GHQ/SCAP Records(RG 331)
Description of contents

THE NATIONAL ARCHIVES OF THE UNITED STATES

(1) Box no. 2041

(2) Folder title/number : (9)
Examinations (General)

(3) Date : May 1947 - Jan. 1951

(4) Subject :

Classification	Type of record
324	e, v

(5) Item description and comment :

(6) Reproduction : (Yes) No

(7) Film no. Sheet no.

EXAMINATION OF THE JAPANESE HIGHER BUREAUCRACY

Examination of the Japanese Higher Bureaucracy

During the occupation several important segments of Japanese economic and social life have been transformed, but the old bureaucracy of the national public service remained for a long time practically untouched. With the setting up of the structure of a modern, democratic civil service system it became imperative that it be administered by officials whose qualifications would assure loyal and intelligent effort. Preparations were made in the National Public Service Law for action toward this objective. Article 9 of the Supplementary Provisions called for an examination to fill, in general, all positions from section chiefs to administrative vice-ministers inclusive. It required that the examination be held before 1 July 1950 and that upon announcement of the examination all incumbents of the designated positions would be considered as holding temporary appointments.

The National Personnel Authority announced the examination in a special edition of the Official Gazette dated 12 November 1949. It was decided that, in accordance with the letter and spirit of the law the examination would be open and competitive. This announcement was the signal for opponents of civil service reform to rally in a determined effort to thwart it. Heavy political pressure was put on NPA, which, however, resisted firmly. The press was the medium of a violent propaganda campaign. The Prime Minister and Cabinet officials sought, at the highest level, to have the examination altered or postponed. All these efforts were of no avail and the examination proceded as planned. Applications from all sources, governmental and private, were solicited. Approximately 12,000 applications representing over 8,000 individuals were received for the 2,621 designated positions. In the Tokyo area alone there were more than 4300 applicants of whom 1337 were incumbents, 2437 were subordinate

officials and slightly more than 600 were from outside the government.

The examination, as finally developed, consisted of several components designed to evaluate significant characteristics necessary for competent performance of duties. These characteristics may be described, in a general way as (a) administrative aptitude, (b) technical competence, (c) satisfactory character, and (d) physical fitness. Structurally the examination consisted of two types of objective written tests, ratings of experience, character investigation, and physical examination. The designated positions were grouped into 60 occupational areas and four levels of administrative responsibility, making possible the setting up of standards of experience as integral parts of the examination.

The administrative aptitude test was held in 14 centers throughout Japan on 15 January 1950 and was followed a week later by the written technical tests which covered the basic principles of specific occupational areas. Written tests were found to be feasible in 45 of the 60 occupations. All candidates took the administrative aptitude test which determined their positions on the eligible lists if all other parts of the examination had been passed. Two follow-up examinations were held in May and June for a small number of incumbents who had been unable to attend the first examination. During the entire period the huge undertaking of rating the qualifications of each candidate and obtaining charter ratings was effected successfully. Special measures to maintain security were applied at every step of the examination and no evidence has developed that any secret information ever found its way into unauthorized hands.

Certification of the eligibles was, as a general ruel, made simultaneously for all occupational areas in the order of the levels of the positions. Three names were takin in order of scores were presented to the appointing officer for each position vacancy. Certification began on 3 June 1950 and was completed, for all practical purposes, on 10 July 1950.

The following table summarizes the results (as of 31 Aug 1950 reflecting some organizational changes):

	Number of positions	Number of Appointments	Percentage of incumbents retained
Level I (Vice-ministers, et al.)	35	34	88.2%
Level II (Bureau chiefs, et al.)	138	135	80.7%
Level III (Division chiefs, et al.)	317	301	80.3%
Level IV (Section chiefs, et al.)	1,948	1,748	78.8%

There were 11,506 written tests given, failures were 2,175. Failures due to non-qualification were 612. Failure on the physical examination were nine. The character investigation activities brought to light 14 criminal cases, 8 false declarations of personal history, and one misrepresentation of education.

It should be remembered when considering the general results of the examination that some of the turnover occasioned by the examination is not reflected in the table given above. For example, when the examination was announced a number of incumbents resigned their positions, other failed to apply for the examination, a few applied but failed to appear. Furthermore the eligible lists set up as a result of this examination will be in force for a maximum of two years and will be used as further vacancies occur.

JOSEPH L. SPEICHER

CSD
File

CIVIL SERVICE DIVISION
Government Section

30 January 1951

MEMORANDUM FOR: Mr. Frank Rizzo, Deputy Chief, Government Section.

SUBJECT : Termination of Article 9 Examination Registers.

1. On 26 January 1951, the NPA announced the termination of all the registers established by the Article 9 examination for the higher officials of the Japanese government. The announcement was made without prior consultation with Civil Service Division; members of the division first learning of the action through the Japanese press. Meetings, first with Mr. Yamashita and later with the full commission brought to light the principal facts and motivations for the precipitate decision. These may be classified as political and technical, or perhaps, predisposing and precipitating causes.

a. Seeking the cooperation of the agencies in the implementation of the position-classification system, and the efficiency report system, the commissioners felt a definite resistance, if not hostility, to the NPA programs. In order to appease the agencies, it was thought that some such measure as was taken would establish better relations.

b. The decision was a hasty one, according to Mr. Yamashita, because Director-General Sato was scheduled to speak on Friday (26 January) to both the National Personnel Council and the Vice-Minister's Conference, on future NPA policy relative to appointments and promotions. After an extended meeting the commissioners felt impelled to make the decision they made.

c. Mr. Yamashita also stated that the registers in question had out-run their usefulness, being either exhausted or composed of relatively inferior candidates. In addition, numerous able officials had become qualified, as to extent of experience, during the year which has elapsed since the examination was given.

d. A further reason, according to Mr. Yamashita, was the desirability of training personnel officials of the Ministries in the techniques of qualifications evaluation in preparation for the installment of the promotion system under which these agencies would be delegated much of the operations.

e. While sincerely regretting not having consulted Civil Service Division, Dr. Asai felt that the new policy would serve its purpose well, and he assured the division that there would be no appointments of candidates who had failed the Article 9 examination.

2. The new policy, as explained primarily by Mr. Yamashita has several phases which are clear enough, although very little of the details have been worked out as yet:

a. All registers or eligible lists of the Article 9 examination are declared null. These were set up on 31 May 1950 and had originally been intended to last for perhaps two years (as stated in NPA's report to the Diet and Cabinet.

b. Pending the activation of the new appointment and promotion program based on the position-classification system, scheduled for 31 August 1951, and interim method is to be used. When a vacancy occurs in one of the designated positions, the agency is to submit the names of 5 candidates, of the agency's choosing, to NPA. Thereupon, NPA and the personnel officers of the agency will jointly evaluate the candidates' qualifications and submit the results to the appointing officer, who will make his selection.

c. The reason given by the commissioners for not having all qualified candidates' names submitted for consideration is that there are insufficient trained personnel both in NPA and the Agencies to bear such a task. The plan is to evaluate, at first, five candidates for each vacancy; then as the evaluators become more skilled and more numerous, larger numbers of candidates will be considered for each vacancy, until eventually the agencies will be able to properly evaluate all persons qualified for the position.

d. The permanent plan for promotions is to be the extension of the evaluation method, for Section chief and higher, wherein the agency evaluates all qualified candidates under a competitive situation, and subject to NPA's standards and inspection.

3. The reaction of this Branch to the policy and its method of adoption will be given here briefly.

a. There seems to be little doubt that political motives were predominant in NPA's action. The technical reasons offered have little validity in many instances, and are perhaps rationalizations. While, no doubt many of the eligible lists have seriously deteriorated in the past several months, this is a gradual process and does not justify such sudden cancelation. Sixty registers do not simultaneously

become obsolete in one day. If there are certain registers remaining which are adequate they should be used since that would retain the competitive element in those areas at least. No doubt the sudden nullification of all the registers was to produce an effective political impact.

b. One praiseworth facet of the new policy is the proper emphasis on obtaining sincere cooperation of the agencies, particularly because of the imminent installation of the position-classification system and the appointment and promotion program based upon it. Also the training aspect of the joint evaluation action of NPA and the agencies is sound in principle and shows foresight.

c. There has been offered no explanation by the commissioners as to the reason Civil Service Division was not informed of the move in advance. Only regrets have been offered. Here again, the explanation is, no doubt, political. However, political motivations may be justified or not, depending on the facts. These facts are not entirely clear at present.

d. Inasmuch as public announcement has been made of the new policy, both to official governmental organizations and in the press, it would not seem feasible to demand its retraction. With proper safeguards and some vigilance, some benefits might be derived.

4. Recommendations of the Examination Branch:

a. That the attention of the commissioners be called to their unexplained and improper failure to consult Civil Service Division before taking such an important step. This remonstrance should come from a relatively high source.

b. A report should be requested as to the actual condition of each of the registers at the time of their nullification.

c. A weekly report should be required from NPA listing all appointments made to designated positions, giving in detail the career background of both the incumbent and the new appointee. Especial care should be taken to obtain accurate information as to each one's status with regard to the Article 9 examination. Only by such a series of regular reports can it be determined whether or not the new method is being used for purposes contrary to the merit system. Any such indication should call for immediate remedial steps.

d. A periodic report should be made describing the state of the evaluation training of the agencies' personnel officers. A check

should be made on the actual carrying out of the progressive increase of the number of candidates evaluated for each position, so that in a minimum amount of time the selection will be on a 100% competitive basis.

e. NPA should be advised that CSD does not necessarily concur in the exclusive use of qualification evaluation as the method of selecting appointees to designated positions. We should request the most thorough consultation with us before any major or permanent steps are taken as to technical methods.

f. The commissioners should be advised that CSD is in full sympathy with their efforts to establish better relations with the agencies, and may count on our support for any feasible moves in this direction.

5. Mr. Tindale has read this memorandum and concurs in the recommendations.

JOSEPH L. SPEICHER
Chief, Examination Branch
Civil Service Division

Examination Program

Examination	Mark	1st Quarter			2nd Quarter			
		April	May	June	July	August	September	Octob
1. Police	X14	10 2 19~23		19 20~23	8			
2. Tax Investigators	W3	1 25	7 25	31 30				
3. Tax Collectors		8 28	14	5 14 15	15			
4. S-2 (Follow-up)	S2		9.13 23 27 28					
5. S-3 (Police)	S3			9.10 14 24 27				
6. Police	X15			16 21 24	17	1.3.5.	4 5~9 20	
7. Grade 5 and 6	X16-20				7 12 15	10 25~26	30	5~10
8. Maritime Safety	W7-13					14 17 19	2 8~17	3
9. Tax Employees (Grade 2 & 3)	W5-6					11 16 21	15	
10. Police	X21					25 1 5	25	
11. Labor Standard Inspectors	W14						17 22 28	
12. Diplomats	X22.23							6
13. Assistant Secretary of Court (Grade 5 & 6), Assistant Juvenile Investigators (Grade 6)	W15-18							
14. General Tax Employees (Grade 4)	W19							
15. Grade 4	X24							
16. Police	X25							
17. Tax Employees (Grade 2)	W20							
18. Postal Service (Grade 4)	W21.22							
19. Assistant Maritime Safety (Student)	W23-25							

■ Decision
▨ Examination

X Announcement of Offici
● Announcement of result

ogram for the Year of 1950

Exam. General

As of January 29, 1951

Planning Section, Recruitment Bureau

3rd Quarter			4th Quarter			No. of Applicants Expected	Successful candidates of the 1st Exam.	No. of Eligibles	Exam. Centers
October	November	December	January	February	March				
						21,286	1,224	726	80
						8,670	1,829	1,389	10
						8,758	1,147	871	4
						101			3
						24			2
						24,680	1,856	910	91
5~10 28 VIIA						48,673	4,355 (V-VII only)	3,874	14
3						40,957	2,595	2,093	13
8 VII	9 13·14 VIII		23			7,562	2,114	1,542	11
10~17 VII	21	22~26 VIII	23			11,410	1,612	796	85
20	12 VII		9 11~12 VIII	28		7,374	317	236	8
6 16	10		3·4 VII	28	10~13 VII 30	1,709	109	* 60	8
13 16 25	20		9·10 VII	10	22 28 VIII 20	2,347	775	* 500	8
20 26 1	24		10 VII	8 10~13 VII	3	4,406	1,661	* 1,200	4
10 17 24	22		11·14 VII	12	13·17 VII 15	110,133	* 8,000	* 5,000	49
7 12 15		19	31~4 VII	28	1~3 VII 28	11,703	* 2,000	* 1,000	106
18 21 25		19 28		24 25~27 VII	26	64,595	* 4,500	* 3,000	49
28 6 16	30		18 VII	8 10 VII	25	* 40,000	*10,000	* 7,000	251
19 25		20		11 VII	31	* 30,000	* 300	* 200	5

Official gazette result of First examination

Time limit for application

Announcement of result

* Shows estimate

Exam File

NATIONAL PERSONNEL AUTHORITY - ANNUAL REPORT TO THE DIET - 1950

EXAMINATION OF NATIONAL PUBLIC EMPLOYEES

With a view to selecting national public employees in a democratic manner along with the spirit of the National Public Service Law and, also, in order to improve the efficiency in the government service, the National Personnel Authority had been administering entrance examinations since last year for government service on a nation-wide scale.

Beginning with the appointive examination for higher level government positions in January, ten entrance examinations had been administered during the year under review; i.e. the entrance examination for grade 4, 5 and 6 positions; the entrance examination for diplomats, consuls and chancellors of the Ministry for Foreign Affairs; and the entrance examination for policemen and Imperial guards. There were eight other examinations administered by designated examining bodies, thus making a total of 18 examinations for the year.

These examinations, unlike those in the past which had been intended to test the so-called academic knowledges, were designed to test the ability of discharging duties involved. A rational and objective examination method developed in democratic countries was adopted as the examination method.

Appointive Examination for Higher-Level Government Positions

On January 15, 20, 21 and 22, 1950, the National Personnel Authority administered an open and competitive examination for appointment to 2,464 higher-level government positions at 14 places in the country.

This examination is provided for in Article 9 of the Supplementary Provisions of the National Public Service Law. Ever since the establishment of the said article in October 1947, the National Personnel Authority had continued a careful study on the examination program and, on November 12, 1949, designated government positions subject to the examination, beginning to accept applications for the examination on November 21. By the deadline date of December 24, 1949, the total number of applicants by occupation showed as many as 12,206, actually representing 8,076 applicants. Having been screened off through the rating of qualifications for examination, 7,815 were given admission cards. The total number of persons examined throughout the examination represented 15,777.

Physical examination was administered in June, 1950 for the civilian applicants who had passed both the rating of qualifications for appointment to designated positions and the written examination. In order to be fair, close and careful attention was paid to career investigation and personality evaluation, mobilizing 102 investigators exclusively engaged in such work and using 26,905 sheets of special investigation cards prepared for the purpose.

The supplementary examinati n was administered on May 27 and 28 and June 10, 1950 at three places - Tokyo, Osaka and Sendai.

As a result of the written and physical examinations, personality evaluation and rating of qualifications for appointment to designated positions, 8,489 in all were selected as successful candidates and registered on the employment eligible lists under each category of occupation.

The final result of the examination analyzed under 60 occupations and the actual conditions of appointments to designated positions as of December 31 are shown respectively in the appended tables (1) and (2).

Entrance Examination for National Public Service

Entrance Examination for Grade 6 and Grade 6 Positions

The National Personnel Authority, after having conducted a survey on the need for employees of grades 5 and 6 by various ministries and agencies of government for the fiscal year 1951-1952, administered a written examination in general culture and specialized knowledge on public administration, on August 25 and 26, 1950 at 15 places in the country. Physical examination and oral tests were given from October 5 to 10 of the same year at eight places where the regional offices of the National Personnel Authority are located.

This was the third examination since the National Personnel Authority had undertaken the task of administering entrance examinations for public service.

As in the previous examinations, positions were broadly divided into two categories of administrative and professional. Three new occupations of physics, shipbuilding and sericulture were added to professional positions, thus making a total of 22 from 19 for that category.

As regards qualifications for taking examination, measures were taken, along with the line of the spirit of the National Public Service Law, to widely open the door to examination sothat the persons with a low school career, such as the graduates of middle schools under the old system might be able to sit at an examination long after their graduation.

The applicants for the examination were as many as 24,621, broken down as follows:

Appended Table (1)

Return of the Result of Examination Under Article 9 of the Supplementary Provisions of the Law

(As of 10 July 1950)

Occupations	Positions (as of 31 Aug 51)	Candidates of Written Exam.	Successful Candidates Written Exam.	Candidates Screened Off A	B	C	D	Total	Successful Candidates
1. General Administration	257	2,004	1,751	253	59	49	3	364	1,640
2. Pension	3	6	5	1				1	5
3. Correction and Rehabilitation	37	49	39	10	1	1		12	37
4. Printing and Minting Management	6	11	11		2			2	9
5. Meteorology	2	10	9	1	1			2	8
6. Surveying	15	17	13	4	1			5	12
7. Narcotic Control	1	1	1						1
8. Veterinary	3	8	7	1	1			2	6
9. Horse Racing	4	8	7	1				1	7
10. Sericulture	4	30	26	4	6			10	20
11. Hunting Inspection	1	2	2			1		1	1
12. Industrial Technology	11	114	101	13	9	5		27	87
13. Patents	3	12	11	1	4	1		6	6
14. Postal Service	141	614	472	142	30	17		189	425
15. Economic Inspection	78	257	232	25	57	3		85	172
16. General Affairs	116	496	385	111	46	6		163	333
17. Personnel	95	329	272	57	23	2		82	247
18. Statistics	39	77	64	13	5	2		20	57
19. Budgeting and Accounting	91	344	256	88	20	6		114	
20. Finance and Economics	198	761	621	140	62	11		213	548
21. Taxation	68	193	162	31	10	2		43	150
22. Law	85	78	63	15	5	2		22	56
23. Foreign Affairs	26	167	129	38	2	2		42	125
24. Education	25	194	139	55	32	3	2	92	102
25. Land Transportation	41	239	198	41	4	2		47	192
26. Marine Transportation	70	277	223	54	21			75	202

27. Public Health	18	50	41	9	1	1		11	39	
28. Medical Affairs	17	32	27	5				5	27	
29. Pharmaceutical Affairs	7	15	13	2		2		4	11	
30. Nursing	1	2		2				2	0	
31. Health and Welfare Statistics	4	4	2	2				2	2	
32. Social Insurance	6	11	8	3	1			4	7	
33. Social Welfare	14	34	25	9	3			12	22	
34. Agricultural Economy	111	556	440	116	17	4		137	419	
35. Agriculture	53	177	127	50	16	7		73	104	
36. Agricultural Engineering	12	100	81	19		1		20	80	
37. Agricultural Chemistry	3	42	34	8	5	2		15	27	
38. Forestry	52	298	233	65	5	10		80	218	
39. Animal Husbandry	4	26	21	5	2			7	19	
40. Fisheries	8	65	43	22	1	1		24	41	
41. Labor	92	298	238	60	25	8		93	205	
42. Telecommunication Management	119	727	546	181	45	6		232	495	
43. Business Specialist, Economics	93	514	417	97	21	16		134	380	
44. Business Specialist, Mechanics	10	139	113	26	9	4		39	100	
45. Business Specialist, Electric Mechanics	1	17	10	7		2		9	8	
46. Business Specialist, Communication Machinery	3	19	13	6	1	3		10	9	
47. Business Specialist, Electric Power	14	113	99	14	4	1		19	94	
48. Business Specialist, Iron & Steel	4	50	42	8	5			13	37	
49. Business Specialist, Mining	23	217	185	32	1	6		39	178	
50. Business Specialist, Chemistry	13	113	93	20	7	4	1	32	81	
51. Business Specialist, Textile	10	75	60	15	7	3		25	50	
52. Business Specialist, Construction	18	188	152	36	9	4	1	50	138	
53. Civil Engineering	47	263	230	33	4	10	1	48	215	

54.	Architecture	33	185	139	46	3	4		53	132
55.	Mechanics	16	108	86	22	7	3		32	76
56.	Electricity	4	45	36	9	1			10	35
57.	Mining	4	98	73	20	6	4		30	63
58.	Telecommunications Engineering	51	416	311	105	2	5	1	113	303
59.	Shipbuilding	17	88	74	14	3			17	71
60.	Police	105	133	125	8				8	125
101.	Combined Occupations	57	..	..	..	..	..	..	..	..
	Total	2,464	1,511	9,336	2,175	612	226		93,022	8,489

N.B. In the above table "A" indicates the number of candidates who failed in the written examination.
"B" indicates the number of candidates screened off as unqualified for appointment.
"C" indicates the number of candidates screened off as unqualified for appointment, as a result of rating by means of the Special Investigation sheet.
"D" indicates number of candidates screened off as physically unfit.

Appended Table (2)

Table Showing Actual Condition of Appointments to Designated Government Positions

(As of December 31, 1950)

	Grade I	Grade II	Grade III	Grade IV	Total
Appointment from Incumbents:			(2)	(4)	(7)
Number of employees appointed to original positions.....	29	108	234	1,460	1,831
			(3)	(9)	(11)
			(3)		(3)
Number of employees appointed from other grade within same ministry or agency.....	4	19	47	0	70
			(3)		(3)
		(1)	(1)		
Number of employees appointed from other Grade in other ministries and agencies....	0	3	4	0	7
			(1)	(2)	(3)
Number of employees appointed from same grade in other ministries and agencies....	0	0	1	35	36
			(1)	(1)	(2)
New Appointment:				(12)	(13)
Number of employees appointed from the same ministry or agency.....	(1) 0	4	7	316	327
			(1)	(8)	(9)
Number of employees appointed from other ministries or agencies.....	0	1	0	51	52
		(1)		(1)	(2)
Number of employees appointed from other sources.....	1	0	0	17	18
	(1)	(1)	(8)	(6)	(401)
Total number of Appointments:.....	34	135	293	1,879	2,341
		(1)	(7)	(31)	(15)
Number of designated positions:.....	26	139	318	1,955	2,448
Percentage of Appointment:.....	97.2%	98.6%	96.9%	97.8%	97.9%

Note: This table shows how the incumbents of the designated positions have been appointed as of 31 December 1950

The figure in ( ) indicates the number of employees appointed under the provisions of Paragraph 8 of the NPA Rule 8-11.

The Figure in 0 indicates the number of employees appointed under the provisions of Paragraph 11 of the NPA Rule 8-11

Examination Centers	Positions Grade 5	Grade 6	Total
Sapporo	330	421	751
Sendai	891	446	1,337
Akita	245	66	311
Tokyo	5,623	4,456	10,079
Nagano	554	90	644
Nagoya	1,289	485	1,774
Kanazawa	395	132	527
Osaka	1,597	858	2,455
Kyoto	753	664	1,417
Hiroshima	653	255	908
Matuse	231	51	282
Takamatsu	769	199	968
Fukuoka	1,291	787	2,078
Kumamoto	922	170	1,092
Grand Total	15,541	9,080	24,621

The number of successful candidates of the examinations who have been registered in the employment eligible lists is 1,810 for the grade 5 (560 for administrative positions and 1,527 for professional positions) and 1,416 for the grade 6 (541 for administrative positions and 1,201 for professional positions). Some of them were already certified and appointed by ministries and agencies of government.

Entrance Examination for Grade 4 Positions

In the past, the appointment of grade 4 national public employees has been left to the discretion of each organ of the National Government and made, as a matter of expediency, to fill a vacancy as it had occurred.

With an eye to the establishment of a new recruitment system, public announcement was issued in November setting forth that the National Personnel Authority would administer en bloc an entrance examination for grade 4 national public employees whose appointment in the past had been considered only as a problem of filling vacancies. The forthcoming examination is for grade 4 national public employees (assistant clerks) who are expected to work at Hakodate, Asahikawa and Kushiro in addition to the seats of local government units. Applicants must be over full 18 but under 24 years of age, regardless of their educational background. In response to such announcement as many as 110,133 applied by the deadline on December 22, 1950. The examination is scheduled to be adm nistered in the middle of January 1951.

Entrance Examination for Diplomats, Consuls and Chancellors of the Ministry for Foreign Affairs

The application for the first entrance examination for diplomats, consuls and chancellors of the Ministry for Foreign Affairs was closed at the end of the previous year. On January 8 of this year, the forst examination was administered in Tokyo and at the places where the regional offices of the National Personnel Authority are located, the test covering such culture and knowledges as may be deemed necessary for foreign service. In February, 1950, the second examination (oral test and physical examination) was conducted in Tokyo.

In view of the nature of the duties of the positions the examination placed special emphasis on foreign languages. The number of applicants for the examination, the number of examinees and those successful of the first examination, the number of examinees of the second examination and the number of final successful candidates by foreign language are as follows:

Position	Applicants	Examinees of 1st Examin.	Successful Candidates of 1st Exam.	Examinees of 2nd Exam.	Final Successful Candidates
Diplomat and Consul	683	331	37	36	14
Chancellor	1,613	715	31	26	10

Language / Position	English	French	German	Russian	Chinese	Spanish	Portu-gese	Total
Diplomat and Consul	12	1	0	1	0	0	0	14
Chancellor	6	1	0	1	2	0	0	10

The successful candidates of the examination were registered in the employment eligible lists and certified on the requisition of the Ministry for Foreign affairs. To date, 17 have been appointed.

The first examination of the second entrance examinationfor the positions of diplomats, consuls and chancellors of the Ministry for Foreign Affairs was administered in December 1950 in Tokyo and the places where the regional offices of the National Personnel Authority are located. The second examination is scheduled to be held in January 1951.

The number of applicants for this examination and the number of the successful candidates of the first examination are as follows:

Position	Applicants	Examinees of 1st Exam.	Successful Candidates of 1st Exam.
Diplomat and Consul	625	378	56
Chancellor	1,084	611	53

Entrance Examination for Police Personnel and Imperial Guards

The successful candidates of the examination were registered in the employment eligible lists by prefecture and certified upon the requisition of the police authorities in the order of their examination scores.

The second, third and fourth entrance examinations were held for police personnel only. The second entrance examination was administered in May and June at 81 places all over the country (the second examination covering oral test and physical examination was administered at 30 places). The number of applicants for the examination, the number of examinees and the number of successful candidates were as follows:

Number of Applicants	Number of Examinees	Successful Candidates of 1st Examination	Number of Final Successful Candidates
21,286	15,432	1,224	726

The third entrance examination was administered in August and September at 91 places throughout the country (the second examination covering oral test and physical examination was given at 25 places). The number of applicants for the examination, the number of examinees and the number of successful candidates are as follows:

Number of Applicants	Number of Examinees	Successful Candidates of 1st Examination	Number of Final Successful Candidates
24,680	17,250	1,856	910

The fourth entrance examination was conducted in October and November at 83 places throughout the country (the second examination covering oral test and physical examination was held at 22 places). The number of applicants for the examination, the number of examinees and the number of successful candidates are as follows:

Number of Applicants	Number of Examinees	Number of Successful Candidates 1st Exam.	Number of Final Successful Candidates
11,410	6,569	1,612	796

The fifth entrance examination is scheduled to be held from the end of January to February 1951. Necessary preparations are now under way.

Examinations Conducted by Designated Agencies

By a designated agency is meant an agency other than the National Personnel Authority which is specially designated as an examining body by a resolution of the National Personnel Authority under the provisions of Article 48 of the National Public Service Law and the NPA Rule 7-3, and is decided after taking into consideration the budget and the staff strength of the National Personnel Authority as well as the peculiarity of the duties of positions to be covered by examination. Each of the designated agencies will be delegated the power by the National Personnel Authority, and subject to general supervision of the Director-General of the Authority, will administer examination on behalf of the Authority which is responsible for such examination.

During the year under review, the following eight entrance examinations were administered by the designated examining bodies:

Kind of Entrance Examination	Examining Body
Entrance Examination for national tax investigators	Tax Administration Agency
Entrance Examination for national tax collectors	"
Entrance examination for taxation employees (for grade 2 and grade 3 taxation personnel)	"
Entrance examination for general taxation employees	"
First entrance examination for employees of the Maritime Safety Agency	Maritime Safety Agency
Entrance examination for labor standard inspectors	Ministry of Labor
Entrance examination for probational court clerks (for grades 5 and 6)	Supreme Court Secretariat
Entrance examination for juvenile delinquency investigators (grade 6)	"

As to each of these examinations, the designated examining body was responsible for its administration, while the work relating to advertisement and acceptance of applications was conducted jointly by the designated examining body and the National Personnel Authority, while career investigation was made primarily by the National Personnel Authority. The Authority held itself responsible for determining final successful candidates and the preparation of the employment eligible lists which are kept at the Authority.

Entrance Examination for National Tax Investigators

The entrance examination for national tax investigators was an examination to select employees neded by tax administration bureaus and taxation offices throughout the country for various investigations concerning internal taxes as well as members of conference groups for national taxes. The written first examination was administered on 7 May 1950, and the second examination covering oral test and physical examination was conducted on 31 May and 1 June 1950 at 10 places in the country, respectively.

In view of the nature of the duties of the positions, the examination was given to those over full 30 but under 50 years of age, with experience of over three years in taxation business, finance, and economics or accounting. No lim tation as to school career execpt for scholarship coordinate to graduates from college under the old system.

The number of applicants for the examination, the number of examinees and the number of successful candidates of the examination are as follows:

Applicants	Examinees for 1st Exam.	Successful Candidates - 1st Exam.	Examinees for 2nd Exam.	Final Successful Candidates
8,670	7,038	1,829	1,793	1,389

Entrance Examination for National Tax Collectors

This was an examination designed to select employees who are to be engaged in work relating to internal taxes. The written first examination was administered on 14 May and the second examination covering oral test and physical examination was conducted on 14 and 15 June 1950 at four places - Tokyo, Nagoya, Osak and Fukuoka.

As one of the qualifications for taking examination, applicants must be over 25 but under 40 years of age and must be graduates of the old system middle schools and high schools. The breakdown is as follows:

Applicants	Examinees for 1st Exam	Successful Candidates - 1st Exam.	Examinees for 2nd Exam.	Final Successful Candidates
8,758	5,849	1,147	1,116	871

Entrance Examination for Taxation Employees (For Grade 2 and Grade 3 Taxation Personnel)

This was an entrance examination for employees to be engaged in business relating to assessment and collection of internal taxes. The written first examination was administered on 8 October and the second examination covering oral test and physical examination was conducted from 13 to 16 November 1950 at all places in the country where tax administration bureaus are located.

In view of the duties involved, positions were divided into two categories, A and B - A for general taxation business and B for assessment and collection of taxes. Another distinction was made as to scholarship; applicants for grade 2 were required to possess scholarship coordinate to graduates from old system high school or college, while those for grade 3 were required to possess scholarship comparable to graduates from an old system university. The figures concerning applicants for the examination, examinees and successful candidates are as follows:

	Applicants	Examinees of 1st Exam.	Successful Candidates 1st Exam.	Examinees of 2nd Exam.	Final Successful Candidates
A Grade 2	2,642	1,611	610	580	437
B Grade	1,884	1,231	581	533	422
A Grade 3	1,826	1,136	526	466	376
B Grade	1,209	847	397	364	307
Total	7,561	4,825	2,114	1,943	1,542

Entrance Examination for General Taxation Employees

This was an entrance examination for employees to be assigned to various tax administration bureaus or taxation offices throughout the country (limited for this time to those under the jurisdiction of the Nagoya, Osaka, Hiroshima and Fukuoka Tax Administration Bureaus) and to deal with transactions relating to the assessment and collection of internal taxes. The first examination was administered on 10 December 1950 at the places where the above-mentioned four tax administration bureaus are located for applicants who were over full 28 but under 35 years of age with scholarship coordinate to graduates from a middle school under the old system. The second examination will be conducted in the first part of January 1951. The number of applicants for the examination reached 4,406.

Entrance Examination for Employees of the Maritime Safety Agency

This was an entrance examination for second class maritime safety officers and below and their subsidiary staff. The written first examination was held on 8, 11, and 14 September 1950 and the second examination covering oral test and physical examination was conducted from 8 to 17 September of the same year at 13 places including Hakodate, Takamatsu and Kagoshima, plus the places where the regional headquarters of the Maritime Safety Agency are located.

In view of the peculiarity of the duties involved, a detailed list of qualifications for taking examination was provided for, such as, for instance, that, for senior safety officers, experience of at least three years at sea was required in lieu of the written examination, and in addition it was also prescribed that the applicants concerned could take the examination on any day at their convenience during the period set for the examination.

The number of applicants for the examination by position and the number of successful candidates are as follows:

Position	Number of Applicants	Number of Successful Candidates
2nd Class Maritime Safety Officer	112	16
3rd Class Maritime Safety Officer	282	91
1st Class Maritime Safety Warrant Officer	401	105
2nd Class Maritime Safety Warrant Officer	772	211
3rd Class Maritime Safety Warrant Officer	1,577	158
Subsidiary Staff (experience at sea required)	15,162	1,136
Subsidiary Staff (experience at sea not required)	22,651	376
Total	40,957	2,093

Entrance Examination for Labor Standards Inspectors

The written test of this examination was administered on 13 November 1950 and the second examination (oral test and physical examination) was conducted from 9 to 14 December of the same year at the places where the regional offices of the National Personnel Authority are located.

In view of the nature of the positions involved, specialized knowledge of matters relating to labor was required of the applicants for the examination, but no schooling was prescribed as a qualification except for scholarship coordinate to graduates from an old system college. The total number of applicants for the examination was 7,411, of which successful candidates of the first and second examinations were 317, and 236, respectively. The number of final successful candidates has not yet been out.

Entrance Examination for Probational Court Clerks (Grades 5 and 6)

This was an examination for persons who are expected to work at each court of law, performing subsidiary work to assist court clerks to insure smooth administration of court business. The written first examination was administered on 9 and 10 December 1950 at the places where the regional offices of the National Personnel Authority are located. The second examination is scheduled to take place in January 1951.

Of the qualifications for taking examination, school career was divided into two categories, i.e., scholarship coordinate to graduates from an old system college or high school for grade 5, and scholarship coordinate to

graduates from an old system university for grade 6. The number of applicants for the examination and the number of examinees are as follows:

Position	Number of Applicants	Number of Examinees of 1st Examination
Probational Court Clerk.....Grade 5	1,181	776
Probational Court Clerk.....Grade 6	631	438
Total	1,812	1,214

Entrance Examination for Probational Juvenile Delinquency Investigators (Grade 6)

This was an examination held to select employees to be assigned to family courts throughout the country to assist juvenile delinquency investigators. The first examination (written) was administered on 9 and 10 December 1950 at the places where the regional offices of the National Personnel Authority are located. The number of applicants for the first examination was 535, of which 347 actually took the examination. The second examination is scheduled to take place in January 1951. It was prescribed that the applicants for grade 6 must be graduates of an old-system university or those with coordinate scholarship.

Memo 8

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

28 December 1950

MEMORANDUM FOR THE RECORD

SUBJECT: Standards by which the "Red Purge" is carried out in the various Ministries.

Upon request, the following description was furnished by Mr. Kawasaki, Chief, Investigation Bureau, NPA.

Standards with explanatory notes are being set in each Ministry and Agency for the present "Red Purge", and are being activated in accordance with Cabinet decisions. Dismissals are made pursuant to Item 3, Article 78 of the National Public Service Law. Persons who agree to leave their posts at the suggestion of proper authorities are treated as"dismissal at own request."

Standards vary in each Ministry and Agency as to the scope of the "Red Purge" Some dismiss all party-men registered with the Special Examination Bureau, Supreme Court, under the "Regulations governing corporations, etc." ("Dantaito-Kiseirei"), while others refrain from discharging even registered party-men unless said person was known to participate in actual Communistic actions.

Standards adopted by each Ministry and Agency for the "Red Purge" are as follows:

1) Agriculture and Forestry Ministry

Standards apply to all registered party-men and their fellow-travelers, those who distributed handbills, were exclusively engaged in labor union activities, spoke illegally at grand meetings, etc. It appears that registered party-men were unconditionally dismissed, although definite standards were not provided except items having Cabinet consent.

2) International Trade and Industry Ministry

From approximately 120 persons who participated in definitely Communistic actions since June 1950, 45 of the most active were eliminated in accordance with decisions of the Cabinet. Persons once registered with the Party, but who seceded and gave no further indications of Communistic activities, were excluded. In the regional government agencies, the "Red Purge" is expected to be carried out in the 2nd elimination, with the exception of Honda,

Vice Chairman of the All Japan Commerce and Industry Ministry Labor union.

3) Telecommunications Ministry

Since the end of last year, standards for investigation of definite Party activities have been set and reports submitted in detail to the Ministry. At present, a provisional plan exists, in accordance with decisions of the Cabinet, applying to persons whose conduct in Communistic activities is backed by authentic evidence.

4) Postal Services Ministry

The same provisions exist as for the Telecommunications Ministry except that persons who confirm the fact of their secession from the Party by refraining from further Communistic actions are excluded.

5) Labor Ministry

Party-men engaging in remarkably concrete Communistic activities are affected.

6) Transportation Ministry

(a) Central Metererological Observatory

Standards include those who actively participate in movements of Communistic nature as in the August disturbances, those who are registered with the Party and also those who act outside of police investigation.

(b) Maritime Safety Board

All registered party-men engaging in characteristically Communistic activities are included.

7) Welfare Ministry

Dismissals are limited to party-men engaging in definitely Communistic actions.

8) Finance Ministry

(a) The Ministry proper, Finance Affairs Bureau and Customs House

Persons engaging in "fraction" activities in collaboration with party-men dismissed in 1949 are included.

Vice Chairman of the All Japan Commerce and Industry Ministry Labor union.

3) Telecommunications Ministry

Since the end of last year, standards for investigation of definite Party activities have been set and reports submitted in detail to the Ministry. At present, a provisional plan exists, in accordance with decisions of the Cabinet, applying to persons whose conduct in Communistic activities is backed by authentic evidence.

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The same provisions exist as for the Telecommunications Ministry except that persons who confirm the fact of their secession from the Party by refraining from further Communistic actions are excluded.

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(b) Maritime Safety Board

All registered party-men engaging in characteristically Communistic activities are included.

7) Welfare Ministry

Dismissals are limited to party-men engaging in definitely Communistic actions.

8) Finance Ministry

(a) The Ministry proper, Finance Affairs Bureau and Customs House

Persons engaging in "fraction" activities in collaboration with party-men dismissed in 1949 are included.

(b) Tax Administration Bureau and Mint Bureau

Standards apply to party-men and those who participated in actions of Communistic nature either within or without buildings.

(c) Printing Agency

Standards affect all registered party-men.

9) Electric Waves Control Commission

Those registered party-men recognized by the Special Examination Bureau as engaging in actions of definitely Communistic nature are included.

10) Mineral Products Trading Kodan (Kokohin Boeki Kodan)

Standards apply to those who acted in sympathy with men dismissed in January 1950.

Joseph L. Speicher
Chief, Examination Branch.

Exam
Memoranda
file

National Personnel Authority

December 28, 1950

To: Mr. Maynard Shirven,
Acting Chief of Civil Service Division,
Government Section, GHQ, SCAP

From: The Public Administration Delegation

Subject: Report on Examination system, etc. in U.S.A.

1. Entrance examination.

Except for entrance examination for the civil service within the area where the Federal Civil Service Commission or its Regional Offices are located, which are administered by themselves, all other examination for recruitment of personnel for the civil service of the United States of America are administered by two kinds of examination organs. These are (1) approximately 8,000 post offices responsible for propagranda and the administration of examination (written examination) and (2) approximately 600 other examination organs composing of experts of various government agencies which are responsible for all sorts of works relating to examinations, such as the announcement of examination, preparation of eligible list, administration of examinations (mainly unassembled test), etc.

Within the jurisdiction of the Federal Civil Service Commission and its Regional Offices, at least one examination is being held every day. From this it may easily be surmised that, in Japan with more than 800,000 government employees, we shall have to hold examinations quite frequently.

Under the present circumstances where there is very little possibility to increase the number of the NPA staff, it would also be inevitable to have as many examination organs as possible. For this reason, I consider it advisable to commence necessary study immediately in respect to the following two points:

A. To enlarge the capacity of Regional Offices in dealing with the business relating to examination and to define clearly the jurisdiction of the NPA Headquarters and its Regional Offices:

(1) Jurisdiction of the NPA Headquarters and its Regional Offices in the case of examinations administered independently.

(2) Role to be played by Regional Offices in the case of nation-wide examination administered by the NPA Headquarters.

B. To establish the most effective and the least expensive examination organs.

2. Promotion examination.

It may safely be said that even in the United States of America there is no appropriate method of promotion examination realy satisfactory to all. This may be attributed to the difficulty to fix appropriate standard for efficiency rating. In the Federal Government, there is no eligible list for promotion and, as a consequence, all promotion is effected through the recommendation of the supervisor concerned. In fact, there is no examination system for promotion in the Federal Government service and only recently the length of experience in the service, etc. were specified as a minimum qualifications for promotion. On the otherhand, in the cities of New York and Detroit as well as in the State of California, the examination for promotion are given to those qualified personnel in the same way as in the case of examination for recruitment and in such a way as may discern the adaptability without referencing to efficiency rating.

In the Federal Government Service, appointing officers are authorized and empowered under the very simple and abstractive rule of the Civil Service Commission to promote their staff, while in the cities of New York and Detroit as well as in the State of California the function to promote the staff and to administer the examination for promotion is centralized

in the hand of the Civil Service Commission.

Under the present circumstances in Japan, it would be premature and even dangerous to delegate unlimitted power to appointing officers in respect to promotion until the merit system is thoroughly established. Nevertheless, I consider it impossible for the NPA alone to administer the examination for promotion of more than 800,000 government employees. How far the power should be delegated, or whether there is any other alternative is a very important problem that requires prompt solution not only for the examination but also for all other personnel administration, such as position classification plan, compensation system, etc.

3. Service records.

We were greatly concerned on the study of service records kept by the Civil Service Commission - at least by the Federal Civil Service Commission. But, the answer to our repeated questions regarding the system was that "service records are utilized only for the confimation of the official status and loyality of an individual government employees" and we had no chance to inspect the operating facilities - presumably a very expensive institution judging from its large number of staff exceeding 350. We were told that various government agencies were keeping complete service records for their own staff, preparing various statistics based on such records. The Civil Service Commission simply collects such statistical reports prepared by various government agencies and coordinate them to prepare necessary statistics. Judging from the above, I am inclined to doubt the utility of service records kept by the Civil Service Commission. In view of these facts in America, I consider it necessary to suggest that the future administration of service records in the National Personnel Authority should carefully be scrutinized. For this purpose, a clear-tut limit must be set to the utility of the NPA service records whereby defining the scope

of service records that will be kept by the National Personnel Authority in future and devising an adequate method of administration with a view to keeping necessary and complete service records to maintain their utility.

In nearly all the Civil Service Commissions we had visted, we found the fact that the documentary records kept by the Commission, its regional offices and appointing officers were overlapping each other - all administering them independently from their own standpoint covering the fields of service records, examination, investigation, pension, pay-roll, etc. In order to avoid such duplication in keeping official records, which will require a large number of staff and a big amount of money, I venture to suggest that the organic relationship among various service records be carefully studied and adequate forms and the method of administration be devised with a view to limitting the service records kept by the National Personnel Authority to a minimum.

4. Mechanized flow of works relating to examination.

We saw a highly mechanized flow of works in the State Personnel Board of California. There the works relating to examination - from the acceptance of applications to the preparation of eligible list and the certification of eligibles are highly mechanized, e.g. the application form is so devised as may allow the applicants to mail the application without any trouble of making entries except for affixing a postage stamp: and applicants are classified by kind and place of examinations and added up every day so that necessary information in respect to installations, equipment and printing matters for conducting examination may be obtained promptly. At the same time, scoring, determination of priority, preparation of eligible lists and the certificate of eligibles are also dealt with in a smooth flow of works and with a very convenient method and forms, completing all these works within a month. Needless to say that various I.B.M., such statistical

machines, scoring machines and calculating machines are used in this flow of works.

It would not be so difficult to improve the efficiency of our examination staff by 500% as compared with their present efficiency if we could manage to get the abovementioned machines, equip our office with an adequate number of cabinets, and devise a new working system based the aforementioned flow of works carefully analized.

5. Establishment of technics relating to Unassembled test.

This is a technics for rating the career of applicants for examination, whereby the previous career of an applicant for a position in a particular occupation groups is put down in the order of adaptability to the duties and responsibilities of such position and the weight is given according to the length of experience and the degree of relationship with the desired position thus determining the priority of applicants according to the aggregate weight given to their previous career.

This technics is widely adopted by the Civil Service Commission everywhere in the United State as a method of examination for recruitment of personnel who will be assigned to a higher grade position where it is difficult to test adaptability of personnel by the written examination. Of course, this method of examination is often used together with the written and oral examinations. The most difficult point of this examination is to fix the standard for rating which is practically impossible without the assistance of specialist in the occupation concerned. In the United State, specialists composing of the examination committee are given special training and are engaging in the work of fixing the rating standard and the rating work.

In view of its effectiveness in the examination for recruitment of personnel who will be assigned to higher grade positions as well as in the

promotion examination, I consider it essential to start necessary study for the establishment of technics relating to unassembled test.

6. Appeal against the result of examination.

Request for review of complaints lodged by examinee against the result of examination is recognized by all Civil Service Commissions, above all, in the State of California there is a fully established system. Of course, it is one of the essential requirements for the democratic administration of personnel affairs. But, on the other hand, it requires the publicity of examination papers and the correct answer and, in oral examination, it will most likely require the stenographed record of the questions and answers of the examiner and examinee. Consequently, a great technical difficulty is expected. For this reason, we have to make careful study before such system is adopted in Japan. More especially we have to take a serious consideration as to the time when it should be enforced. Under the circumstances where the multiple choice system is adopted in the written examination as in the case of the National Personnel Authority, it should not be put into practice unless we could manage to prepare as many examination papers as may sufficiently prevent the leak of secrecy, otherwise we shall meet a great technical difficulty. Under the present circumstances where it is impossible to obtain automatic recording machine or to employ special stenographer for this purpose, we have to devise some other way to deal with this problem. Anyway, I consider it advisable to start necessary study for adopting this system.

7. Requirements for physical examination and the basic standard for the method of examination.

We noticed with envy that in the Federal Civil Service Commission there was established a perfect standard of requirements for physical examination. As revealed in our experience, most of the complaints of examinees has been raised against the requirements for physical examination and its result.

If we take an example of the method of examination by x ray only, there are varied opinions among the physicians as to its propriety. If we are to establish a proper standard for physical examination under these circumstances, we have to recruit specialists from various academic institutes, universities and hospitals to participate in the work in order to ascertain the consensus of opinion. And it is advisable to set up a committee, with the Health Section as an administrative center, with a view to establishing a standard fully endorsed by the qualified persons.

In the United State, a primary emphasis is laid on the physical examination from the stand point of view to improve the efficiency.

8. Handbooks and Manuals relating to examinations.

Perfection of handbooks and manuals in various civil service commissions in the United State struck us with admiration and I have to confess that I was deeply impressed why such handbooks and manuals were required.

With the impending establishment of the local public service law, delegation of power to regional offices in wide scope and the establishment of various examination organs, it is urgently required for the NPA to prepare complete handbooks and manuals with a view to offering necessary technical advices we shall have to offer.

9. Efficiency Rating.

Following the declaration in 1949 that the efficiency rating was futile and of no use, the Federal Civil Service Commissions had adopted this year a new plan to supersed the efficiency rating that had hitherto been administered by it. The purpose of the new plan is to prescribe "performance standard" for rating the performance of employees which will be called as "performance rating" instead of efficiency rating.

The merit of the performance rating as compared with the former efficiency rating can be seen only in future. But, I noticed a strong opposition prevailing against the idea of utilizing this system as a cat's

paw for promotion or administrative readjustment no matter whether it be called "performance rating" or "efficiency rating". In fact, in the Federal Civil Service Commission it was emphatically pointed out that "the performance rating is devised to furnish an individual employee with a necessary information as to how he is evaluated by his supervisor with a view to offering him a chance to make good of his deficit or to improving the relationship between the employee and the supervisor, thus contributing to the ultimate improvement of administration. It should not, in any sense, aim at making comparison among employees."

With the impending enforcement of promotion system in the government service, it is imperative for us to decide whether the efficiency rating should affect the promotion or, if it should, to what extent.

10. Recruitment policy of the NPA staff.

A conspicuous feature in the Civil Service Commission in the United State is that the majority of its staff is clerks, above all, female clerks. For example, in the field of examination, the so-called examination specialist is employed in a limitted number only for the preparation of examination papers and for the planning of examination, while other works relating to examination, such as the preparation and administration of examination, scoring, perparation of eligible lists and the certification of eligibles, are all performed by clerks. In fact, the main part of works in personnel administration is of such a nature as may be disposed of en bloc - that is, routine works performed in accordance with various rules, regulations and procedures. In spite of this fact, the NPA staff has hitherto been recruited under the same condition to be assigned indiscriminately to clerical works and specialit's works. Such is not a proper utilization of employees. Therefore, in future, the recruitment of the NPA staff will be concentrated to clerical staff, selecting them through strict examinations.

Exam
Memo

CIVIL SERVICE DIVISION
Government Section

22 November 1950

MEMORANDUM FOR : The Record

SUBJECT : Visit by Members of Personnel Committee, Upper House, re Wage Bill.

Mr. KINOSHITA, Chairman of the House of Councillors Personnel Committee, accompanied by two other members, called on Mr. Shirven at 1400 hours today to hear Mr. Shirven's opinions on the divergence between the Government's proposed wage revision and the NPA recommendation.

Mr. Shirven explained that while he personally thought that the NPA plan is technically superior, the Government has the responsibility of estimating financial resources and presenting a bill to the Diet. He also explained that the NPA was never conceived as a legislative or financial organ, but that its functions with respect to wage policy are purely advisory. Its advice has in fact been influential.

It was also explained that in view of the approaching peace treaty and the gratifying progress toward democratic government in Japan, it is the general policy of this Headquarters to leave responsibility for domestic matters to the Japanese Government and Diet so long as no act contrary to Occupation policy is involved, the role of GHQ with respect to such matters now being, accordingly, an advisory one. Since the wage bill is regarded as a domestic matter not in contravention of Occupation policy, no objection will be raised by this office, nor will objection be raised to amendments under similar conditions.

After reassurance that the advice of the Division had been given to the Government as well, Mr. KINOSHITA took leave with promises to call again.

JS:ger

JOHN SATO
Examination Specialist

CIVIL SERVICE DIVISION
Government Section

Maynard memo

2 October 1950

MEMORANDUM FOR : Brigadier General Courtney Whitney
Chief, Government Section

SUBJECT : Results of the NPA Examinations for
Senior Government Officials

1. There is attached a copy of a report showing the results of the examinations for senior government officials, held pursuant to Article 9 of the Supplementary Provisions of the National Public Service Law. This report was prepared by the National Personnel Authority for submission to the Diet and was not reviewed by this office prior to publication.

2. The most significant outcome is that incumbents of 26 per cent of the positions designated for examination were replaced by new appointees directly as the result of the examinations. It is estimated that another 20 per cent of the incumbents were replaced indirectly as a result of the examination. Thus, nearly half of the officials who were incumbents of the designated positions when the examinations were announced have now been replaced. In view of the evidence of the validity of the examinations, this large turnover should result in considerable improvement in the caliber of senior officials. It should also have a salutary effect on the climate of administration.

3. It is hoped that this information may be brought to the attention of the Supreme Commander at an appropriate time.

MAYNARD N. SHIRVEN
Acting Chief

MNS:ger

Memo

Government Section

28 September 1950

Dr. Donald E. Baier
Personnel Research Section
Personnel Research and Procedures Branch
Adjutant General's Office
Room 1C917, Pentagon Building
Washington, D. C.

Dear Dr. Baier:

This will introduce the following officials of the National Personnel Authority of the Government of Japan:

Mr. Sato, Tomo	-	Director-General
Mr. Miyaji, Kenjiro	-	Chief, Bureau of Recruitment
Mr. Takimoto, Tadao	-	Chief, Bureau of Compensation
Mr. Kanazashi, Kinichiro		Chief Liaison Officer
Mr. Onouchi, Yukio	-	Chief, Position Classification Sec.
Mr. Yukawa, Ryuji	-	Chief, Organization and Planning Sec.

The National Personnel Authority is the Japanese equivalent of the United States Civil Service Commission. Through its administration of the National Public Service Law, passed in 1947, it is engaged in the transformation of the bureaucratic structure of the Japanese Government, which was greatly influenced by German cameralistic principles, into a democratic and efficient service adapted to the needs of a democratic state.

These gentlemen are now in the United States for the purpose of studying the best American personnel practice. I know that you will welcome the opportunity to be of assistance in allowing them to observe the Personnel Research Section activities.

Sincerely,

JOSEPH L. SPEICHER
Chief, Examination Branch
Civil Service Division

JLS:rp

1-1

Speicher
Note #3 was
prepared by Miyagi
MS

CIVIL SERVICE DIVISION
Government Section

15 August 1950

MEMORANDUM FOR: The Record

SUBJECT : Policy Statement Concerning Use of Position Classification presented to the Personnel Council, August 16, 1950

Points covered in this statement are as follows:

A. Relationship to Compensation

1. Pay will be made in accordance with duties and responsibilities.
2. No reduction in pay will occur at time of installation.
3. Ranges of pay for classes of positions or grades within occupations will be overlapping.
4. Those at the maximum rate of pay at any range will be provided with limited but additional steps.
5. Special allowances will be rationalized into the base pay to the greatest extent possible.
6. The pay plan will be installed as soon as possible following installation of classification.

B. Relationship to Recruitment.

1. Clarification of the possibility of promotion in transfer.
2. Clarification of the basic principles concerning promotion in transfer.
3. At time of installation of position classification, all incumbents will be considered qualified for the positions in which they are working.
4. Make possible the development of a clarified policy with regard to transfer.
5. Individuals will be permitted transfer, promotion, etc. provided they have the qualifications considered necessary to adequately perform the work in the new position to which they aspire.
6. Transfer will be permitted without competitive examination.
7. Promotion will be on a competitive basis and may include written examinations or review of qualifications or any combination thereof.

8. New appointments to the service will be on the basis of competitive examinations for those meeting the desired qualifications for class of position concerned.
9. Basis for certification will be established and selective certification could be developed.
10. Authority to review qualifications and complete certain transactions on the basis of position classification may be delegated to the ministries.

The procedures concerning the immediate distribution of questionnaires for collection, analysis and development of tentative allocations is being described to the Council by Director General Sato.

MACDONALD SALTER
Chief, Classification
and Compensation Branch

MS:vr

CIVIL SERVICE DIVISION
Government Section

7 August 1950

MEMORANDUM FOR : Mr. Joseph Speicher
Chief, Examination Branch

SUBJECT : Report of Senior Officials' Examination

It is requested that upon completion of certification to the positions designated in connection with the examination for senior officials and upon receipt of a final report from NPA, you prepare a comprehensive report suitable for presentation to the Commander-in-Chief.

MNS:ger

MAYNARD N. SHIRVEN
Acting Chief

CIVIL SERVICE DIVISION
Government Section

7 August 1950

MEMORANDUM FOR: The Record

SUBJECT : Meeting with Local Automy Agency Representatives.

1. A brief meeting was held with Messers. Suzuki, Fujii and Tsunoda of Local Automy Agency, Messers. Shirven, Tindale and Sato of Civil Service Division being present.

2. A meeting was arranged for 2:30 p.m. Thursday, 10 August at which opinions are to be exchanged in regard the Local Public Service Law and training programs in conjunction with same.

JOHN SATO
Examination Specialist
(Interpreter)

JS:rp

CIVIL SERVICE DIVISION
Government Section

8 May 1950

MEMORANDUM FOR: The Record

SUBJECT : Opaque Slide Projector Loaned to NPA

The projector was loaned to the National Personnel Authority sometime before January 1949 and signed for by Mr. Sullivan of CI&E and Mr. Marsh of Civil Service Division.

The projector is now kept in the projection room at NPA and appears in excellent condition.

The Public Information Bureau is responsible for it, but it is mostly used by Recruitment Bureau for the projection and study of test items.

Mr. Nomoto of Recruitment Bureau is now the only one who operates the projector.

JOHN SATO
Examination Branch

JS:rp

Note 19 June 50
Mr Jack O'Brien of CI+E has re-signed for the projector.
J Sato

CIVIL SERVICE DIVISION
Government Section

5 May 1950

MEMORANDUM FOR : The Record

SUBJECT : Meeting with Commissioners on Union Registration, Procedure for Hearings and S-2 Examination

On Thursday, 4 May 1950, a meeting was called in the office of the Chief, Civil Service Division to discuss which NPA Bureau should handle union registration and procedure for hearings in case unions appeal from an order suspending or revoking registration; the proposed date for the S-2 examination and method of certification. Those in attendance were: Messrs. Asai, Ueno and Yamashita of the NPA; and Messrs. MacCoy, Peterson, Tindale, Harwood Hoover, Shirven and Miss Machin, Civil Service Division. Mr. Kanazashi acted as interpreter with Justin Narumi standing by for CSD.

Mr. MacCoy opened the discussion by bringing up the fact that union members are complaining that left-wing unions are being permitted to register and have been recognized by NPA when they are in direct conflict with operation of the so-called right wing unions - that they have been registered erroneously and should not have been admitted by NPA. This raised the question of the proper Bureau in NPA to process the registration of unions. Heretofore, such matters have largely been handled by the Investigation Bureau on a spot-check basis. However, the advisability of this procedure was questioned inasmuch as the Investigation Bureau's function is the reporting of facts and not the making of recommendations, opinions or decisions. A suggestion was made by Mr. Peterson that it might be more appropriate for the Legal Bureau to process applications and if they had doubts, to have the Investigation Bureau make investigations.

Mr. Yamashita protested on the grounds that all union applications should be investigated, this being the function of the Investigation Bureau. Dr. Asai made no objection but wished to confer with the other Commissioners before a definite decision be made. He recommended that it be tentatively established that the Legal Bureau handle union registration.

A general discussion followed on violations by employee unions. If, upon investigation, it should be found that a union had violated an NPA rule, such as wilful falsification, etc., their registration could be cancelled. However, in the event of cancellation, the union would have the right of appeal in which case it would come up before the Bureau of Equity. The question was raised by Mr. Peterson as to whether the procedure of having one NPA Bureau (i.e. Legal Bureau) bringing charges against the Union and

another Bureau (Equity Bureau) hearing the case and acting as the impartial body would seem a reasonable and impartial situation to the Japanese general public. Dr. Asai agreed that it would be both reasonable and impartial and that they would insist on this procedure.

The question of Political Activity Rule violations was raised but it was decided that procedures for handling this type of problem by the NPA be placed on the agenda for a future meeting.

Mr. Shirven brought up the next problem for discussion - that of the S-2 examination date and procedure of certification. He reviewed the examination program to date and listed the two serious problems remaining - (1) establishment of eligible lists and issuance of certificates and (2) the completion of appointments. The question now to be decided is a schedule for the establishment of the eligible lists. It was suggested that the Commissioners consider the possibility of holding the S-2 examination on or about the 15th of May and then hold a single test for Marine Transportation as soon as the one candidate for that examination, who is now in the United States, returns to Japan. It was further suggested that immediately upon establishment of eligibility lists, certification should be made for positions affected. Mr. Shirven stated everything should be done to expedite the issuance of certificates at the present time in a manner resulting in as little publicity and controversy as possible. He asked that the NPA consider the establishment of eligible lists for level one positions immediately, followed by certification for positions affected, with the added possibility of establishing eligible lists for other highly specialized positions for which there are no additional candidates in the S-2 examination, giving ministries advance notification of names of incumbents who failed so that they could make adjustments.

Mr. Shirven recommended that eligible lists be examined and, in controversial cases, defer certification and certify immediately those where there is not likely to be a great deal of controversy. Regarding procedure of certification, he considered it wise to issue certificates gradually, completing the process in 3 or 4 months. By following this procedure there would be little excitement over the more controversial appointments which will have to come later and those eligibles already holding positions may then be considered for other positions if they are eligible.

Mr. Yamashita disagreed with most of Mr. Shirven's suggestions, stating that the Commissioners felt it advisable to hold only one S-2 examination, after the arrival of the one absent candidate from the United States, and that it was very likely the examination would be held around the end of June, followed as soon as possible by certification. Inasmuch as the Commissioners feel that this procedure will create a storm of criticism, they have decided that certification should be made all at once instead of gradually, over 3 or 4 months, as suggested by Mr. Shirven. Certificates would be sent simultaneously to all ministries. After discussion, the Commissioners decided that a long lapse of time between certification of different levels was not advisable, it being preferable to cut the period to one week between each level.

Mr. MacCoy brought up the problem of properly certifying personnel who are eligible for positions in different agencies and levels. If certification is made in such a short period of time, many eligible personnel will lose out entirely.

Mr. Yamashita assured the group that certifications could be made in each level at intervals of one week, stipulating, however, that each ministry has 40 days in which to consider and make its decisions on each level.

Mr. Shirven pointed out that this would create a difficult situation since candidates for level two cannot be decided upon until level one is out of the way. Many persons being eligible for level one, if not selected for that level, would be eligible for positions in level two. Therefore, if certification was made in level two before definite decisions had been made in level one, many persons would lose their opportunities for placement as government servants. Mr. Shirven further stated there were two questions involved - (1) the question of administrative difficulties and (2) the question of the impact upon public opinion and opinion of the ministries.

In spite of the obvious discrepancies in Mr. Yamashita's proposal, he insisted that the Commissioners had decided to certify each level one week apart and that it was the opinion of the Recruitment Board that it was practicable, also that the S-2 examination would not be held until the return of the one absent candidate from the United States.

Mr. Ueno asked what the difference of opinion was between Mr. Yamashita's ideas and those of the Civil Service Division. Mr. Shirven replied that there was only one major difference and that was that the Division preferred to proceed gradually with issuance of certificates and without any fixed idea start with, gradually learning by experience, completing certification in 3 or 4 months instead of trying to finish in 3 or 4 weeks and arousing a great storm of public opinion instead of proceeding cautiously. He stated that no interval can be fixed since it would be necessary to sit and await the results of the first certification.

Mr. MacCoy warned the Commissioners that the government might present the argument that NPA is using the absence of one man as an excuse to delay certification, that the NPA has shown itself incapable of handling the situation and, therefore, demand the removal of all levels (i.e. 1, 2, 3, and 4) from under the NPA because they have shown they cannot handle it. In spite of the differences of opinion, however, Mr. MacCoy stated that this decision is the responsibility of the Commissioners and that they must stand or fall on their decisions. He pointed out that it is the duty of the Civil Service Division members to give the benefit of their experience and that they would fail in their job as advisors if they didn't take the opportunity to point out the weaknesses and difficulties which might occur so that the NPA can consider them.

Mr. Yamashita thanked the group for their advice but stated that the Commissioners have not changed their opinion.

Dr. Asai mentioned that he would like to place a problem before the members of the Division for their consideration and for future discussion. The NPSL provides that employee organizations can choose their own representatives. Taking advantage of this, there is indication that left-wing unions are claiming discharged employees as their representatives and that so-called officers are merely holding nominal posts. The question has already been raised but it will be necessary to establish a rule restricting qualifications of the representatives. The Cabinet has already considered this point, and it is rumored that they have recommended to Government Section that representatives be restricted to government employees.

Mr. MacCoy suggested that the NPA work out this problem and submit it to the Division for discussion.

One further subject was brought up by Dr. Asai who wished to inquire whether the amendment made to the Bill for the Fixed Number of Personnel by the House of Councillors, that appeals be admitted in case of dismissals, had been cleared with Civil Service Division.

Mr. MacCoy advised the Commissioners that it had come through this office at 1745 on 2 May, a Japanese holiday, and was passed by the Diet that night. He recalled that this situation was discussed with the Commissioners and Mr. Hoover a year ago at which time Mr. Hoover had stated that appeals should be allowed. However, he agreed to allow it to go by at that time, in recognition of Mr. Yamashita's statement that it would be difficult to put such a rule into effect at that time. He agreed, with the understanding that the NPA set up its standards and get its rule in order before pressure could again be exerted, since he very seriously disliked giving up the employee's right to appeal.

Mr. Yamashita stated that a letter had been addressed to this Division, saying that it was impossible to set up the standards. Mr. MacCoy disagreed, saying that it is not impossible and that NPA has had a year to take care of this situation.

It was agreed to make this discussion the basis of another meeting.

Mr. Yamashita mentioned that the NPA was unaware of the presentation of this amendment to the Diet and assumed that CSD had agreed and prepared an amendment to be presented in the Diet which would state that NPA should not handle the appeals.

Mr. MacCoy replied that it was assumed NPA had close Diet contacts and that they would therefore be advised of panding legislation since all such proposed legislation must go on the calendar for consideration. It is not the Civil Service Division's responsibility. It is the responsibility of

NPA to keep itself advised of all pending legislation through their own normal channels. The Civil Service Division did not recommend anything. The proposed amendment came from a Diet member and is in conformance with the NPSL.

W. PIERCE MacCoy
Acting Chief

Summarized by C. Read

National Personnel Authority

Approved 17 Apr. 50

art 103

April 17, 1950

To:

Mr. Joseph L. Speicher,

Civil Service Division,

Government Section, GHQ, SCAP

Acceptance of Appointment as Officer of Private Radio Broadcasting Company by Employees of the Former Communications Ministry

With reference to the above subject matter on which a report has been previously submitted for your reference, the Commissioners of the National Personnel Authority are unanimously of the opinions given below:

1. It is considered that between the Radio Regulatory Commission and a radio broadcasting corporation or private radio broadcasting companies there is a close connection as prescribed in Article 103 of the Law.

2. However, the Communications Ministry or the Telecommunications Ministry where the individual in question had been employed and the Radio Regulatory Commission are different organizations.

3. As private radio broadcasting companies are organizations to be newly established it is a matter of course that such companies cannot have any connection with the government agencies where the individual in question had been holding his position for the past five years.

4. Accordingly, it can be construed that there is no close connection between the position of an officer of the private radio broadcasting company in which he intends to accept an appointment and the government

agency (the Communications Ministry).

5. It is, therefore, considered that an approval may be given when a formal application is presented by the applicant.

Miyaji Kenjiro

Chief of Recruitment Bureau

No recommendation at this time. NPA (Shirane) told to study the matter, submit a proposal, after which CSD will consider it. 11 Apr 50

Received CSD 11 April 50 K.

National Personnel Authority

April 11, 1950

Mr. Joseph L. Speicher,

Civil Service Division,

Government Section, GHQ, SCAP

Acceptance of Appointment as Officer of Private Radio Broadcasting Company by Employees of Ministry of Communications

A retired employee who has had an official career as the chief of Communications Bureau as per the personal history attached hereto, desires to accept an appointment as officer of a private radio broadcasting company and has unofficially applied to the National Personnel Authority for approvel of his appointment as officer of a profit-making enterprise under Paragraph 3, Article 103 of the Law.

While there were cases in the past where an ex-official of the Ministry of Communications accepted an important position in the Japan Broadcasting Corporation, the nature of the present case is somewhat different, and, accordingly, it is difficult to decide whether or not we should give approval thereon. And as there is every possibility of similar cases arising from now on, our decision will in no small measure affect such future cases and we would therefore ask you to be so good as to give your views on the matter.

The facts ascertained to date in the present case are as follows: -

1. It is scheduled that private radio broadcasting companies will be placed under the jurisdiction of a Radio Regulatory Commission, which will be established as an independent organization of the Prime Minister's Office, and the secretariat of the Commission will consist of the present Radio Regulatory Agency.
2. A close connection will be kept between the Radio Regulatory Commission and the radio broadcasting companies.
3. The radio broadcasting companies can only be established after obtaining the approval of the Radio Regulatory Commission, and they are making preparations for their establishment at present.
4. Various bills relating to radio broadcasting currently under deliberation were developed by the Radio Regulatory Agency.
5. The position of the chief of Communications Bureau, which had existed until June last year, at which time the reorganization of administrative structure was effected, had a long connection with the Japan Broadcasting Corporation in the past.
6. As the legal ground for this case, prior to June last year, the time when the Radio Regulatory Agency which is an independent organization of the Ministry of Telecommunications was established, the Ministry of Communications had been vested with the functions of that agency, and it is thought that the provisions of the Law are applicable, while, on the other hand, when the Radio Regulatory Commission is established, the Radio Regulatory Agency would become an existence of the past, thus having no close relationship

with private radio broadcasting companies to be established hereafter, so that it could also be thought that the provisions of the Law are not applicable. If the latter view is right, the employees other than those of the Radio Regulatory Commission will be justified in accepting appointment in private radio broadcasting companies in the future.

S. Shimizu
Chief of Transactions Section,
Bureau of Recruitment

with private radio broadcasting companies to be established hereafter, so that it could also be thought that the provisions of the Law are not applicable. If the latter view is right, the employees other than those of the Radio Regulatory Commission will be justified in accepting appointment in private radio broadcasting companies in the future.

S. Shimizu
Chief of Transactions Section,
Bureau of Recruitment

Annexe

Government experience of the applicant

during the recent five years

May,	1944	Chief of Communications Bureau
November,	"	Chief of Business Bureau, Board of Communications (Tsushin-In)
May,	1945	Ditto (Tsushin-IN)
September,	"	Chief of Communications Bureau
May,	1949	Retired.

F.I.E.
(cy + ONPA
cy in Secret mail file)

31 March 1950

SUBJECT: Present Examination Policy

1. Stated briefly below is subject policy.

a. The NPA should strive continually toward developing and establishing controls over all phases of the recruitment and examining programs consistent primarily with budget and personnel limitations. Listed generally in their order of importance these phases are: (1) the establishment and maintenance of registers and certifications therefrom, (2) the scoring of examination papers and (3) the receipt and processing of applications. The degree of control that can be exercised, of course, depends upon the circumstances at any given time. However, as an absolute minimum control NPA must establish and maintain the registers, conduct the certifications therefrom, and in addition, always participate in receiving applications.

b. The major objective above should not preclude agency participation in recruitment programs and such other activities as test development with subject-matter specialists.

c. The Recruitment Bureau must be conscious of the necessity for obtaining the active participation of its Regional Offices in these programs. In the long run, the success of the Bureau's activities may be measured by the extent of such participation.

2. While NPA can designate agencies as "examining organs", in so doing it does no discharge its responsibilities under the National Public Service Law ans the acts of the agencies under the delegated authority are a direct reflection on the reputation of the NPA. It is well to bear this in mind when determining the decentralization of your programs to other agencies.

WPA

From: K. MIYAJI, Recruitment Bureau Director of N.P.A.

To : Mr. J.B. Bettis, Civil Service Div.

Subject: Review of the Survey on Grade 3 and 4 Level Employees needed

We hereby beg your review, as we have reached the following conclusion after the detailed study of our proposed survey in close contact with the Compensation Bureau and the Statistics Section based on your advice with respect to possible duplications of our survey with the Compensation Survey held previously by the Compensation Bureau.

1. Among items contained in our survey cards it is merely the item on the number of personnel hired during the years of 1948 and 1949 which might be duplicated with the Compensation Survey.

2. What we are able to obtain from the Compensation Survey is the number of those emp loyees who were employed during the years of 1948 and 1949 as of 15th Sep. 1949. The following reasons are considered to be important to indicate why the Compensation Survey will not satisfy perfectly the purpose of Item No. 1 of our Survey.

a) These figures do not include those employees who separated until 15th Sep. 1949.

b) By these figures no comparison will be made between the number of employees through exams and not through exams.

c) Even if the imperfection stated in a) and b) is permitted, a new tabulation will be started after the Completion of work urgently required by the Compensation Bureau. It is feared, therefore, that the figures will not be obtained by the scheduled deadline of the Survey.

Because we have selected elements of information covered by the survey to the minimum taking the extreme business of operating agencies and officers into consideration and also because of the through deligation of appointing power with view of these minor employees, we believe it will not be a heavy burden to individual offieers to fill the cards and answer our questions.

Memo.

CIVIL SERVICE DIVISION
Government Section

22 March 1950

MEMORANDUM FOR: Mr. W. Pierce MacCoy, Acting Chief,
Civil Service Division

SUBJECT : Attached Memo, "Policy on Appointment Status and Promotions"

1. The attached memorandum was written by Mr. H. Hoover after discussions in part with a number of members of CSD staff. It seeks to clarify the status of officials of the Japanese Government and the procedures by which status is attained.

2. I feel that some kind of action should be taken on this matter quite soon and I am therefore anxious to get Mr. Hoover's proposal in final shape so that it can be presented to Mr. Shirven with most of the "bugs" having been eliminated.

3. Does the plan meet with your general approval at this stage? Have you any comments on specific parts of the plan? Is there any objection to discussing it with the appropriate NPA officials?

Joseph L. Speicher

JOSEPH L. SPEICHER
Acting Chief,
Examination Branch

JLS:rp

CIVIL SERVICE DIVISION
Government Section

21 March 1950

MEMORANDUM FOR: Mr. W. Pierce MacCoy, Acting Chief,
Civil Service Division

SUBJECT : Policy on Appointment Status and Promotions

1. It is believed to be of critical importance that the Civil Service Division develop an overall strategy to dispell those powerful political forces which not only work in opposition to major NPA programs but seek the destruction of NPA itself. To that end this memorandum is prepared.

2. Opposition groups deliberately campaigning against a new agency often exploit unknown functions and operating procedures. They create the impression that the agency's program is unpopular and to be feared. Actually in the case of NPA, its program of critical examinations has been unpopular and feared by higher government officials. Quite logically the bureaucratic group would encourage these fears in an effort to secure the support of other government officials against NPA and thusly to further their own objective. NPA's continued existence could well be represented as meaning a continued and indefinite open-competitive examination program under which employees must qualify for promotions and on other occasions, as the following example illustrates. Only recently a question was posed in a classification meeting to the effect that the passage of the classification act would require incumbents to qualify by open cometitive examination for their newly classified positions. In the absence of countering positive action on the part of NPA such fears are understandable.

Undoubtedly there is no single solution to the problem of strategy. However, it is believed that much could be done to reduce the political pressures being generated through timely positive action. The proposals contained in this memorandum do not imply that the critical examinations should be changed in any way. On the contrary, they emphasize the urgency of concluding the examinations with the utmost dispatch as one of the solutions to the basic problem of insuring the continued existence of NPA. Accordingly the following recommendations are made:

a. That the NPA immediately issue a rule clarifying the question of status as it pertains to initial appointment and promotion, demotion, and transfer appointment actions. The rule should not be associated in any way with the critical examinations and should be issued in the immediate future. Regular or a similarly termed appointment status should be accorded (1) all persons who received appointment in the government service through open-competitive examinations such as the "X series" College and University Graduate, Police, and Consulars examinations and the critical examinations, and have completed their probationary period; and (2) all other

persons who incumbered a government position on a designated date. In the interest of quickly stabilizing the appointment situation throughout the Government service, persons should be "blanketed" into the service and accorded status merely by virtue of their employment. During the "blanketing in" period, open-competitive examinations at the entrace level particularly and those which NPA believes it can conduct, of course, would be continued. Appointments also would continue to be made from critical examination registers as prescribed by the NPSL.

Employees who would not acquire status under the "blanketing in" provision must be listed and include those serving under temporary and emergency appointments and those incumbering positions designated under Article 9, Supplementary Provisions, NPSL. After the designated date, status could only be acquired by appointment resulting from open-competitive examination or other special examinations based on demonstrated abilities as determined by NPA. Once the "blanketing in" period was completed, the NPA could direct its examining efforts toward meeting the recruitment and promotional needs of the service through a program of open-competitive examinations. The questions and problems presented by such a program are many and cannot be covered in this memorandum.

b. That the NPA immediately make every effort and use every media at its disposal to inform government employees of the advantages of a promotional examination system. It is believed that by getting the facts to the employees and impressing them with their personal stake in the competitive promotional examining program, much can be done to counter the campaign of the opposition groups. This action is recommended on the assumption that Japanese personnel will react favorably towards the program when adequately informed and that the opposition groups will not be able to legislate against the program or NPA itself. Events may prove, however, that an alternative course of action is required. If employees are found to be fundamentally opposed to competition with their associates or outsiders from private industry because of cultural or other reasons, or, if opposition groups threaten serious adverse legislative action against NPA, then it may be advisable to follow a less desirable course of action contained in the next recommendation.

That the NPA issue and widely publicize a non-competitive promotion policy statement.

Article 37 provides in part that "promotion of personnel shall be by competitive examination . . . . In cases where, in view of the duties and responsibilities of the position to which promotion

is to be made, the Authority deems it impracticable to hold an examination among the incumbents concerned, promotion may be made by means of an evaluation based on the past service record of such incumbents."

It is recommended that the appointing officer be permitted to fill positions through appointment from a register resulting from competitive examination, either entrance or promotional, or, in the absence of an appropriate register through the non-competitive promotion of an employee who possesses status and meets the qualification standards of the position in question. This recommendation would make a basic change in the present promotional policy by permitting non-competitive actions in certain instances. Whether or not the change should apply to positions at all grades or only to positions in the higher grades is a question for further study. Very possibly it should be applied initially only to positions at the levels now covered by the critical examination; viz Vice-Minister to Section Chief levels and progressively to lower grade positions in the future. In any event, publication of rules to implement the revised appointment and promotional policy also should be given wide publicity to allay the fears of government employees who in general may now feel confronted with the prospect of unending competitive examinations. It is possible that such a policy would require amendment to Article 37 of the Law with which it appears in conflict.

3. Several weeks ago NPA proposed to permit government employees, who were temporarily appointed to designated positions after the closing date of the announcement and had not filed for the examination appropriate to their position, to take the "make-up" examination. Several reasons for the proposal were given. The most important being that it was "in the interest of smooth administration" to permit interim appointments and to extend the competition to these employees. Reasons for disapproving the proposal are obvious. However, in the event any critical examinations registers are inadequate a problem would arise immediately on the status of the incumbents or, in the event of vacancies, how the positions would be filled. For these reasons, it may be of interest to examine the application of recommendation in paragraph 2 c above.

a. If the position were incumbered by a temporary appointee, he would automatically acquire regular status on the designated date and continue in the position.

b. If the position were vacant, the appointing officer could appoint an eligible from an existing appropriate register, or, in the absence of an appropriate register appoint an employee who had status and met the qualification standards for the position. It is recommended further that both competitive and non-competitive standards

be of equal high level. In connection with the development of non-competitive qualification standards, a survey has been completed by this Branch in which approximately 100 non-competitive temporary appointments of officials of pay grade 10 and higher were rated against applicable S-1 qualification standards. Results of the survey were (1) the S-1 qualification standards are practicable and probably can be used as a basis for developing non-competitive standards, and (2) although the standards are relatively high, they could be established at their present level and adjusted later if necessary. Such standards would do much to raise the pertinent experience qualifications of the high level officials. Then, too, circumstances soon would permit the further development and refinement of the standards through consultations with ministries. Over a period of several years subordinates would acquire qualifying experience which should permit the retention of the standards at this level.

OK -

4. Recommendations given above are necessarily brief. If approved, their details and implementation could be developed by the National Personnel Authority.

Harwood Hoover

HARWOOD HOOVER
Examination Specialist

HH:rp

We will follow the original policy established by Blaine Hoover and the Commission that there shall be competitive promotional exams.

WRR
3/27/50

1: Woody's memo on Appointment Status and Promotions.

2. MacCoy's and Peterson's comments.

All are agreed, however, that some action should be taken quite soon on the whole matter of status.

DOODLE HERE

3/27/50

Mr Peterson

I agree with your comments — see my notes on Woddy's memo. Please discuss + handle with Spricher — include Woddy in discussion if you and Joe wish.

WRm

SHORT NOTE

DOODLE HERE

Gordon

Plo. let me have your thots on this.

Thanx

WRm

3/23/50

SHORT NOTE

24 March '50

Re:

Despite an effort to look at this thing broadly, nonlegally, nontechnically, I just don't like unrestrained, unlimited non-competitive promotions from bottom to top — even if education + experience requirements are prerequisite.

In Japan, it seems to me it favors a return to the old system in that

(a) NPA may feel relieved of the necessity of giving exams — at least they'd be easy to talk out of giving any particular examinations.

(b) Employees could not be confident of NPA's freedom from politics and its publicized intention to have promotions based on merit. — Neither could the public be confident.

(c) Some competition from outside is a healthy stimulus and should encourage public support of and confidence in NPA.

(d) A clear break from old methods should be maintained (even at the

expense of efficiency in some cases) in order that there will be maintained a wide recognition of a new competitive democratic system.

2) NPA adopts the suggested promotional policy it will lose much of its opportunity to publicize its program in a simple straightforward manner.

"And another thing" — Many reasons for the S-1 exams have been given publicly. If the "purge" concept is acknowledged then perhaps no further S-1 exam is essential even if lists are inadequate. On the other hand if there are a few cases where lists are inadequate and if a positive recruitment concept is to be emphasized as a basis for S-1 then it seems to me supplementary exams are to be expected. After all, the exams found that certain incumbents were not qualified. Letting them be appointed anyway doesn't look right.

More notes on the memo.

CIVIL SERVICE DIVISION
Government Section

16 February 1950

MEMORANDUM FOR : Mr. Joseph Speicher
Examination Branch, Civil Service Division

SUBJECT : Post Office Examination

Mr. Tom McIntire of the Civil Communications Section has advised me that the Post Office is making arrangements to hold an examination of college graduates at the end of this school year to secure some 300 appointees for positions in the Post Office. He was inquiring as to whether we would concur in permitting the Post Office to prepare and administer this examination.

Unless you know of some serious difficulty, I object to continuing the process which we have been forced to use in the past - of permitting these various agencies to prepare and administer their own examinations. I feel that the time has arrived when NPA should commence to assume the burden of these responsibilities.

I will be glad to discuss this matter with you, if you wish.

W. Pierce MacCoy

W. PIERCE MacCOY
Acting Chief

WPM:ger

CIVIL SERVICE DIVISION
Government Section

13 February 1950

MEMORANDUM FOR : The Record

SUBJECT : Personal Investigations for Critical Examination

Mr. Kawazaki, Chief, Bureau of Investigation, NPA, reported on 10 February, through Mr. Thomas Eliot, that the Ministry of Foreign Affairs and the Ministry of Finance had refused to permit NPA investigators to interview any individuals in the two Ministries. These requested interviews were being conducted by the investigators of the NPA to complete the personal investigations necessary in connection with the critical examinations.

Both Ministries sent word to NPA that they would not permit the conduction of these investigations until NPA satisfactorily answered 3 questions. These questions were - (1) What will be the relative weight of the personal investigation against the weight given the written examination? (2) How will the special investigation items be evaluated? (3) What is meant by "higher official"?

Mr. Kawazaki called personally on the Vice-Minister of the Ministry of Foreign Affairs and spent 1½ hours with him, discussing the proposed investigations. At the end of that time, the Vice-Minister agreed to withdraw the Ministry's objections and permit the investigators from NPA to conduct their investigations within the Ministry.

Mr. Kawazaki then called on the Vice-Minister of the Ministry of Finance. As soon as the Vice-Minister of this second Ministry was informed that the Ministry of Foreign Affairs had removed its objections, he capitulated immediately and permitted the NPA investigators to conduct their investigation within the Ministry of Finance also.

WPM:ger

W. PIERCE MacCOY
Acting Chief

Memos to Div. Chiefs

CONFIDENTIAL

CIVIL SERVICE DIVISION
Government Section

Examinations

13 February 1950

MEMORANDUM FOR : Major Jack P. Napier
Executive Officer, Government Section

SUBJECT : Foreign Affairs Critical Examination

I am returning the critique on the Foreign Affairs critical examination which you recently furnished to this office for study. Attached also is a memo from Mr. Speicher, Acting Chief of the Examination Branch, written under the date of 10 February with specific comments relative to the critique.

Mr. Speicher's comments have the full endorsement of this office and I believe that I could add nothing to strengthen or sharpen his comments. You may keep this copy for your file, if you so desire.

W. PIERCE MacCOY
Acting Chief

WPM:ger

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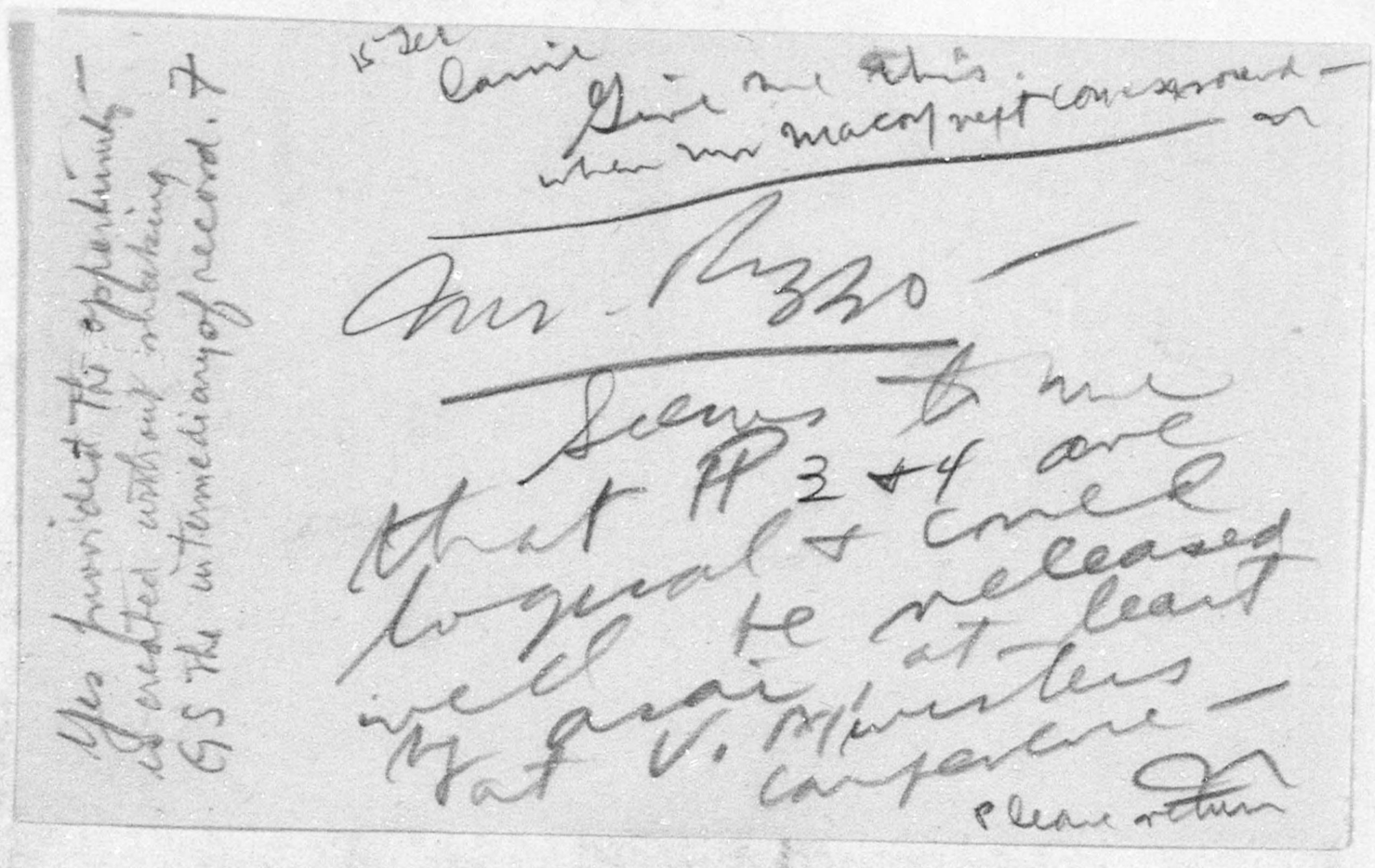
CONFIDENTIAL


Yes I am sent to splendid
Granted without objection
GS The intermediary of record. 7

15 Sec Carrie
Give me this
when my macopy reports arrive
Ann Rizzo
Seems to me
that PP 3 + 4 are
bogus + could
well be released
Wait 5 minutes at least
Wait V. minutes
conference —
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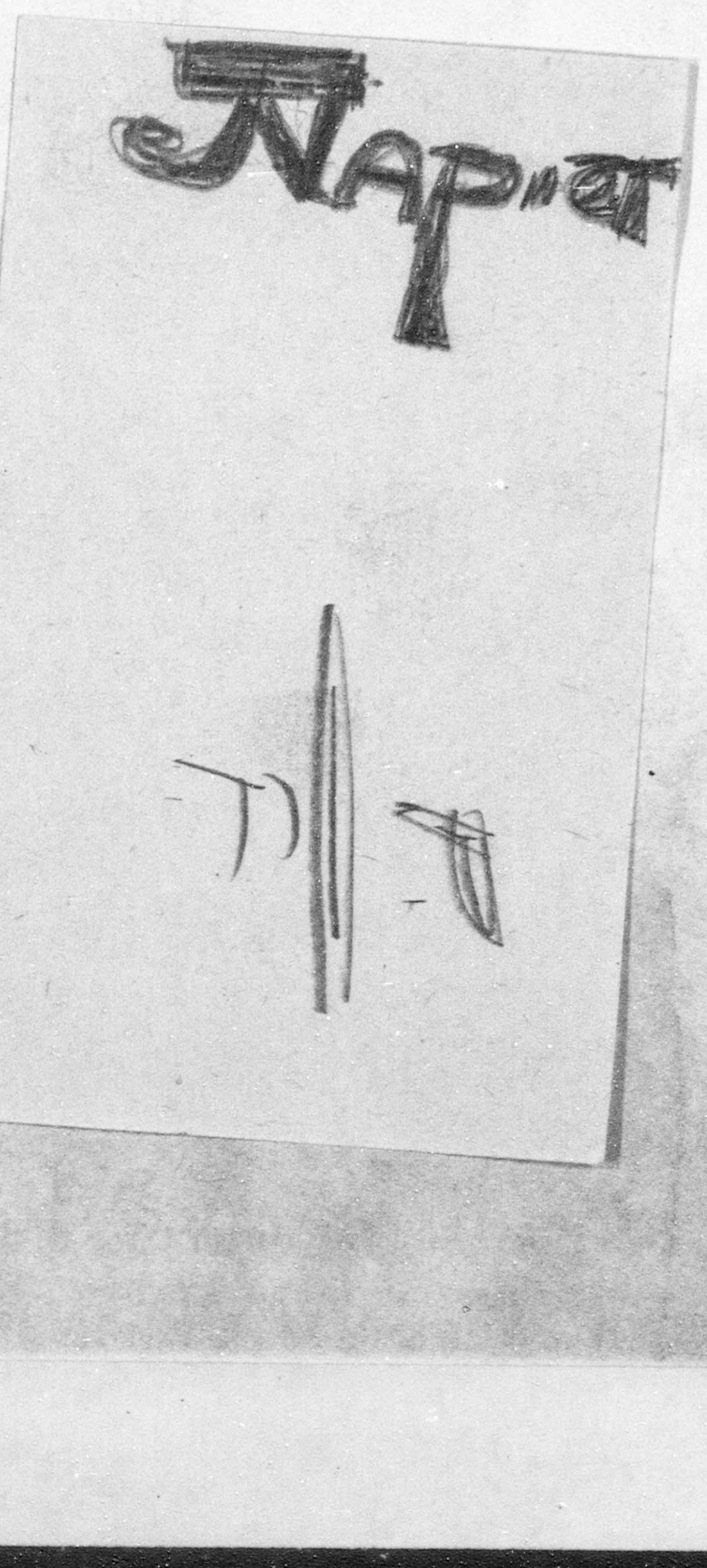
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Memo 6
Pol. Chiefs

CIVIL SERVICE DIVISION
Government Section

10 February 1950 WPMcC 2/13/50

MEMORANDUM FOR: Mr. W. Pierce MacCoy, Acting Chief, Civil Service Division

SUBJECT : Foreign Affairs Critical Examination

This is in reference to the recent memorandum from a Japanese source which concerned the Foreign Affairs critical examination.

Obviously, the memorandum in criticizing the technical test does so without knowledge of its purpose in relation to the whole examination plan. Such uninformed criticism finds parallel in basing an evaluation of an entire examination on an analysis of a single item or group of items. Remembering that Japanese officials in the past have been reassigned indiscriminately to administrative positions in fields of operation foreign to their training or experience and that the duties of positions subject to the critical examinations are predominately administrative and correspondingly less technical the higher they are found in the organizational structure, the technical tests were developed to disqualify those candidates who possess an almost negligible acquaintance with the basic principles and theoretical background of the occupational field. Those candidates who possess appropriate backgrounds need not fear whether they obtained a high or merely a satisfactory score on the technical test. To put it simply, the only candidates who will fail the technical tests are those whose knowledge of the broad elements of the field is noticeably below the standards of the others who have had training or experience in it. Candidates will be rated on a pass-fail basis only. No weight will be assigned to technical test scores which will be used in combination with the results of other parts of the whole examination.

In this connection the memorandum specifically states that "the recent examination was of a kind that would be to the advantage of those who recently graduated from the University." To allege that a university graduate without practical experience would be given an undue advantage and that he might eliminate an experienced official is contrary to fact. Minimum experience requirements have been established for each position. The experience histories of all candidates were rated against these standards prior to the examination and only those applicants who possessed the minimum experience required were permitted to participate. A candidate for the position of Chief, Political Affairs Bureau of the Foreign Affairs Ministry, for example, must have had a minimum of seven years of general experience in foreign affairs in the past 15 years, plus one year experience in a division chief or equivalent level during the past 15 years or three years' experience in a section chief or equivalent level experience. The originators of the memorandum are either ignorant of the existence of these experience standards or choose for their own purposes to ignore them. It is difficult to understand how this could be the

former in view of their wide publicity including publication of the Japanese Government's Official Gazette.

4 On the other hand, it is understandable that officials of long service and with considerable influence, pending the knowledge of the outcome of their efforts, will be extremely critical of any instrument used to measure their qualifications. The examination has never been represented as a perfect instrument. It is possible that statistical analysis of test results will reveal mistakes in individual items and in such instance, corrections will be made. The criticism of the tests as a whole have been almost universally based upon a lack of information of the purpose of the tests in relation to the whole examination plan. Some of these criticisms can be classified as follows:

a. The tests are too difficult or too easy. There have been contradictory criticisms from many sources and it would be futile to accept any of the statements as a standard.

b. Closely allied with the above criticism is the often heard statement that a certain person could or could not "pass" the test. Such statements are irresponsible on the face because none of the cities know what the passing point will be on any test. Passing points are established on the basis of statistical evidence and those persons who fail are those who have done exceptionally badly on the tests.

The 78 test ttems submitted by the memorandum were compared carefully with the Foreign Affairs technical test as given. All but one of the items were positively identified. Sources of information of test items was obtained from NPA and are tabulated below:

		# Items
Mr. Yokota's book	"International Law"	29
" " "	"Study of the UN"	3
" " "	"Study of the Methods Used in Control of Japan"	1
" " "	"Theory of War Crimes"	1
Mr. Taoka's book	"General Study of International Law	17
Messrs. Egawa, Oka, Hayashi, Minobe, Tsuchya, and Riju books		15
Dr. Asai, Commissioner, NPA		1
Mianichi Annual '49		2
Time Magazine		1
Miscellaneous		10
	Total	80

Recalling the purpose of the technical test, it is only logical that the writings of Messrs. Yokota and Taoka, who are the recognized authorities in Japan, would be quite extensively used as source material.

JOSEPH SPEICHER
Acting Chief,
Examination Branch

JS:rj

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Q. Which of the following statements concerning the immunity of the diplomatic envoy is correct?

X 1. When a diplomatic envoy intentionally violates a domestic law, it is permissable to restrain his physical freedom if it is in the interest of public order and safety.

2. The authorities of the receiving country may in the performance of their duties enter the building of the diplomatic mission.

3. Even if there is a demand by the authorities of the receiving country, a political offender who has sought refuge in the building of the diplomatic mission need not be surrendered.

4. A criminal of the same nationality may be confined in the building of the diplomatic mission for the purpose of deporting him to his country.

5. The receiving country may decode coded communications between the diplomatic mission and the home country.

Q. When does the duty of the consul commence?

1. When he has been given a letter of attorney by his home government.

2. When he has been given annagreement by the government of the country to which he is to be assigned.

3. At the time he has entered the country to which he is assigned

4. At the time he has presented his letter of attorney to the foreign minister of the country to which he is assigned.

X 5. When he has received an exequateur from the government to which he is assigned.

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Q. Of the following acts in a neutral country which constitutes a violation of neutrality under international law?

1. For a neutral country to permit belligerent warships and ships captured by them merely to pass through neutral waters.

2. For a neutral country to leave to the use of belligerent warships its officially licensed pilots.

O 3. Return to the home country through neutral territory the wounded belonging to the armed forces of a belligerent country.

O 4. For an official of a neutral country, at his own initiative, to give assistance of a military nature to a belligerent country without any order from his government.

5. For the government of a neutral country not to interfere in the acts of a private firm (belonging to the country) of promoting subscriptions to the public bonds of a belligerent country.

Q. Which of the following statements concerning the prosecution of a Minister of state is correct.

1. He cannot be prosecuted for an act committed during his tenure of office.

2. He cannot be prosecuted for an act committed during his tenure of office without the consent of the Prime Minister.

X 3. He cannot be prosecuted during his tenure of office as long as there is no consent by the Prime Minister.

4. He cannot be prosecuted during his tenure of office.

5. He cannot be prosecuted as long as there is no consent of both Houses of the Diet.

Q. In order to provide against an unlawful attack by Germany, France took various measures after World War I. Which of the following was actually carried out?

O 1. Established a collective security arrangement.

2. Occupied the left bank of the Rhine and several bridge-heads were occupied by allied forces for a period of 15 years.

O 3. Created a self-governing state on the left bank of the Rhine and made this a buffer state.

4. Prohibition of German Army, Navy & Air Forces

5. An Anglo-American mutual assistance pact regarding France.

Q. In the event of a merger of two states the rights and obligations of which of the following treaties concluded by one of the states should the new State contimue?

1. The rights and obligations accompanying a non-agression pact.

2. The rights and obligations accompanying a offensive-defensive pact.

3. The rights and obligations accompanying a treaty of arbitration.

4. The rights and obligations accompanying a treaty for the partitionment of territory.

X 5. The rights and obligations accompanying a cultural treaty.

Q. Which of the following principles is referred to in the provision of the constitution which reads "the people have the inalienable right to choose their public officials and to dismiss them"?

1. The people have the right to vote for all public officials.

2. The people have the right to vote for public officials if there are provisions to choose public officials through elections established by law.

3. Foreigners cannot be appointed as public officials.

X4. It is a statement of the principle that under the doctrine of popular sovereignty the position of public officials is founded upon sacred trust of the people.

5. As sovereignty resides in the people they can demand the dismissal or the punishment of any public official.

Q. A political offender in the United States (French national) escaped into a French warship in United States territorial waters. The U.S. authorities demanded of the commander of the warship that he turn over the offender. Which of the following steps taken by the commander is correct. It is assumed that there is no extradition treaty between the U.S. and France.

1. Turned over the offender.

2. Refused to turn over the offender on the grounds there was no extradition treaty concerning political offenders.

3. Refused to turn over the offender by reason of the principle of non-extradition of political prisoners.

4. Refused by reason of the principle of non-extradition of own nationals.

5. Refused on the ground that the demand was not made through the French Ambassador in the U.S.

Q. On August 15, 1947, British India separated into the commonwealth of India and Pakistan. To which of the following types of states do they belong?

1. Independent state

2. Non-independent state

3. Protected State

4. Dependent state

X 5. Dominion

Q. In which of the following instances does a belligerent have the right of angary?

X 1. Over a neutral train which has entered its territory.

2. Over a neutral munitions factory in its territory.

3. Over a factory under neutral management in its territory.

4. Over land owned by a neutral in territory under its occupation.

5. Over the bank deposit of a neutral in a bank in territory under its occupation.

Q. Which of the following concerning the status of British dominions is correct?

X 1. All dominions are equal under the crown.

2. In concluding treaties the ratification of the Kind is required.

3. The governor-General of a dominion has the status of representative of the British Government.

4. England may through the governor general reject or reserve laws enacted by the dominion parliament.

5. The British Parliament may enact laws for the dominions.

Q. While a merchant ship of country B was navigating in the coastal waters of country C, ignoring the navigation rules of the latter country, it struck a ship belonging to country A, causing it to sink and drowning many persons of country B who were on board. The mate on duty on the ship belonging to country B was a national of country E. According to the French principle which country has judicial jurisdiction over the ship belonging to country B.

1. Country A
2. Country B
X 3. Country C
4. Country D
5. Country E

Q. Which of the following Statements concerning consular privilege is correct?

1. Consular privilege is for the purpose of guaranteeing the dignity of a state.

X 2. Consular privilege is ordinarily provided for in commerce and navigation treaties.

3. A consul is not subject to criminal jurisdiction of the receiving country as a rule.

4. A consul has no obligation to appear in court as witness.

5. A consul is not subject to the police authority of the receiving country.

Q. In accordance with Article 102 of the UN Charter, treaties and all international agreements entered into after a specified time are required to be registered. Which of the following is required to be registered?

1. Recognition of a state.
2. Recognition of a government.
X3. Treaties abrogated on the principle of changed conditions.
4. Treaties nullified because of expiration of period of validity.
5. Treaties automatically renewed because of lapse of period allowed for renunciation.

Q. To which of the following regions does the trusteeship system apply?

1. Former mandated areas which have become members of the UN.
00 2. Areas detached from Italy as a result of World War II.
0 3. Areas detached from Germany as a result of World War II.
0 4. Former Class A mandated areas.
00 05. Areas occupied by the Allied Powers as a result of World War II.

Q. From the standpoint of its being a general International peace organization, which of the following can be regarded as the most important progress made by the United Nations Organization when compared with the League of Nations?

1. The establishment of three councils.
2. The superiority of the Security Council.
3. The veto power of the 5 Big Powers.
4. Recognition of regionalism.
X5. The adoption of powerful means of preventing war.

Q. A merchant ship of country E committed piracy on a ship of country A on the high seas and was seized by a ship of country C. While being taken to a port in country D it met a warship of country B. The ship of country C turned the ship of country E over to the warship. Which country exercises judicial jurisdiction?

1. Country A
X2. Country B
3. Country C
4. Country D
5. Country E

Q. Under the international private law of nations which of the following should not be adopted.

1. Locus regit actum (Location rules the act)

2. The law of the place rules real property.

3. Once an adult always an adult.

O 4. Marriage makes adults.

O 5. When there is no applicable international law rely on lex foli.

Q. In 1945 Korea left Japanese rule which lasted 35 years. At which of the following was this decision first mentioned?

1. The Yalta conference.

2. The Teheran conference.

X3. The Cairo conference.

4. The Potsdam conference.

5. Quebec conference.

Q. Which of the following statements concerning the Triple Alliance is correct.

1. The Triple Alliance was concluded for the purpose of implementing the resolution of the Hague conference.

X2. The signatory powers were Germany, Austria-Hungary & Italy.

3. The Triple Alliance was concluded to oppose the Triple Entente.

4. The Alliance Powers fought the enemy in concert.

5. Turkey later joined the Triple Alliance.

Q. Granted that there is free movement of short term capital between England and America, the annual interest rate in England being 2.5% and in America 3.0%, which of the following would be the most nearly balanced rate of the forward exchange (3 months) when the exchange rate between the two countries is $2.80 to the pound?

1. 2.72 5/8
2. 2.70 3/4
X 3. 2.83 7/8
4. 2.75 1/4
5. 2.91 1/16

Q. Which of the following determines the principles for the control of Japan?

1. The Far Eastern Advisory Commission.
X 2. The Far Eastern Commission
3. The United States Government
4. The Allied Council for Japan
5. The Supreme Commander for the Allied Powers.

Q. At which of the following was the voting formula of the Security Council decided?

1. The first General Assembly of the United Nations.
2. The Dumbarton Oaks Conference.
O 3. The Yalta Conference.
O 4. The San Francisco Conference.
5. The Moscow Conference.

Q. Of the following statements concerning the mullification of treaties which is correct?

1. When the contracting power itself concludes a new treaty the contents of which conflicts with an older treaty the new treaty does not as a matter of course nullify the old.

2. Impossibility to perform for reasons beyond control nullifies a treaty as a matter of course.

X3. When countries B and C conclude a new treaty which conflicts with a previous treaty between countries A and B the former does not as a matter of course nullify the latter.

4. Non-execution of a bilateral treaty by one of the parties thereto nullifies it as a matter of course.

5. When new conditions arise which a contracting party foresaw at the time of the conclusion of a treaty, the treaty becomes null and void as a matter of course under the principle of changed conditions.

Q. According to which of the following is the question of residence decided under Japanese international private law?

1. The person's option.

2. Law of the country

O 3. Territorial law

O 4. Lex foli (law of the place where the court is located)

5. Law of the place where property is located

Q. Which of the following statements concerning the recognition of a state is the most accurate?

X1. The recognition of a state is a legal prerequisite for it to become the subject of international law.

2. A specific number of persons in a specific area is a sufficient condition for recognition.

3. It is unlawful to grant recognition when theconditions are incdmplete.

4. There is no way of recognizing a state other than by treaty.

5. Recognition, as a rule, is conditional.

Q. Which of the following states the purport of the North Atlantic Pact.

1. In case an aggressor attacks the signatory power by force, all signatories automatically assist by force the signatory attacked.

X 2. An attack against one of the signatory powers in Europe and in North America is considered an attack against all the signatories.

3. Communism is stopped and freedom is reestablished in the Soviet satellite nations.

4. The signatories will give immediate armed assistance even in the event of uprising by an organization.

5. This Pact was concluded in contravention of the trust of the United Nations.

Q. Which of the following measures is it most appropriate for our country to take to protect industries which are subject to foreign competition?

1. Raise customs tariffs.

2. Grant production bounties.

3. Ban imports.

O 4. Effect the rationalization of industries.

O 5. Give low-interest loan.

3/ Q. Which of the following statements concerning prisoners of war is correct?

O 1. A prisoner of war comes under the authority of the armed forces which captures him.

2. The right of prisoners of war to respect for their honor is limited during their captivity.

3. A prisoner of war who makes good his escape and subsequently becomes a prisoner of war is punished for his previous escape.

O 4. Food given prisoners of war should be the same as food given the armed forces which captured them.

5. A belligerent power may employ pows as laborers for the building of fortifications.

Q. When does the continuity of the duties of a consul terminate?

1. Promotion of the consul.
2. Change of the head of state of the home country.
3. Change of sovereign of the country where assigned.
4. Change in form of the government of the country where assigned.
X 5. Transfer of territorial rights in the area of consular jurisdiction.

Q. Of the following statements concerning Germany's "Ausfuehrungs Politik" (performance policy) which is correct?

1. Treaty of Rapallo
2. Passive resistance against the Belgian army's occupation of the Ruhr.
○ 3. From 1923 to 1929 Gustav Stresemann who held the position of German Foreign Minister systematically carried it out.
4. Rumania was the most to benefit from this policy.
5. For this reason German membership in the League of Nations was delayed.

34 Q. As a practice in the U.S. and Great Britain which of the following true when their domestic law conflicts with international law?

1. (U.S.) International law is superseded by a previous statutory law but has precedence over a later one.

2. (U.S.) A treaty is the supreme law of the land.

3. (G.B.) Domestic customary law has precedence over international law.

4. (G.B.) International law has precedence over Acts of Parliament.

5. (G.B.) When doubtful whether they conflict or not it is assumed that international law does not have provisions which conflict with domestic law.

35 Q. Which of the following treaties concerning the prevention of war is the most recent?

1. Covenant of the League of Nations.

2. The Nine Power Pact

3. Treaty Concerning the Opening of Hostilities

4. Treaty Concerning Restrictions on the Use of Armed Force for the Collection of Contractual Obligations.

X 5. Treaty Concerning the Renunciation of War.

36 Q. Which of the following is true concerning reservations on treaties?

1. Only the contracting party that has made reservations can invoke them.

2.

X 3. There may be reservations concerning the meaning of treaty articles.

4. They expand the effectiveness of treaties.

5. They make the conclusion of treaties deficult.

37 Q. Which of the following statements concerning a diplomatic mission is correct?

1. A state is obligated under international law to dispatch a permanent mission.

2. For a country to send a minister to a country which has sent an ambassodor to such country is illegal.

X 3. A system has recently been established of participating in international conference as observer without taking part in the voting.

4. By attaching the word "extraordinary" to ambassador the order of precedence is affected.

5. By attaching the word "extraordinary" to minister the order of precedence is affected similarly as in the case of the ambassador.

38 Q. Which of the following statements concerning the Anglo-Japanese Alliance is accurate?

1. The first treaty concluded by Japan with a foreign country.

X 2. The first treaty of alliance concluded by England in abandonment of her traditional policy of "spendid isolation".

3. It was concluded in opposition to the Triple Alliance.

4. India was included in the scope of application of the first Anglo-Japanese Alliance.

5. By this treaty Japan acquired extraterritorial rights in China.

40 Q. Which of the following represents the majority view concerning the termination of the special privileges of a diplomatic envoy?

1. Upon receipt of a letter of recall.

2. Upon conclusion of his duties.

3. Upon receipt of a reply to the letter of credence.

4. At the time the passport is returned.

X 5. At the time of departure from the territory.

Q. Of the following when does a treaty lose its validity?

X 1. When persons concluding a treaty have been subjected to threats and concludes an unfavorable treaty.

2. When political pressure is brought to bear on a contracting power and an unfavorable treaty is concluded.

3. When an unfavorable treaty is concluded as a result of armed intimidation by a strong power.

4. When an unfavorable treaty is concluded as a result of economic pressure against a contracting power.

5. When an unfavorable peace treaty is concluded under compulsion as a result of war defeat.

Q. Which of the following treaties was concluded as a result of the Washington Conference of 1921-22?

1. Convenant of the League of Nations.

X 2. The Nine Power Treaty Concerning China.

3. Treaty Concerning the Opening of Hostilities.

4. Anti-War Pact.

5. International Aeronautics Treaty.

Q. Of the following instances when is a ship with a neutral nationality still considered to be neutral?

1. When for no reason it kills the crew of a belligerant warship which is sent aboard for the purpose of inspection.

X 2. When it attempts to escape upon encountering a belligerent warship.

3. When navigating unier the protection of an enemy warship.

4. When a ship's owner changes the ship's registry from that of an enemy country to a neutral country with the aim of avoiding capture.

5. When it engages in mine sweeping operations in company with an enemy fleet.

Q. The embassy of country B in country A has confined within the embassy a state offender for the purpose of sending him back to the home country for punishment. Country A has demanded the embassy of country B to release the offender. Which of the following steps taken by the embassy of country B is correct?

1. Refused the demand of country A on the ground that the embassy of country B enjoys extraterritoriality.

2. Refused the demand of country A in accordance with the principle of non-extradition of political offenders.

3. Refused the demand of country A in accordance with the principle of non-extradition of own nationals.

X 4. Released the offender as demanded by country A, because the embassy of country B does not enjoy real extraterritoriality.

5. The embassy of country B has caused the government of country B to announce that the offender would be released if he was a state offender of country A but that the demand will not be accepted because he is a state offender of country B.

Q. Which of the following is the correct definition of "financial colony"?

1. Colony acquired as payment for export of capital.

2. Colony acquired by war waged for the purpose of acquiring money markets.

X 3. A country which has been turned into something resembling a colony as a result of import of capital.

4. A colony which, in the reverse order, exports capital to its home country.

5. A country which exports capital to other countries.

Q. To which of the following does the EROA Fund refer?

1. A fund for the purchase of food, etc.
2. A fund created by the Bretton Woods Agreement.
3. Foreign aid based upon the Marshall Plan.
4. Relief Fund for occupied areas in Europe.
X 5. A fund for economic rehabilitation of occupied areas.

Q. Which of the following statements concerning the consul is true?

1. The rank of consul is fixed by international law.

2. A consul can negotiate with the government of the country in which he is stationed without communication through the diplomatic mission.

X 3. There are provisions concerning the duties of consuls in the treaty of commerce and navigation.

4. A consul can be sent to the League of Nations or the UN.

5. In dispatching a consul the agrément of the country to which he is assigned is necessary.

Q. In which of the following are the grounds for dismissal of national public service personnel provided?

1. Constitution

X 2. Law

3. National Personnel Authority Regulations

4. Prime Minister's Office Order.

5. Cabinet Order

Q. When a national of country B who has failed to overthrow the government of country A has fled into the legation of country B in country A, which of the following steps taken by the minister of country B with regard to the demand of the government of country A for surrender of the offender is correct? Provided that countries A and B are in Europe and there is no treaty of extradition between them.

X 1. Surrenders the offender.

2. Does not surrender the offender in accordance with the principle of non-extradition of own nationals.

3. Does not surrender the offender in accordance with the principle of non-extradition of political offenders.

4. Refuses surrendering on the ground that there is no treaty of extradition.

5. Does not surrender the offender on the ground of the extraterritoriality of the legation.

5° Q. Which of the following is a permanently neutral country?

O 1. Whose independence and territorial integrity are guaranteed.

2. May conclude treaties of alliance.

3. Cannot take up arms even when attacked.

4. May not maintain armaments.

O 5.

Q. Which of the following statements relating to German reparations questions after World War I is correct?

1. The amount of the reparations was determined by the Treaty of Versailles.

2. France occupied Alsace Lorraine as a security for reparations.

3. The termination of reparations was decided by the Locarno Treaty of 1925.

4. The Dawes Committee decided to reduce the amount of reparations to 3 billion dollars and permitted the issuance of bonds for the payment thereof.

X 5. The German reparations question became obscured because the Lausanne Treaty failed to obtain the ratification of the interested powers.

Q. Which of the following was the cause for the separation of India into two states notwithstanding the longstanding desire of the Indian people for the independence of a united India?

1. Expansion of territory

2. Excessive population

3. Financial poverty

X 4. Conflict between Hinduism and Mohammedanism.

5. Racial differences

Q. Which of the following statements concerning the British dominions is true?

1.

O 2. A dominion has the power to send and receive ministers.

O 3. A treaty entered into by a dominion requires the ratification of the King.

4. All the dominions may conclude treaties among themselves independently of each other without consultation.

5. At international conferences the representatives of the dominions sign treaties in the alphabetical order.

Q. Which of the following is the correct answer as treatment of enemy merchant shipping at the time of commencement of war?

1. To prevent as a matter of course the sailing of enemy merchant shipping found in port at the time of the commencement of war.

2. To prevent as a matter of course the sailing of enemy merchant ships arriving in port without knowledge of the commencement of war after sailing from the last port of call.

X 3. When a warship of a country discovers at sea an enemy merchant ship which is unaware of the state of war being departed from the last port of call prior to the commencement of the war, the merchant ship should be detained.

4. When a warship of a country encounters an enemy merchant ship which has departed from her last port of call having known of the commencement of the war, the warship should when after searching the interior of the merchant ship discovers that no munitions are being carried, release her.

5. When an enemy merchant ship carrying enemy volunteers is in port prior to the commencement of war, the said ship is captured in the case of commencement of war.

55 Q. How does the United Nations Charter provide for the right of self-defence?

1. It recognizes the exercise of the right of self-defence not only in case where an attack has actually been made but where it is imminent.

X 2. Action based on the right of self-defence must be stopped when the Security Council has taken the necessary measure.

3. Forbids it entirely.

4. Recognizes it without condition.

5. Makes no provision whatever.

57 Q. Which of the following is the Little Entents?

1. It is a triple alliance consisting of Rumania, Bulgaria and Greece.

2. It is an alliance formed by the above three countries to maintain the status quo of national boundaries.

X 3. It was formed subsequent to the Versailles Treaty.

4. Germany had an interest common to this alliance and acceded to it in 1924.

5. It was an alliance of dissatisfied Balkan states to break down the status quo and Bismarck gave considerable assistance to it.

Q. A ship of country C cut off by negligence a submarine cable which had been laid by country A and which connected countries A and B, and caused serious effects on commercial transactions between countries D and E relayed through countries A and B. Which country metes out punishment to the ship of country C?

1. Country A.

2. Country B.

X 3. Country C.

4. Country D.

5. Country E.

Q. Which of the following acts of an occupation army against the inhabitants of the territory of occupation is recognized under international law?

1. To send the inhabitants to their own country as labrers.

X 2. To confine them in certain cases for the purpose of maintaining public order.

3. To take hostages to prevent hostile activities.

4. To recruit the inhabitants as soldiers of belligerent power.

5. To assess imports to local entities on the grounds of having resisted the occupation army.

Q. What is recognized as consular privilege?

1. A consul is not subject to taxation.

X 2. Official documents within the consulate will be respected.

3. Private documents within the consulate will be respected.

4. The private residence of a consul is inviolate.

5. A consul cannot be arrested.

Q. In comparing the League of Nations Covenant and the United Nations Charter, which of the following is correct?

X 1. The Covenant was made as part of the Versailles Treaty, while the Charter was made independently for its objective.

2. Both the Covenant and the charter absolutely forbid war.

3. The Covenant made provision for non-intervention in internal matters while the Charter made no provision therefor.

4. The original members of the League of Nations in the first World War did not include the neutral nations during the war but the original members under the Charter included the neutral nations during the war.

5. Neither the Covenent nor the Charter makes any provision for amendment procedure.

63 Q. The main objective of the Marshall Plan.

X 1. Economic recovery of Europe.

2. Anti-Molotov Plan.

3. European Military Agreement.

4. Aid to China.

5. To send arms to Europe.

62 Q. In which of the following cases is the principle of remittal applied in our private international law when a foreigner residing in Japan claims a right? Provided that lex patriae shall be applied as statuta personalia.

1. Cases contrary to public order of his home country in private international law.

2. Cases where the law of a third country is applicable in private international law.

3. Cases where his home country also recognizes the principle of remittal.

4. Cases where an act of evasion of law is invalidated.

X 5. Cases where the law of his home country orders the application of the law of Japan as lex domicilii.

Q. Which is correct among the following descriptions of the status of a third country C which has accorded to a de facto government A the recognition as a belligerent community?

1. Concludes an offensive and defensive alliance with A.

2. Concludes a treaty of commerce and navigation with A.

3. Refuses visitation of merchant vessel of C by a warship of A.

4. Demands cession of a part of A's territory.

X 5. Refuses passage of military supplies from a third country B to A through C's territory.

Q. If a person who has the double nationality of country A which adopts ius sanguinis and of country B which adopts ius soli resides in Japan and owns property in country B, by which of the following is his nationality determined according to our private international law? (Provided that either country A nor country B is Japan).

O 1. At his option.

2. The nationality of country A is adopted (according to ius sanguinis).

3. The nationality of country B is adopted (according to ius soli).

O 4. The nationality of country B, where he owns property, is adopted.

O 5. The nationality of country A, which adopts ius sanguininis as Japan, is adopted.

Q. In order to promote world peace it is necessary to accelerate trade between the various countries and to plan the stabilization and improvement of the livelihood of the peoples of such countries. Of the following which is the most appropriate in the promotion of trade between the various countries?

1. To divide the world into "blocs" and to plan the development of industry by each bloc.

2. To plan to secure self-sufficiency by such means as custom tariffs etc.

O 3. Each country to exert its utmost respectively to its most suited industry and accomplish the purpose of an international division of trade.

O 4. To loan funds to countries which are short of trade funds and to augment the purchasing power of the respective countries.

O 5. To enable the free movement of capital and labor as between the various countries and thereby secure the maximum surplus.

Q. Which of the following statements concerning the International Court of Justice is correct?

1. The countries which were parties to the Statute of the Permanent Court of International Justice shall ipso facto be parties to the Statute of the International Court of Justice.

X 2. The members of the United Nations are ipso facto parties to the Statute of the International Court of Justice.

3. The International Court of Justice may only sit at the Hague and it shall not sit at places other than the same.

4. The judges of the International court of Justice shall be composed of judges of high moral influence of countries which are the permanent members of the Security Council of the United Nations.

69 Q. Which of the following authority has a coastal country in her territorial waters in time of peace over a merchant vessel of a foreign country?

1. Judicial jurisdiction within a merchant vessel of a foreign country according to the French principle.