

Mr. GALLAGHER. Were they sent out by the Commission, itself?

Mr. SPEISER. Yes, they were.

Mr. HORTON. Another question. Would you explain the circumstances under which they were sent?

Mr. SPEISER. Yes, sir. For two of the cases, two were probationary Government employees, within a year after they started their job. They received the interrogatories during the period of time they were working. And they were asked to respond to it.

In the three cases, it is sort of interesting showing the lack of real necessity as far as the Government is concerned, one of the individuals answered all of the questions, and received a clearance, or in effect was found suitable. He was so disgusted by the whole business he left the Government. He had a doctorate in chemistry and wasn't working in a sensitive job, but he left the Government. We lost a good Government employee.

The second person answered the questions as to herself but refused to answer questions regarding members of her family. She likewise was found suitable, showing that the Commission didn't really have to ask the questions about the members of her family.

The third person refused to answer any of the questions. Hopefully, we thought we had a test case. But the Civil Service Commission said, "A year has gone by, so therefore we have lost jurisdiction, and, therefore, we are not ruling on the question as to whether she was suitable for Government employment or not." She was an applicant for Government employment and did not have a job at the time.

Mr. HORTON. Do you have a list of these questions?

Mr. SPEISER. I have the interrogatories that the individuals received, of the kinds of questions that were asked by the Civil Service Commission. In no case did the Commission make any allegation that the individual was a member or had been a member of the Communist Party himself, assuming that is a valid criterion for Government employment. But in none of the cases was that alleged in any of the interrogations. The invasion of privacy does not stop there, however. Even after the Civil Service Commission gets the responses back and says that the person is suitable for Government employment, it sends the entire file on to the employing agency. It doesn't stop within the Civil Service Commission.

There should be a single standard of suitability for Government employment, and yet the questionnaires and the information is sent on to the employing agency. What controls are in the employing agencies as to the kinds of information, the interrogatories and the answers and who gets to see them in the employing agency varies. There is no standard of overall Government control. And that information could very easily be circulated depending on the Government agency.

There is a question on the form 57 that is asked of all prospective Government employees—not a question of about whether you have been convicted of a crime—but this question—question 37: "Have you ever been arrested, taken into custody, held for investigation or questioning, or charged by any law enforcement authority?" There is an exemption for any traffic violations for which you paid a fine of \$30 or less, or anything that happened before your 16th birthday. If a law enforcement officer acted improperly, made a false arrest,