

If in the course of these hearings you do come upon instances where this is being done, I would be very much interested in knowing about it and working with the agencies to bring about their elimination.

Mr. ROSENTHAL. When was the restatement issued?

Mr. MACY. Last week. This was the first public recital of the statement. It was distributed to personnel officers last week.

Mr. ROSENTHAL. I think you said, Mr. Macy, that psychological and/or personality tests might be used during the course of a medical examination, and presumably by qualified clinical psychologists.

I jumped ahead a little bit and read through the statement of our next witness. In it he tells the story of a fellow who was subjected to a physical examination for a heart condition. I assume this is a rather current case, because they say in the statement that it still has not been concluded. They say that this psychological test that was administered, together with the physical examination for this heart condition, included questions to be answered "true" or "false" such as, "I love my father," "I hate my father," "I would like to be a florist," "I love my mother," "My sex life is satisfactory," "I am attracted to members of my own sex," "I believe there is just one true religion," "I am an implement of God."

Can you offer any thoughts on these instances described?

Mr. MACY. I am not able to identify either the type of situation or the test that is referred to. I certainly would like to investigate the circumstances of such a test.

May I ask, was that a test in connection with a disability retirement? What were the circumstances of the medical review and appraisal?

Mr. ROSENTHAL. It was. It says here, and I am reading from someone else's statement, so this is from no personal knowledge; "After several recent heart attacks he decided to file application for disability retirement." Does that make any more sense to you?

Mr. MACY. Offhand, Mr. Rosenthal, and again with really inadequate information, it would be my tentative conclusion that questions of the type that you read would have no relevance and would consequently be inappropriate in an examination of that kind.

It may have been, however, that there were conditions of a medical nature, other than the cardiac condition, that the doctor felt should be reviewed.

However, when that testimony has been submitted to you, and is on the record, I will endeavor to interview the witness and obtain the necessary identifying information so that this can be reviewed.

Mr. ROSENTHAL. Under the restatement which you have issued, this type of situation should not occur.

Mr. MACY. It would depend upon the nature of the particular medical review. I gather that this is clearly a medical situation. Now my statement is a prohibition on the use of any tests of that kind or any other personality tests in connection with the employment process.

It seems to me here we have a medical situation that is involved, and I think the only way I can answer that would be to have more facts with respect to the case.

Mr. GALLAGHER. Will the gentleman yield?

Mr. ROSENTHAL. Yes, Mr. Chairman.

Mr. GALLAGHER. In connection with Mr. Rosenthal's line of questioning, we have been advised that there are agencies and some