

Mr. HORTON. Have they indicated to you that they destroy them, destroy the answers, prior to the time they make copies of them?

Mr. LUCE. Oh, yes.

Mr. HORTON. So this question—

Mr. LUCE. There would be no point in making copies of them. They have the test answers; we don't.

Mr. HORTON. What makes you think they have this expertise in this utility field?

Mr. LUCE. Because they have been doing this sort of thing for other utilities for nearly 20 years.

Mr. HORTON. And this, in your judgment, gives them more expertise in this field?

Mr. LUCE. More expertise than if they hadn't done it. I agree with the chairman that a mere 20 years' experience, per se, doesn't prove a thing is right, but it lends some credibility to it, certainly.

Mr. HORTON. In your statement you said no one has a vested right to Federal employment, or for that matter, to employment with a private firm, and then you go on to say in order to qualify, and you refer in order to apply, and you referred to this in other testimony, they would have to take physical examinations, and this sometimes can be embarrassing, and you talk about fingerprinting and other matters that are involved with employment, or advancement.

I assume what you are doing there is reasoning that as a result of a person applying for employment, or as a result of a desire for advancement, he or she has to give up a certain portion of their right to privacy.

Mr. LUCE. That is right.

Mr. HORTON. The only question we have, as I see it, is where we draw this line.

Mr. LUCE. I think that is the question.

Mr. HORTON. You, at least, draw the line on the other side of giving these types of tests? In other words, you feel that does not invade the right of privacy of the employee, so you feel that these are proper under certain safeguards which you have outlined?

Mr. LUCE. Yes, sir. I think it would be entirely possible to give these tests in such a way that they would fall on the other side of the line and constitute an unwarranted invasion of privacy. I think the way we do it, they do not.

Mr. HORTON. Then, the question is not about the test, but the question is about the safeguards, is that right?

Mr. LUCE. That is correct.

Mr. HORTON. So if you have the proper safeguards, in your judgment, it is all right to give these types of tests?

Mr. LUCE. The ones we are using; yes.

Mr. HORTON. And you feel that the safeguards that you have been using, and the ones you outlined are adequate?

Mr. LUCE. Yes, sir.

Mr. HORTON. Now, turning to these tests, some of the questions were read, but as I understand this Edwards Personal Preference Schedule, there is a section A and section B, and the directions indicate, as I read them hastily, that you can pick one or the other, and in some instances you can pick both, but you should pick one at least, and it says: "Some of the pairs of statements have to do with your life, such as A and B above. Other pairs of statements have to do with how you feel, and then they give an example. "Which of these two state-