

FBI Polygraph Procedures for Members of Joint Terrorism Task Forces (JTTFs)

History

Although the FBI has had a polygraph initiative in place since 1978, personnel security testing did not commence until 1983. At that time, the only FBI personnel subject to a polygraph were those needing special access to sensitive investigations coordinated through outside intelligence agencies and those employees subject to investigations conducted by the FBI's Office of Professional Responsibility. Limited applicant testing began in 1985 and grew in 1994 to include all applicants seeking FBI employment.

In March 2001 former Director Louis Freeh authorized the expansion of the personnel security polygraph program, commonly known as the PSP test, as a deterrent to those contemplating espionage or engaging in espionage within the ranks of the FBI. The program has proved effective and as a result, further expansion developed.

A Review of FBI Security Programs, published by the Commission for the Review of FBI Security Programs, dated March 31, 2002, also known as the Webster Commission, recognized the FBI's current polygraph program to be "well managed and monitored" and noted adequate quality-control procedures. Furthermore, the Webster Commission report recommended that the FBI implement a counterintelligence polygraph for employees and non-FBI personnel with Special Compartmentalized Information access and special access clearances.

In June 2002 Director Robert Mueller approved the expansion of the PSP to make it a permanent part of the FBI security process. Included in this expansion are all FBI employees assigned to counterintelligence, counter-terrorism, and security programs.

Selection Process

The pool of candidates to be selected for counter-intelligence-focused polygraph examinations will largely be drawn from counterintelligence, counter-terrorism and security programs. However, all FBI employees are subject to random selection at any time. Additionally, all non-Bureau personnel, including Joint Task Force members, contractors (both independent contractors, such as contract linguists, and employees of corporations and other business entities that contract with the FBI), and others who perform functions requiring access to FBI information, FBI information systems, and FBI space will be subject to a PSP examination if there is a requirement to perform a function similar to or have access to the same sensitivity of information as an FBI employee who is required to take a polygraph examination.

Once identified as needing a PSP examination, the candidate will be notified by the division's security officer. The security officer will conduct a personnel security interview (PSI) of the candidate prior to scheduling the polygraph with an FBI-certified polygraph examiner. The PSI provides an opportunity for the candidate to voice any concerns the person has that he or she thinks may create a problem on the polygraph examination. This is an intelligence-gathering process that has proved instrumental in allowing candidates to successfully complete the polygraph examination. The polygraph examination will be scheduled soon after the PSI and will generally be in conjunction with the periodic security reinvestigation.

The Assistant Director, Security Division, functions as the Security Programs Manager (SPM). The SPM is authorized to compel any Bureau or non-Bureau person with access to FBI information or facilities to submit to a polygraph examination, with the scope tailored to resolve specific issues which may impact on the person's trustworthiness. The SPM will use the thirteen Adjudicative Guidelines associated with Executive Order 12968 to determine whether a polygraph examination is warranted.

Questions & Answers

Q: Why does the FBI use polygraph if the results are not accepted in court?

A: The FBI recognizes polygraph is not an exact science, but rather a highly effective investigative tool not to be used in evidentiary proceedings. The FBI's utilization of the polygraph has a long, proven history of usefulness in obtaining information not previously known.

Q: Will I know the results of my polygraph when I am finished here today?

A: Although you know whether or not you have been candid with the examiner, the results must first be reviewed through quality assurance at FBIHQ. The results will then be forwarded back to the division security officer who will inform you.

Q: What would happen if I refuse to take the polygraph examination?

A: You must consent in writing prior to the polygraph examination. Refusal to consent will prompt the Security Division and your division head to reevaluate your security clearance and/or your continued access to sensitive/classified information.

Q: How accurate is the polygraph?

A: Current research continues to show that the polygraph is highly reliable and a valid technique. Your test will receive an opinion by your examiner but will be subject to a quality assurance review to be sure you receive a fair and accurate examination.

Q: How long will my polygraph take?

A: Time frames vary according to the number of issues that may need to be discussed; however, most polygraph examinations are completed within two hours.

Q: Why have I been singled out to take this polygraph test?

A: You may be selected for the counterintelligence polygraph for reasons of national security to include: (a) exposure to highly sensitive or classified information, (b) selection for temporary duty with another outside intelligence agency who requires the candidate to have a polygraph, (c) periodic background reinvestigation, (d) random selection for purposes of espionage deterrence, and (e) security issues may have surfaced which the SPM deems necessary to resolve.

Q: If it is determined that I have failed my polygraph, what recourse do I have?

A: The SPM or other appropriate officials within the Counterintelligence Division will conduct a review or investigation to explain your polygraph test results. A Senior Review Panel (SRP) composed of the Assistant Directors or their designees from your division, the Counterintelligence Division, the Office of Professional Responsibility, and the Administrative Services Division will monitor the equity and reasonableness of the PSP process. The General Counsel or his designee will participate on the panel as a legal advisor. The SRP will also reserve the right to invite representatives of other FBI components, as appropriate, to provide counsel. The SRP will consider both the requirement to safeguard national security and the rights of those taking the test.

Q: If it is determined that I did not pass the polygraph, how will it affect my job if I am not an FBI employee?

A: Resolution of an unresolved polygraph for a non-Bureau employee is the same as it is for FBI personnel. However, during the resolution phase, you may be asked to remove yourself from a task force, contractor's

assignment, or other sensitive task. You and your superior will be notified that your unescorted privileges are held in abeyance pending successful completion of the PSP.

Q: If I am nervous, will this cause me trouble on the polygraph test?

A: It is normal and expected that you will be nervous during the polygraph process. Your polygraph examiner will explain to you the process and eliminate areas of concern that you may have. Feel free to ask your examiner any questions you think are necessary to ask.

Q: What kind of questions will I be asked?

A: Your PSP test will cover counterintelligence issues as well as security-related areas. This test is not a personal lifestyle test.