

It is very heartening to us, Mr. Macy, to have you come before us today and to listen to your statement. We feel reassured that we have a person of your competence in such a meaningful position in the U.S. Government.

Mr. MACY. Thank you very much.

Mr. GALLAGHER. Mr. Romney?

Mr. ROMNEY. Chairman Macy, I would like to refer to your statement. I will read it.

In view of the character of the questions asked, if the results of personality tests are used for employment purposes, the individual's right to privacy is seriously jeopardized.

Just for clarification, you include within the phrase "for employment purposes" all personnel actions, not merely the hiring?

Mr. MACY. All personnel decisions.

Mr. ROMNEY. Then, I would like to develop this sentence just a bit further. The statement is that "the individual's right to privacy is seriously jeopardized."

Now, suppose the personality tests were given by a physician under clinical conditions. Would you not say that while right to privacy may also technically be jeopardized here, however, the needs for the public service to have such an examination outweigh the question of the individual's right to the privacy of these thoughts he is being asked to give?

Mr. MACY. Yes; that is exactly the case. It is a matter of trying to balance the needs of the service and the rights of the individual, and it is only in those instances where the necessity of the service calls for this kind of clinical assessment that there would be any justification for the use of this type of device.

Mr. ROMNEY. Thank you.

Mr. HORTON. Mr. Chairman, just one further question.

I am a little troubled about how we get to the problem of finding out about these tests. We had brought before us apparently the personality test that was given in connection with grants to States and this came out of the Department of Labor.

Now, there may be others in other departments. And I am concerned—and you did indicate that you felt that as the adviser to the President, you could perhaps look into this. But do you have any way or any suggestion that there could be a survey made by the Government to find out what tests are being given, particularly in this field, through the other departments and agencies?

Mr. MACY. I think we can rather readily review this with the other agencies that are outside of the civil service area, and involve Federal employees and rather readily review it with the Federal agencies that prescribe or suggest standards to State and local agencies under grant-in-aid.

I believe that with a questionnaire of our own, with proper questions, of course, we would be able to elicit the information that would give us a picture.

Mr. HORTON. I am concerned about the fact that this has not been done before. This question that was referred to, that came out of the Department of Labor, was one that you, I assume, were not familiar with at all?

Mr. MACY. No; I knew nothing about it, because normally, our jurisdiction wouldn't extend to that.