

SPECIAL INQUIRY ON INVASION OF PRIVACY

2. It is recognized that there are certain kinds of test materials under the general heading of "psychological testing" which are useful and permissible, such as aptitude and vocabulary tests.

3. Apart from the above, there has been some use made in Government of psychological personality tests which most often include questions of an extremely personal nature, bearing on sex, morality, parental relationships and the like.

4. It is hereby prescribed that tests of the nature indicated in paragraph 3 above will not be used in any examination of employees or applicants for employment.

John R. Crown, Administrative Officer, Export-Import Bank of Washington.

Mr. GALLAGHER. There are also several editorials which indicate the degree of public concern over the matter of invasion of privacy and personality testing. If there is no objection, these will become a part of the record also.

(The editorials referred to appear on p. 387 of the appendix.)
Mr. GALLAGHER. Our first witness today is Mr. Leo Werts, Assistant Secretary of Labor for Administration.

TESTIMONY OF LEO R. WERTS, ASSISTANT SECRETARY OF LABOR FOR ADMINISTRATION, DEPARTMENT OF LABOR

Mr. GALLAGHER. Mr. Werts, we welcome you here this morning. (Whereupon, Mr. Leo R. Werts was duly sworn.)

Mr. GALLAGHER. Would you proceed, please?

Mr. WERTS. Thank you.

Mr. Chairman and members of the subcommittee, my name is Leo R. Werts. I am here today representing the Secretary of Labor. The Department welcomes the invitation of the House Committee on Government Operations to appear before it to describe the use we have made of tests and questionnaires for selecting persons to work with youth.

With the committee's permission, Mr. Chairman, I will read some of the significant parts of this testimony and then summarize certain other sections of it which are not as directly related to the question which you have asked as the points I will read.

Mr. GALLAGHER. All right.

STATEMENT OF LEO R. WERTS, ASSISTANT SECRETARY OF LABOR FOR ADMINISTRATION

Before going into the subject of today's hearing, it should be noted that the Department is most strongly opposed to the careless and illegitimate invasion of personal privacy either by private or governmental institutions. The constitutional right against invasions of privacy must be safeguarded at all costs.

The Department of Labor was one of the first Federal agencies to take positive action to assure that maximum efforts were taken by all officers and employees to guarantee the integrity of personal conversations or statements, and to guard against the invasion of privacy through the use of electronic recording and monitoring devices. The Secretary personally became concerned early last year with the potential abuses from monitored telephone conversations and caused an inquiry to be made leading to a comprehensive policy and Department-wide regulations that all internal and external business be transacted with complete candor and confidence.

Distinction between employment in U.S. Department of Labor and Project CAUSE

I would like to emphasize first that counsellors recruited and trained for the CAUSE project are not employees of the Department of Labor. Rather, they are trainees being prepared for assignments with State employment service agencies as counselors of young people. The only exception is the District of Columbia Employment Service which is legally part of the Department of Labor, but which operates as part of the nationwide employment security system.