth rule seems to call for no comment.

6. The sixth rule provides a relief against the delays made unavoidable by reason of the examinations before provided for being only for vacancies which had already occurred. This rule provides for examinations in anticipation of vacancies, and will furnish those qualified persons from whom such vacancies can at all times be readily filled;

7. The seventh rule relates to the important subject of examinations in places beyond Washington. While the theory that all the offices of the Government should be be-

stowed in geographical or arithmetical succession among the people of every portion of the Union would lead to very undesirable results, if allowed to override the considerations of moral and intellectual fitness, it is yet true that the honor of serving the nation belongs equally to all of its people, irrespective of residence. The method of party and personal promotions to offices gave an undue proportion of them to importunate men, who lingered about Washington and made politics a trade ; and so long as all examinations for places in the great Departments and in the Consular service shall be confined to Washington, it will not be easy to wholly remove this abuse of the old system.

The new rule we propose on this subject will, we think, in a large measure furnish a remedy. Inadequacy of funds will, for the present, prevent examinations at so many places as the reasonable convenience of applicants require, but relief from this inconvenience rests with Congress. As each of the five Districts into which the Union is divided is to be taken as a sphere of competition for the purpose of making selections for new appointments, every Head of a Department may have the variety of qualifications afforded by fifteen eligible persons from whom such appointment may be made with due regard to the strictest competition. Each of these five districts can by our rule have at least two competitive examinations within its own borders during each year.

Should Congress see fit to moderately increase its appropriation for the civil service, examinations could be made at more places in each district ; and there can, we think, be little doubt that, in a short time, it would be the case here, as it now is in England, that such examinations would be sought by worthy young men, for the honor and the busi-

ness advantages of a public recognition of the merit they would demonstrate. In that way, a public sentiment would be developed which would sternly associate every branch of the public service with a demand and recognition of that high personal worth from which it has been, in the public estimation, so unfortunately, widely separated. It is true the Government should not conduct such examinations for mere private ends, but they can be easily limited to the public needs, if found too much resorted to. Each such examination is to be just as effective for every purpose as an examination now is, or hereafter will be, if conducted at Washington.

In providing for examinations outside of Washington, it should be observed that competitions are to be between those who are residents in the same district, without regard to where they may be actually examined, and that the examination may be allowed in any district to suit the convenience of persons desiring the examination. With the order of making appointments from residents within the several districts who have, through the test of competition, shown themselves to possess the highest merit, the Civil Service Rules in no way interfere, but leave the discretion of the appointing power in that regard unrestricted.

The great difference in the density of population manifestly rendered it impossible to even approximate the Districts in point of size. Nor was it possible, even with great inconvenience of geographical arrangement, to bring the same population within each District. It was as undesirable as it is impracticable to subdivide States. Disregarding the fractions of a thousand in the several States and Territories, the whole population may be stated, in

round numbers, as shown by the last Census, as 38,500,000 ; and this would give 7,700,000 to each District. The First District has 7,870,000 ; the Second, 8,204,000 ; the Third, 7,906,000 ; the Fourth, 7,295,000 ; the Fifth, 7,284,000.

If the Second District, being that in which Washington is situated, is placed at some disadvantage by being given the largest population, it should be remembered that the great Departments are in that District, and that they give employment to numerous persons below the grade of those officers and regular clerks to which the Civil Service Rules apply.

It was impossible under the existing appropriations to designate any place of District examinations within California or Oregon, even if such designation at this time would not, for other reasons, be premature. It is a considerable compensation that the residents in those States will hardly have any contestants for places in the custom-houses and other Federal offices within their borders ; and residents there can be examined in any other District. By reason of the great size of the Fifth District, and of the dense population of the First District, and of the fact that there was no one large central city in either of these District, but were two cities in each where there might be Local Examining Boards in existence, it was thought most convenient to have the examinations held alternately in New York and Boston for the First District, and alternately in Savannah and Memphis for the Fifth District. Much the same reasons demanded two places of examination in the Third District, and Cincinnati and Detroit seem to be the two most convenient places for that purpose.

It appeared, however, to be more convenient to limit the

examinations to St. Louis for the Fourth District until they can be extended to the Pacific States.

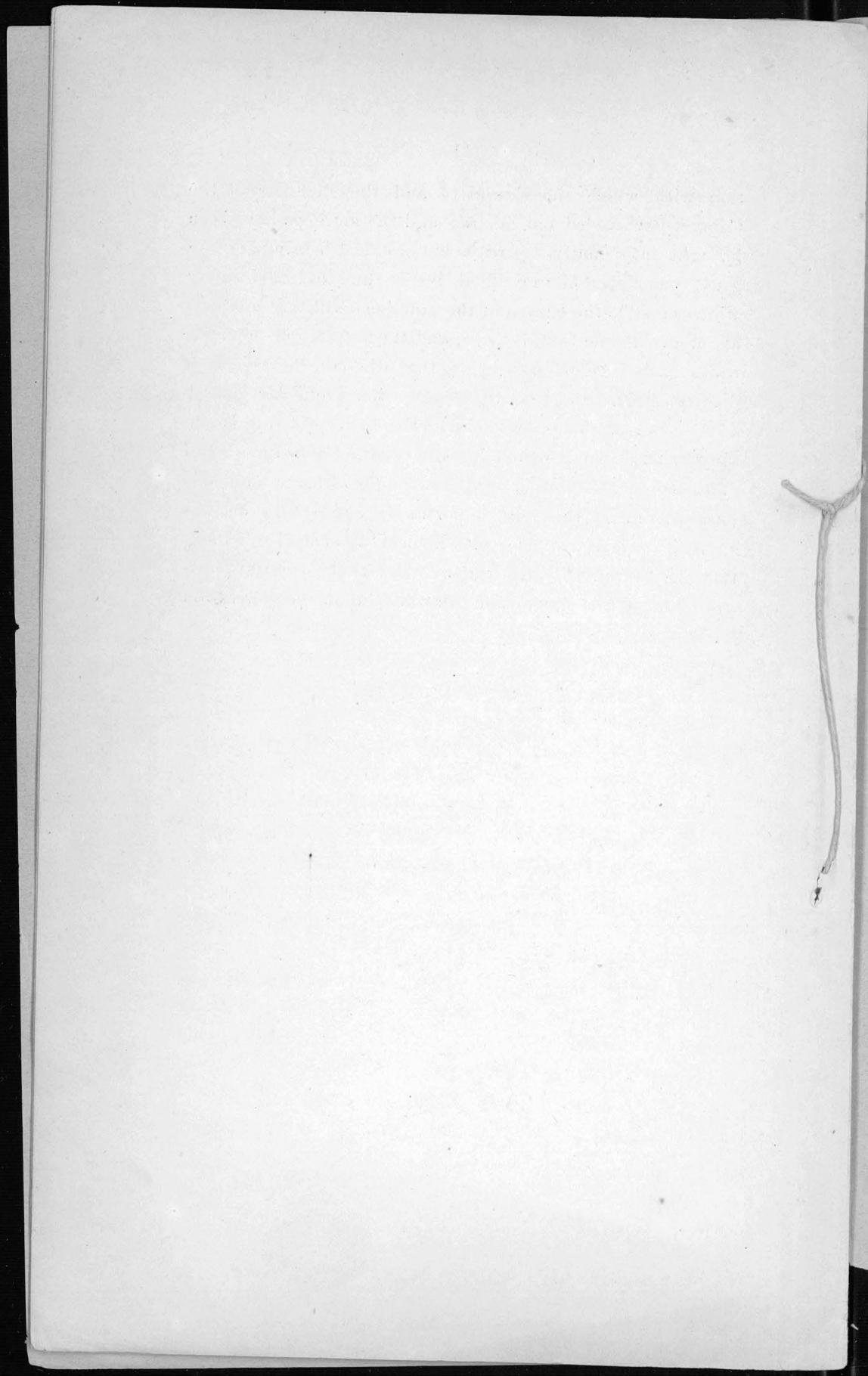
Under the new rules we have proposed, it will be in the power of the Head of any Custom-house, Post Office, or of any other public office in either said District, to send any applicant for admission to a place in the Civil Service under him to be examined at either of these District examinations. But we have not intended, at present at least, to supersede Local Examining Boards at such local offices, and they may perhaps be permanently necessary for examinations for local promotions. It is, however, contemplated that one member of the District Boards, and possibly two, will be selected from the Local Board of Examiners. It is intended that it shall be the duty of the Chief Examiner to properly supervise and to bring into uniformity the proceedings of the Local Examining Boards.

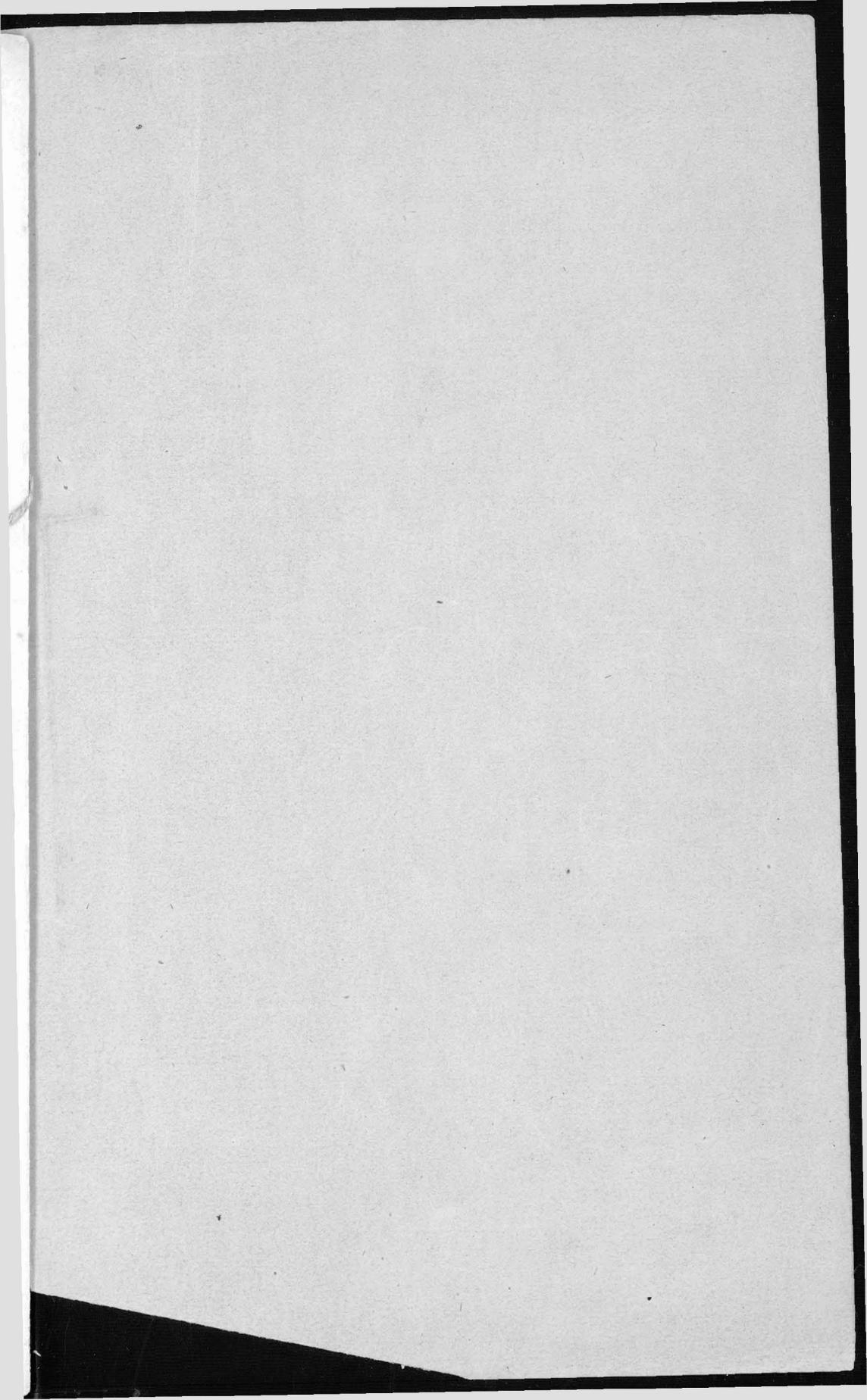
The system of district examinations and competitions has been initiated in response to what the Commissioners have reason to regard as a general public demand, and while feeling that its merits can only be determined by actual experiment, it is yet established with entire confidence in its justice and general adaptation to the public convenience.

The Commission wish to record the opinion that the examiners generally might, with public advantage, give somewhat more weight to the evidence of practical capacity for business; and at a future session, if they find it necessary, they propose to prepare a rule, adapted to the estimate of such capacity in a just and uniform manner, without at the same time opening the door to mere political influence or personal favoritism.

We ought to bear testimony to the attention and co-opera-

tion with which the Executive and the Members of the Cabinet have aided our labors ; and the more we have been brought into familiarity with the practical bearings of the great principles of individual justice and national safety which must be the basis and the sanction of all true methods of improving the Civil Service, and the ampler our opportunities have been of measuring the allegiance which such principles command from those whom the people have placed at the head of their great affairs, the more profound is our impression of the inestimable value of the Reform itself, and of the solemn obligation of all its friends to leave no means untried, during this best opportunity our generation has seen or may see, to place that Reform upon a sure foundation and to transmit it in healthy vigor as the greatest political blessing this generation can confer upon the generation to come.





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