

No one knew that, in the judgment of the personnel manager, left handedness was a sure sign of emotional instability. Now, there is a plant, therefore, of 2,000 people, in which there is not a single left-handed individual. That is kind of a simple illustration. But the inferences can be much more serious and much more far reaching than those.

Mr. CORNISH. Would you agree, Professor Freedman, that perhaps many of these questions would not be harmful at all if they were used strictly for a psychological examination? But there are a number of questions on these questionnaires and tests that if used for another purpose other than the one they were originally intended for, would possibly affect them adversely.

As a matter of fact, some of the questions on the Minnesota Multiphasic Personality Inventory are crimes, in themselves, per se, are they not, in some jurisdictions?

Mr. FREEDMAN. Yes, sir.

Mr. CORNISH. I wonder also if you would agree with me that the invasion of privacy takes place at the point the question is asked rather than at some later point?

Mr. FREEDMAN. Yes, I do. I think that that is the most offensive aspect of it, or at least the threshold offense. Now, of course, it gets much worse as in Congressman Horton's example where people are assured this is going to be confidential and that confidentiality is violated, and you have learned of that instance. There may be any number of others that we have not heard about. But I do agree that the very asking of these questions is offensive.

There is something we call in educational testing the feedback effect. For example, one of the reasons we ask questions about English language on the Law School Admission Test is to feed back to the students an awareness of the fact that in law schools we do want people who are well trained in English, and having seen that they get questions involving their English ability, we hope, and in fact it has proved out, that they take more courses in English than we might otherwise have done.

Now the feedback effect that you can get with some of these other questions is a very dangerous thing. For instance, "What magazines are read in your household?" People may well start being concerned about whether it is better for their children's benefit in their academic careers that they get U.S. News & World Report around the house instead of the Nation; or the New Republic instead of National Review, and in that way there is a degree of political control that is highly undesirable.

That is only one illustration of a potential feedback in this kind of question.

Mr. CORNISH. You heard Dr. Brayfield testify that in his view it was perhaps best to leave many of these matters to the wisdom of the psychologists and the people who give these tests to determine the ethics involved. Do you feel that there is a matter of public policy involved here when Federal funds are utilized in these activities?

Mr. FREEDMAN. Very clearly; yes. I don't know how Dr. Brayfield goes about selecting his qualified people. I suspect that one of the qualifications is that they be dues-paying members of the American Psychological Association. But a Ph. D. does not guarantee wisdom,