



Instruction

Defense Intelligence Agency

DEFENSE INTELLIGENCE AGENCY
WASHINGTON, DC 20340-5100

DIAI 5200.002
03 Jul 2014
OPR: SEC

(U) Credibility Assessment Program

References:

- (a) (U) DIA Instruction 5200.002, "Credibility Assessment Program," 23 March 2010 (canceled)
- (b) (U) Section 1564a of Title 10, United States Code
- (c) (U) DoD Directive 5210.48, "Polygraph and Credibility Assessment Program," Change 2, 15 November 2013
- (d) (U) DoD Instruction 5210.91, "Polygraph and Credibility Assessment (PCA) Procedures," Change 1, 15 October 2013
- (e) (U) Under Secretary of Defense for Intelligence Memorandum, "Defense Intelligence Agency Authority to Conduct Expanded-Scope Screening Polygraph Examinations," 5 November 2013
- (f) (U) Counterintelligence Field Activity Info Memo, "Extension of Authorization for DIA and NSA to Conduct Polygraph Examinations of Foreign National Cohabitants and Spouses," 20 June 2006

1. (U) Purpose.

1.1. (U) Replaces Reference (a).

1.2. (U) Implements References (b) through (f), to establish the Defense Intelligence Agency (DIA) Credibility Assessment Program (CAP) as the operational polygraph arm of DIA.

1.3. (U) Applies to:

1.3.1. (U) DIA civilian applicants and employees, military personnel, contractors, consultants, experts, or other personnel assigned or detailed to DIA (hereafter referred to as DIA personnel), and to other personnel that receive DIA CAP polygraph support.

1.3.2. (U) Federal polygraph interns and certified polygraph examiners, including examiners attached to or serving a joint duty assignment (JDA) with the DIA CAP, and to contract polygraph examiners under contract with DIA.

1.3.3. (U) At the Director, DIA's discretion, foreign partners with access to DIA systems, facilities, or information and to those working with DIA in bilateral and multilateral

operations.

1.3.4. (U) At the Director, DIA's discretion, personnel with access to DIA systems, facilities, or information, including personnel with access to the Joint Worldwide Intelligence Communication System (JWICS).

2. (U) Definitions - see Enclosure 1.

3. (U) Responsibilities.

3.1. (U) The Director, DIA must determine when the procedures outlined in this Instruction will, in whole or in part, apply to:

3.1.1. (U) Foreign partners with access to DIA systems, facilities, or information, or,

3.1.2. (U) Non-DIA personnel with access to DIA systems, facilities or information, including those with access to JWICS.

3.2. (U) The Director for Security must:

3.2.1. (U) Oversee the DIA CAP and fund DIA CAP mission support, except for Directorate for Operations (DO) requirements, which must be funded by DO and its organizational elements.

3.2.2. (U) Render approval decisions for specific-issue polygraph examination requests involving DIA personnel following review of the legal opinion and polygraph technical assessment regarding the merits of conducting the examination.

3.2.3. (U) Be the final level of appellate review for polygraph examination appeals.

3.2.4. (U) Waive a polygraph requirement for DIA personnel upon his or her determination that it is in the best interest of DIA.

3.2.5. (U) Serve as the coordination authority for formal and enduring inter-service support agreements, memoranda of agreements, and other written agreements entered into by DIA and another Federal agency for DIA CAP polygraph support.

3.3. (U) The Chief, SEC Credibility Assessment Division must:

3.3.1. (U) Lead and manage the DIA CAP worldwide mission.

3.3.2. (U) Exercise responsibility for selection of personnel for polygraph training, in addition to the certification, suspension, and decertification of personnel as DIA CAP polygraph interns and examiners.

3.3.3. (U) Budget for and approve polygraph examiner training and ensure polygraph examiners meet continuing education and training requirements mandated by the Federal Polygraph Continuing Education Certification Program (FPCECP).

3.3.4. (U) Be the first level of appellate review for polygraph examination appeals. Appeals must be received by Chief, Credibility Assessment Division, in writing, within 30 days of an examination specifically stating the basis for the appeal and the course of action sought.

3.3.5. (U) Serve as the DIA senior polygraph technical advisor to the Director, Deputy Director, and other senior officials for DIA CAP polygraph screening, specific-issue testing, and operations.

3.3.6. (U) Represent DIA on the Office of the Director of National Intelligence, Intelligence Community (IC) Polygraph Program Expert Working Group, Department of Defense (DoD) Polygraph and CAP Executive Committee, DoD Polygraph Integrated Management Group, and at other intra-and inter-agency forums.

3.3.7. (U) Select personnel for hire and initial polygraph examiner training consistent with Office of Human Resources requirements and CAP protocols.

3.3.8. (U) Render selection, certification, suspension, decertification, and termination decisions of nominated and active polygraph contractors.

3.3.9. (U) Render a technical opinion on the efficacy of employing polygraph in support of all specific-issue polygraph requests involving DIA personnel.

3.4. (U) The SEC Credibility Assessment Division must:

3.4.1. (U) Provide polygraph screening support to DIA and all DIA-affiliated organizational elements throughout the world through the DIA CAP Regional Screening Support Program (RSSP).

3.4.2. (U) Provide polygraph support to DIA, DoD, and Joint Staff Global Force Management validated requirements related to contingencies and wartime operations.

3.4.3. (U) Support DoD, Federal, and IC agencies that do not have an organic polygraph capability, subject to support agreements and resource availability.

3.4.4. (U) Execute a DIA polygraph screening program, and vet and approve polygraph screening examination requests, consisting of, but not limited to:

3.4.4.1. (U) Pre-employment, initial, and aperiodic counterintelligence (CI) scope polygraph (CSP) testing which may extend to other DoD, Federal, or IC agencies.

3.4.4.2. (U) Expanded-Scope Screening (ESS) polygraph testing of DIA personnel who request and are nominated for an overseas tour extension that will extend beyond

a continuous five year period (Reference (e)). The DIA CAP may expand its employment of ESS testing within DIA, or on behalf of another DoD agency, upon Director, DIA and Under Secretary of Defense for Intelligence (USD(I)) approval.

3.4.4.2.1. (U) Conduct ESS polygraph testing of contractor personnel nominated, currently working, or transferring to a DIA contract who have been overseas for a consecutive period of five years or more.

3.4.4.3. (U) Foreign national cohabitant, and intended or current foreign national spouse testing to assess the security or CI risk to DIA personnel, its systems, facilities, and information in accordance with Reference (f).

3.4.4.4. (U) Force protection testing of non-U.S. citizens performing contractual and other functions on behalf of DIA missions.

3.4.4.5. (U) Vetting of foreign partners or counterparts involved in bilateral and multilateral operations with DIA wherein there is sharing of DIA or United States defense or intelligence information.

3.4.4.6. (U) Special screening missions for which the DIA CAP is requested or directed to support.

3.4.5. (U) Execute a DIA polygraph specific-issue testing program consisting of, but not limited to, examinations:

3.4.5.1. (U) For exculpation of DIA personnel;

3.4.5.2. (U) To resolve matters related to personal conduct, personnel security adjudications, criminal activity, and wide-ranging inquiries and investigative matters within the purview of the Office of the Inspector General and SEC;

3.4.5.3. (U) On behalf of another Federal agency, when requested;

3.4.5.4. (U) Related to intelligence matters and operations, or,

3.4.5.5. (U) In support of contingency operations where examinations are tailored to a particular person, allegation, or circumstance.

3.4.6. (U) Execute a DIA polygraph operations testing program, and vet and approve such requests in support of DIA and other intelligence matters and operations consisting of, but not limited to:

3.4.6.1. (U//FOUO) Military source operations, including vetting of principal agents and their sub-source networks;

3.4.6.2. (U//FOUO) Unilateral and bilateral tactical and strategic clandestine human intelligence (HUMINT) operations, including vetting of proposed and active assets or agents, their intelligence reporting, and operational activity;

3.4.6.3. (U//FOUO) Unilateral and bilateral offensive CI operations (OFCO) including induced, reactive, and derivative operations;

3.4.6.4. (U//FOUO) Director, DIA-approved focal point operations, including those in which DIA or DIA CAP entered into a support agreement;

3.4.6.5. (U//FOUO) Counterterrorism or counternarcotics operations, when requested by DIA or a DIA-affiliated organization, or,

3.4.6.6. (U//FOUO) Special operations forces, including support to foreign governments wherein DoD or DIA has an intelligence interest.

3.5. (U) DO must:

3.5.1. (U//FOUO) Receive polygraph support exclusively from the DIA CAP, including Defense Clandestine Service (DCS) tactical and strategic HUMINT operations, Office of Counterintelligence induced, reactive, and derivative Offensive Counterintelligence Operations (OFCO), force protection, and DIA focal point operations.

3.5.2. (U//FOUO) Fund DIA CAP support to DIA HUMINT, OFCO, force protection, and focal point operations including mission travel, tradecraft training and certification, mechanism and equipment acquisition, and operational activity.

3.5.3. (U//FOUO) Provide workspace, living accommodations consistent with the operational environment, and equipment issue for DIA CAP examiners embedded within DCS operational elements supporting contingency or wartime operations.

3.6. (U) The Office of the General Counsel must:

3.6.1. (U) Provide legal counsel in support of wide-ranging DIA CAP administrative, investigative, and operational matters.

3.6.2. (U) Provide a legal opinion regarding requests for specific-issue polygraph examinations of DIA personnel.

3.7. (U) DIA personnel must:

3.7.1. (U) When requested, make their foreign cohabitant, or intended or current foreign national spouse, available for DIA CAP polygraph testing. This must be accomplished at no direct cost to DIA. The examination is voluntary, however, declining to undergo such testing, when requested, may impact DIA personnel assignment selection and access determinations. The DIA CAP will, to the extent practical, work with affected DIA personnel to arrange for

testing at one of its static testing facilities or at a temporary duty location serviced by the CAP.

3.7.2. (U) Cooperate with polygraph examiner instructions and the polygraph examination protocol. Do not engage in purposeful and/or deliberate tactics that result in the alteration of their natural physiology.

3.8. (U) DIA elements supported by the CAP RSSP, including defense attaché offices, combatant command J2 elements and their regional support centers, U.S. Forces Korea, U.S. Forces Japan, and other DIA population centers, now or in the future, that receive RSSP support must annually forecast their polygraph support requirements through their respective command official to the DIA CAP.

4. (U) Procedures.

4.1. (U) The CAP policies and procedures described in References (b) through (d) are mandatory for DoD components. The DIA CAP also operates under supplemental USD(I) authorization and guidance contained in Reference (e), Federal Psychophysiological Detection of Deception (PDD) Examiner Handbook, selective National Center for Credibility Assessment (NCCA) curricula and programs of instruction, validated PDD research, internal DIA CAP operating procedures, and best practices.

4.2. (U) The DIA CAP is the exclusive provider of polygraph services in the screening, specific-issue, and operations domains for DIA and will support other DoD, Federal, and IC agencies with which it has a support agreement or as it may be so directed. Under certain provisions, the DIA CAP may authorize another Federal polygraph program to administer a CSP screening examination on its behalf.

4.3. (U) DIA personnel are subject to pre-employment, initial, and aperiodic CSP examinations and to ESS testing if extending overseas beyond five consecutive years. This includes personnel being hired or nominated for duty with DIA, including contractors transitioning from non-DIA to a DIA contract. It also includes DIA-affiliated personnel and others who have DIA staff-like access.

4.3.1. (U) When requested, DIA personnel will undergo and successfully complete a pre-employment CSP screening examination.

4.3.2. (U) When requested, DIA personnel that entered DIA without having taken a CSP examination will undergo and successfully complete an initial CSP examination.

4.3.3. (U) When requested, DIA personnel will also undergo and successfully complete aperiodic CSP examinations as a condition of continued employment or access to DIA systems, facilities, or information.

4.4. (U) Inbound military personnel will receive and successfully complete a CSP screening examination from their respective military Service prior to reporting for duty and being granted access to DIA systems, facilities, or information. The DIA CAP will provide

polygraph augmentation to inbound military personnel when their respective military Service provides adequate notice of their inability to administer a CSP examination in advance of the inbound military person's arrival at DIA or to a DIA-sponsored position.

4.5. (U) DIA may impose a requirement on commercial vendors that routinely work in DIA facilities, irrespective of whether they possess a security clearance, to undergo and successfully complete a CSP screening examination as a condition of initial or continued access to DIA facilities.

4.6. (U) DIA CAP will reciprocally accept completed and favorably adjudicated CSP screening examinations conducted by another DoD or Federal agency if the examination included questions related specifically to each of the prescribed DoD topics.

4.7. (U) CAP polygraph students, interns, and certified examiners will be aligned under the DIA 1810 Investigator (Polygraph) occupational series.

4.8. (U) Candidates for polygraph training will meet DoD, DIA CAP, and NCCA admission requirements, including having graduated from an accredited four-year college or university recognized by the U.S. Department of Education to award such degrees.

4.9. (U) Only DIA CAP government interns and certified examiners that complete the DIA CAP Polygraph Internship Program, and who possess an active DIA CAP certification, may administer polygraph examinations for DIA or for other Federal agencies on behalf of DIA.

4.10. (U) Federal certified polygraph examiners detailed to the DIA CAP under JDA provisions may administer, consistent with their level of experience and Chief, CAP concurrence, polygraph examinations for, and on behalf of DIA during the term of their JDA. CAP examiners, participating in a JDA with another federal polygraph program are authorized to conduct polygraph examinations consistent with federal polygraph standards and testing protocols of the federal program to which assigned.

4.11. (U) DIA CAP certification may limit the type of examinations a government or contract polygraph examiner may administer.

4.12. (U) The DIA CAP polygraph contract vendor will nominate prospective contract examiners to work on the DIA CAP contract.

4.12.1. (U) Contract examiners will undergo orientation training and demonstrate competency before being authorized to administer CSP examinations for the DIA CAP.

4.12.2. (U) Contract examiners will only administer CSP screening examinations for the DIA CAP.

4.12.3. (U) Contract examiners may travel worldwide in support of the DIA CAP RSSP unless expressly restricted from doing so by contract.

4.14.1. (U) Where a DIA RSSP supported element does not have enough or suitable space for the conduct of polygraph examinations, such examinations will be conducted at a venue selected by the DIA CAP visiting polygraph team.

4.14.2. (U) The senior official at a supported RSSP location will be afforded an opportunity for a polygraph out brief and is responsible for determining who will attend the out brief. Because of the potential security implications, privacy issues, and sensitivity of such briefings, attendance will be restricted.

4.15. (U//FOUO) Dissemination of DIA CAP polygraph examiner and examinee names and their affiliation with DIA, DIA work products, or intelligence will be restricted consistent with operations security and other security requirements.

4.16. (U) DIA CAP polygraph procedural guidance will not be released outside of the DIA CAP to preserve DIA CAP polygraph tradecraft including, for example, DIA polygraph testing techniques, formats, interrogation methodologies, and strategies used to identify and neutralize threats to the administration of polygraph examinations.

4.16.1. (U) DIA CAP polygraph procedural guidance and work product may be made available to DoD Polygraph Quality Assurance Program inspectors consistent with their security clearance level and access.

4.16.2. (U) Such guidance will only be made available to inspectors from within DIA CAP facilities to prevent inadvertent loss, transfer, or compromise of DIA CAP tradecraft and other information.

4.17. (U) Notwithstanding any subsequent approval to conduct a specific-issue examination, the decision to actually administer, suspend, or terminate any polygraph examination rests with the polygraph examiner and the Chief, Credibility Assessment Division.

4.18. (U) Observation of polygraph examinations or recordings is limited to that necessary for supervision, quality control, examiner training, investigation, language interpretation, legal representation (qualified admittance), and administrative or judicial action.

4.18.1. (U) In CI screening examinations, privately obtained legal counsel is not permitted in the examination room or authorized to observe such examinations. Such examinations are not subject to stipulation between attorneys and the DIA CAP. Examinees may have someone (attorney or otherwise) accompany them to the examination site and that person may remain at the site as long as there is sufficient space and that person does not require an escort or become disruptive. However, the person accompanying the examinee will not enter, observe, or exercise any influence over the examination.

4.18.2. (U) In specific-issue examinations of DIA personnel, privately obtained legal counsel is permitted in the examination room for the purpose of executing the consent form and for negotiating stipulations. Legal counsel may also be authorized to remotely observe such examinations consistent with security provisions and when such capability technically exists.

Such examinations are subject to legal stipulations between attorneys and the DIA CAP.

4.18.3. (U) The polygraph examiner and the examinee's legal counsel will agree, in advance, to the terms of the DIA specific-issue polygraph examination. However, the DIA CAP will not conduct examinations under proposed stipulations that would violate Federal polygraph or CAP standards or unreasonably interfere with the conduct of the examination.

4.19. (U) Pursuant to Reference (c), DIA will only accept polygraph examinations and the results of such examinations conducted by active Federal polygraph examiners trained and authorized to administer such examinations.

4.20. (U) Pursuant to Reference (d), Chief, CAP may exempt personnel from conducting the DoD semiannual minimum number of polygraph examinations.

4.21. (U) Applicants for employment, assignment, or detail to DIA, including military and civilian personnel and contractors nominated for access to DIA systems, facilities, or information, who refuse to take or fail to successfully complete a CSP examination will not be hired, selected, or assigned.

4.22. (U) DIA personnel who refuse to take or fail to successfully complete a DIA-administered CSP examination in connection with continued employment, assignment, or detail in the DIA, may be denied assignment, detail, or access to classified information. They may also be reassigned to less sensitive duties, have restrictions placed on their mobility, be returned to their parent military Service, or be subject to removal.

4.23. (U) Contractors who refuse to take or fail to successfully complete a DIA-administered CSP examination may be removed from the applicable DIA contract. DIA, at its sole discretion, may restrict the number of polygraph sessions afforded a contractor to complete a CSP examination.

4.24. (U) DIA personnel who refuse to take or fail to successfully complete a DIA-administered ESS polygraph examination, when required in connection with extension of an overseas assignment, may be returned to the United States.

4.25. (U) Any deliberate alteration of one's natural physiology during the course of a DIA CAP administered polygraph examination will be viewed, regardless of motivation, as a threat to DIA and national security.

4.25.1. (U) DIA personnel who engage, or coach or collaborate with others to engage, in purposeful non-cooperation or deliberate tactics that undermines the validity or reliability of a polygraph examination will be subject to administrative or disciplinary action including suspension, loss of access or security clearance, and removal from DIA.

4.25.2. (U) Civilian applicants for hire, and civilian and military personnel and contractors newly nominated for access to DIA systems, facilities, or information, that engage in

the aforementioned conduct will not be hired or assigned.

4.26. (U) The polygraph is the only DoD credibility assessment technology operationally used by DIA or the DIA CAP to determine statement veracity.


MICHAEL T. FLYNN
Lieutenant General, USA
Director

Enclosures - 1
E1. Definitions