



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

October 28, 1997

Honorable Charles E. Grassley
Chairman
Subcommittee on Administrative
Oversight and the Courts
Committee on the Judiciary
United States Senate
Washington, D.C.

Dear Mr. Chairman:

Thank you for your letter of October 21, 1997, and for your continued interest in the FBI Laboratory. As the new Director of the FBI Laboratory, I am looking forward to meeting the challenges of the future and leading the Laboratory into the 21st Century stronger and more efficient than ever. I will, of course, be happy to address any concerns you may have about the Laboratory's operations, such as those raised in your letter.

With regard to the testimony provided to your Subcommittee on September 29, 1997, by the Chief of the FBI's Hazardous Materials and Response Unit, Dr. Drew Richardson, you have asked for my position regarding the use of polygraph examinations as an applicant screening procedure. For the reasons set forth below, I support the use of polygraph testing for applicants seeking employment with the FBI.

In March, 1994, Director Freeh authorized the use of polygraph examinations for all FBI employment applicants. Since that time, the FBI has conducted approximately 16,200 pre-employment polygraph examinations. Of those, 12,930 applicants (80 percent) passed and continued processing; 3,270 applicants (20 percent) were determined to be withholding pertinent information. When these individuals were interviewed about their unacceptable performance in the polygraph session, 1,170 (36 percent) admitted to withholding substantive information, thereby confirming the results of the polygraph examination.

The FBI's polygraph screening focuses exclusively on counterintelligence issues, the sale and/or use of illegal drugs, and the accuracy and completeness of information furnished by applicants in their employment applications. It is not a substitute for, but merely one

Honorable Charles E. Grassley

component of, a thorough and complete background investigation. We have found that conventional investigative methods are not always capable of detecting certain national security risks and personal suitability issues, which have been discerned through polygraph interviews. The following examples illustrate this point.

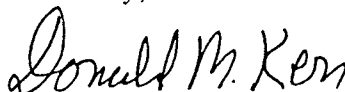
- An applicant admitted extensive contacts with the KGB while working in the former Soviet Union as a guide/interpreter for tourists. He also admitted providing information to his contacts.
- An applicant admitted providing information to a KGB contact about U.S. officials while employed at a manufacturing plant in the former Soviet Union. The applicant also provided information to the KGB contact about her future husband, a U.S. Marine Intelligence Officer.
- An applicant admitted to flying illegal drugs from Mexico to the United States.
- An applicant admitted his involvement in committing arson when he deliberately set fire to a residence.
- An applicant admitted to income tax evasion in failing to report \$30,000 in income.

These examples illustrate the types of information that the FBI has learned through the use of polygraph screening that we otherwise may never have detected through traditional investigative means. In my opinion, the quality of the information developed demonstrates the value and utility of the polygraph in pre-employment screening.

You have also inquired as to the proposed relocation of the Latent Fingerprint Section from the Laboratory Division to the Criminal Justice Information Services (CJIS) Division in West Virginia. Upon receipt of the September 22, 1997, letter from the President of the American Society of Crime Laboratory Directors, Frank Fitzpatrick, Director Freeh ordered that the transfer of the Latent Fingerprint Section be reconsidered. I will keep you advised of Director Freeh's final decision in this regard.

I hope that my response on these matters has been helpful to you in performing your oversight responsibilities. If you should have additional concerns, please do not hesitate to contact me.

Sincerely,



Donald M. Kerr
Assistant Director
Laboratory Division