

It seems to us there are several reasons why further personality testing by or on behalf of agencies within the Department should be a matter of high-level concern and one for which there should be a carefully determined departmental policy:

1. The Civil Service Commission has clearly and positively rejected personality testing within the competitive service, with limited exceptions.

2. (a) The BPA has no monopoly among Government agencies on positions which impose special demands of judgment, alertness, discipline, or responsibility. Sound personality evaluation is as much a prerequisite to filling these positions as to filling BPA's "key" positions. (The Tennessee Valley Authority, for instance, has electric power functions even more extensive than the BPA, but does not use personality tests.)

(b) The Administrator testified about the problem of selecting for key positions in BPA involving "stress situations" where a mistake could cause loss of life and property. (See attached list furnished by the Administrator of "Positions Filled Using Test Augmentation of Evaluation Factors".) He likened this to selecting for such positions as an air traffic controller, to which the Chairman of the Civil Service Commission made an illustrative reference before our panel. However, the Administrator did not associate such testing with being a part of a medical examination, whereas the Civil Service Commission policy limits use of available personality tests to assisting in the "total study of an individual in connection with medical determinations for employment or fitness for duty."

3. The Government has long been guided by a general policy rule that purely personal services may not be obtained on a contractual basis but should be performed by a regular employee responsible to the Government and subject to its supervision. Exceptions are, of course, recognized by the Comptroller General in a number of circumstances. We take no position as to whether the regular use of a consulting firm as in BPA's testing program would come within this general rule. We do suggest, however, that this point should be examined as a matter of departmental concern.

4. An agency's practices and policies regarding personality tests might tend to influence agency contractors as to use of personality tests for contractor personnel or job applicants, particularly as this testing might relate to contract operations. In view of the foregoing, we would appreciate your advising us promptly on the following points:

(1) The Department's policy in relation to (a) seeking Civil Service Commission approval of further personality testing and (b) contract terms relating to Government contractor's use of personality tests.

(2) Any instances of contracts entered into by BPA in which there is provision relating to personality testing of personnel or job applicants of the contractor, plus estimates of the numbers involved in such testing and the cost.

(3) The extent to which the cost of the consulting firm's assembly of supporting research to justify BPA's request for further testing would be borne by the Government.

Sincerely yours,

CORNELIUS E. GALLAGHER,
Chairman, Special Subcommittee on Invasion of Privacy.

(The list furnished by the Administrator entitled "Positions Filled Using Test Augmentation of Evaluation Factors," appears on p. 206.)

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 2, 1965.

Hon. CORNELIUS E. GALLAGHER,
*Chairman, Special Government Operations Subcommittee,
Committee on Government Operations,
House of Representatives, Washington, D.C.*

DEAR MR. GALLAGHER: This is in further reply to your letter of June 28, 1965, concerning personality testing.

Your first question asks what is the Department's policy in relation to (a) seeking Civil Service Commission approval of further personality testing and (b) contract terms relating to Government contractor's use of personality tests.

Since the Commission has prohibited agencies from using personality tests, as such, in any personnel action affecting employees or positions in the competitive