

Ten of the eleven Federal agencies reported using the services of another agency within the Federal Government for 59 tests. Intelligence units of the Army, Navy, and Air Force were most frequently called upon.

Despite the low costs to Federal agencies for the services of "outside" examiners, it is questionable what has been purchased. No careful attempt was made to determine local examiners' training, or to see that their equipment and procedures conformed to high professional standards. The prime failure, however, rests with the Federal Government for having neglected to provide the necessary guidelines and standards.

EXHIBIT 33—STATEMENT SUBMITTED BY THE AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES ON THE USE OF THE POLYGRAPH BY FEDERAL AGENCIES

The extent and circumstances of the use of the polygraph in various aspects of Federal employment is sufficiently disturbing that the American Federation of Government Employees recommends that such use be completely discontinued.

This recommendation is made in the belief that use of the polygraph in hiring is not necessary and that whatever advantage might accrue to the Government is greatly outweighed by the instances of harm to the prospective employee which have occurred and may occur again if polygraph tests are continued.

When 19 out of 58 Federal agencies queried stated that they regularly used polygraph machines, there was significant evidence that the problem thus created is sufficiently widespread to call for remedial action. Furthermore, the fact that these 19 agencies own 512 machines and this equipment was used in 19,122 tests shows the extent of the application of polygraph technique to various situations arising in Government operations. The agencies reporting did not include the Central Intelligence Agency or the National Security Agency, both of which require polygraph machines to be used for employment screening.

The 19 agencies reporting the manner in which this equipment is used indicated that the tests are given only with the voluntary consent of the person to be tested. Even in the screening programs of CIA and NSA applicants may refuse to submit to polygraph testing, although such a refusal in CIA is considered along with other information developed and in NSA leads to more exhaustive investigation.

It seems clear that an employee may be penalized by submitting to a test that is improperly given or incorrectly interpreted. In the case of refusal he chances the implication that it is evidence that he has something to hide and therefore would not be a desirable employee.

Of paramount consideration in determining the course to be taken in dealing with polygraph technique is that a Federal agency should make the utmost effort to respect the rights of the individual who is being questioned while under consideration for prospective employment. It is a severe indictment of those using the polygraph unnecessarily as part of the recruiting procedure that individuals have been subjected to humiliating experiences. It is apparent from testimony already given to the House Government Operations Committee that polygraph tests are not appropriate to employment screening and that their use is completely indefensible in recruiting for the more routine type of position when security is not a factor.

Discussion of polygraph use by those who are deemed to be expert has raised some basic questions as to reliability of the machine as a means of testing the truthfulness of an individual. Analysis of committee testimony seems to indicate that polygraph testing as a truly scientific procedure is questionable. It appears to be better adapted to inducing a confession in the course of a criminal investigation. Seldom can its advocates clearly and reliably determine that a subject is truthful or deceptive unless the polygraph procedure has been followed by a confession by someone involved in a case. Thus its use has been termed a mental blackjack by those who declare its results are not reliable and measurements attempted are not valid.

It is understood that use of the polygraph as a diagnostic procedure has been relied upon for determining truth or deception by means of a course of several examinations. A great deal admittedly depends upon the examiner's interpretation of the responses obtained. And this fact points up the principal element in attempting to evaluate the polygraph, which is the adequacy of the individual conducting the test.

Discussions by recognized experts indicate that the person conducting the polygraph test must be someone with a good education background, having what is comparable to a college education. Mr. Fred E. Inbau, the law professor