

trainee. It relates to his experience, his knowledge, and to the things which would be related to a job.

Mr. HORTON. Then if I understand your testimony correctly, you have the same policy with regard to invasion of the right of privacy; that is, that the policy is against the invasion of the right of privacy?

Mr. WERTS. That is correct, Mr. Congressman.

Mr. HORTON. But the implementation of that policy was one that did permit the so-called personality tests, the questions which have been read to you, but that when this was called to your attention, you then made a change in that implementation of policy because you feel that there is an invasion of the right of privacy with the use of this type of test; is that right?

Mr. WERTS. I would say, Mr. Congressman, in response to your statement, the implementation of the policy did permit this to happen as you have stated, and that the supervision of the application of the policy has been tightened up to the point where this cannot happen again, except as we, being human, may make judgments which are not as good as they might be.

Mr. HORTON. As I understand that statement, this would indicate to me at least that in the past you did not look into, or did not check into the implementation of this program, but that now you are checking into it, and you do feel it is so important that you will, in the Secretary's Office, check on this implementation of the policy?

Mr. WERTS. That is correct. That is a fair and accurate statement, Mr. Congressman.

Mr. HORTON. Now, do you refute the statement that was read, and which is a part of your statement where you said, "In our judgment, the use made of the test materials for the selection of youth counselor trainees was not an invasion of privacy"?

Mr. WERTS. I do not refute it in the sense that you have raised the question. I think it is an unfortunate statement.

Mr. HORTON. Then you do feel that the use of these tests materials in the selection of youth counselor trainees is not an invasion of privacy?

Mr. WERTS. As I indicated, as I read when this paragraph was being written, and as I went over verbally the provisions of the 1964 materials, I was assured that—not having the material available to look at—it did not constitute invasion of privacy.

Mr. HORTON. Whose judgment was that?

Mr. WERTS. That was the judgment of the staff people who had produced the material in 1964.

Mr. HORTON. Do these same staff producers feel that these personality tests are not an invasion of privacy?

Mr. WERTS. You mean the 1964 tests?

Mr. HORTON. Yes.

Mr. WERTS. Yes, I think they would still say, in their judgment, these do not constitute invasion of privacy.

Mr. HORTON. Then, do we have a conflict in the Department with regard to this matter?

Mr. GALLAGHER. The Chair would like to suggest that perhaps the policymakers ought to take the test and see how it feels. Perhaps we could get off dead center on this. I think we are involved in a question of semantics. It was not the Labor Department's intention