TESTIMONY OF EDWARD T. CROWDER, CLEARANCE OFFICER, OFFICE OF STATISTICAL STANDARDS, BUREAU OF THE BUDGET; ACCOMPANIED BY CAREY P. MODLIN, JR., ASSOCIATE CLEARANCE OFFICER

Mr. CROWDER. Yes, Mr. Chairman, we were invited to be on hand and be responsive to two questions.

The first: To what extent does the invasion of privacy enter into the review of questionnaires and reports by the Budget Bureau, and what criteria for approval or disapproval do you apply?

In answer to this, let me say, our review of any questionnaire or report involves a weighing of benefits against burdens imposed on respondents and costs to the Government. Among the elements of impact on the respondent, we consider the sacrifice of privacy and the degree of such sacrifice, taking into account the voluntary or mandatory character of the response.

Almost any questionnaire or report involves some loss of privacy. This is true of the income tax form. It is also true to some extent of census inquiries, financial reports from business, and application forms filed by job applicants or applicants for some privilege or benefit.

The issue therefore is never simply one of whether there is or is not a loss of privacy but of whether a particular question is reasonable and warranted in view of the purpose for which the inquiry is designed and the conditions under which it is carried out.

While our reviewing staff is quick to identify questions of an unusually intimate nature, we customarily pursue the issue in terms of whether the question serves a legitimate purpose, is technically sound for accomplishing that purpose, and provides appropriately for confidentiality.

As a result, our records will not show that a question has been eliminated or amended solely on the grounds that it is an invasion of privacy; they will show instead that the action was based on our conclusion that the question was not reasonably related to a justifiable purpose or was not technically adequate to serve that purpose.

To understand how this review procedure works in practice, it is necessary to understand the scope of our review authority and to distinguish among the several types of reporting proposals on which we act.

Our review activity under the Federal Reports Act of 1942 covers data collection from the public—specifically any inquiry involving the asking of identical questions of 10 or more persons, companies, or other respondents. Thus some of the activity which has been of particular interest to this committee is not reviewed by us because the subjects are Federal employees rather than members of the public.

Among the reporting procedures that do involve the public, and are subject to our review, and which are most likely to raise questions of an invasion of privacy, one important class is the application for Federal employment.

We concur in the position taken before this committee by Chairman Macy of the Civil Service Commission that personality tests have no legitimate role in regular job application procedures.

On the other hand, it is well known that the Standard Form 57—the application for Federal employment—contains questions of an intimate nature on drinking, arrests, employment experience, et