

Mr. HERNDON. If we feel there is a need to discuss the answers, time permits and there is no other problem with regard to the man's other commitments.

Mr. KASS. But what happens if the agent doesn't feel there is a need to keep the person?

Mr. HERNDON. He would be released, he would be free to leave. In other words, the interview is over and we would let him go.

Mr. KASS. And the FBI would for all practical purposes drop the interrogation of this individual then?

Mr. HERNDON. Not necessarily. Perhaps the case agent, would look at it and say "Here is a facet we might cover," and he would proceed on that.

Mr. KASS. It is possible the polygraph examination could throw the FBI off the track though because as a result of no indication on the chart they would drop the person?

Mr. MOHR. No; that is not true. All it would mean is we got no leads or benefits from that interview. It does not mean we would drop him as a suspect, depending on the circumstances. In other words, this particular interview would be just one of a series of interviews, or would be part of your total investigation, including possible physical evidence you might have. But when you say "drop him," the answer is "No."

Mr. HERNDON. We would not clear a man with the polygraph, no.

Mr. KASS. Mr. Mohr, why doesn't the FBI use the polygraph for preemployment screening?

Mr. MOHR. We have found, Mr. Kass, as a result of our investigations of applicants that we get a good picture of them and we use that solely as a means to determine whether they meet the standards for employment in the FBI. We have never used the polygraph for preemployment screening, and one of the reasons we wouldn't use it is because it is not precise enough, it does not lend itself to precise judgments.

Mr. KASS. But you do consider it a valuable tool for investigative purposes?

Mr. MOHR. That is correct.

Mr. KASS. Why don't you use it in more cases?

Mr. MOHR. It doesn't lend itself to being useful in all types of cases. There are certain areas where it is extremely helpful and in other areas it is not particularly helpful.

Mr. KASS. How many recommendations to use the polygraph examination were given in fiscal 1964? That is, recommendations to use the polygraph which went to the Associate Director?

Mr. MOHR. And how many were rejected?

Mr. KASS. Yes.

Mr. MOHR. I would have to supply that for the record.

Mr. MOSS. That will be fine.

(The information requested follows;)

During the fiscal year 1964 there were 858 requests by the field to use the polygraph in selected cases and 265 or 31 percent were denied.

Mr. KASS. Mr. Conrad, getting back to the training program, which we never finished, could you continue? Do you discuss the legal aspects?

Mr. CONRAD. Yes; legal aspects are covered.