

Mr. GALLAGHER. I see. Now, how do you feel a person applying for a parsonage would answer question 476, "I am a special agent of God?"

Mr. LUCE. Well, all I can say is that our church, and a number of others, use this examination. I don't know how—I assume he would answer that I am not a special agent of God. If he thought he was a special agent, why, he might have some problems. But I don't know really, how he would answer it.

Mr. GALLAGHER. Well, in a true vocation, this man would have to think he does have some agency of God?

Mr. LUCE. He would have to think he is called to the ministry, that is true, but that is a little different than being a special agent of God.

Mr. GALLAGHER. Well, it says, "special agent of God," special as opposed to the rest of the flock, in that he is going to devote his entire life to carrying out God's word. The fact I am trying to point out, Mr. Luce, in this line of questioning, is that you have given new respectability to the test that doesn't exactly make it so, by pointing out that the churches use it. A great many wonderful organizations use these tests. We are just wondering whether or not they have not overlooked the fundamental rights of an American citizen in invading the protections set up by the Constitution of the United States. That is what this is all about. Not whether it is technically proficient. It probably is.

We all would like to know, probably, everything about our employees in order to judge them. But it is a question of whether or not we have a right to go beyond the reasonable limits. And the testimony we have adduced so far would indicate that these tests go beyond reasonable limits. Mr. Macy feels so, most people in the U.S. Government feel so, and I am rather saddened to hear you do not think so.

Mr. Rosenthal?

Mr. ROSENTHAL. Mr. Luce, I am rather intrigued by your strong advocacy of these tests. You are the first person we have had so far from a Federal agency who seems quite determined to continue their use. Would you offer any thoughts on that subject? Or is it merely that you have been professionally convinced as to their value?

Mr. LUCE. The experience we have had with them convinces me that they help management to do a better job, and help our employees get into jobs where they will be happy and productive. There is nothing more complicated to it than that.

Mr. ROSENTHAL. May I ask how you got your present position?

Mr. LUCE. Well, I—

Mr. ROSENTHAL. If you don't feel like it is an invasion of anything.

Mr. LUCE. I was seated in my law office, on December 20, 1960 minding my own business, when the telephone rang—

Mr. ROSENTHAL. What year was this?

Mr. LUCE. 1960, immediately after President Kennedy's election. I had been a delegate to the Democratic Convention, and was acquainted with Secretary Udall and the Senators from our State. I was asked whether I would take this job. I said, "Let me think it over." I talked to my wife, and some of my friends, and here I am.

Mr. ROSENTHAL. That was the extent of your qualifying for the job?