

Mr. MACY. Perhaps I am drawing a defensive line. All I am saying is that these instruments were used and these individuals selected through the use of those instruments outside of the civil service system.

Mr. REUSS. What can we do, Mr. Chairman, to apply your wholly excellent and common sensible regulations to departments of Government who are normally subject to your jurisdiction, but who because the ultimate employer happens to be a State, which uses Federal funds to pay them are not technically conducting a civil service test?

It seems to me the evil is just as great, and it is just as logically at the door of Uncle Sam if there is something wrong.

Mr. MACY. It seems to me the public isn't going to make the kind of distinction I made as to responsibility.

Mr. REUSS. Don't you have the authority to tell the Department of Labor to cease and desist from using it?

Mr. MACY. Legally I do not, but certainly having had this called to my attention, by your statement for the first time, I will certainly discuss it with Secretary Wirtz. I am not familiar with the background that led the Department to use this particular method in recommending the selection of those advisers.

Mr. REUSS. Now, one final question: On the basis of the facts as I have put them to you, and I realize you are not familiar with this, but if I have my facts right, if this were a Department of Labor activity over which you have jurisdiction, this would be an outrageous case of violation of your precepts, would it not?

Mr. MACY. This would clearly be out of the ball park, as far as our standards are concerned. I don't know whether there was any other instrument used in addition to this. I assume there must have been.

Mr. REUSS. Oh, yes; there was a part of the test which had some weighting devoted to specific occupational questions, which I think is excellent, although I do have a hankering for the old-fashioned method of interviewing a prospective employee and checking up on his references. But that is another matter.

Mr. MACY. Your conclusion is correct. This would not fall within the permissive area of our policy.

Mr. REUSS. Thank you very much. And thank you, Mr. Chairman.

Mr. GALLAGHER. Mr. Horton.

Mr. HORTON. I don't have any questions at this time, Mr. Chairman.

Mr. GALLAGHER. Mr. Macy, do you have any recommendations—and I hope that the rippling effect of your statement might embrace this type of violation—do you have any recommendations as to how we might be able to bring this type of agency back into the ball park and have your statement, or your approach, to this be applicable to these agencies? We have several instances where this type of thing has occurred, most of them in these youth counseling programs that various agencies might have, and what we think is perhaps the largest violation, in the Peace Corps, where all of the volunteers are subject to this type of question and several hundred additional ones.

Mr. MACY. Of course, with respect to the Peace Corps, and also to other overseas operations, there are certain conditions involved in the kind of cultural change that service abroad represents, where it