

Mr. ARCHIBALD. Will you be informed of the actual number when the determination is made?

Mr. SKALLERUP. Yes.

Mr. ARCHIBALD. Is your memorandum of November 26, 1962, on the subject of civil and private rights still in effect?

Mr. SKALLERUP. The memorandum was a request for information from the military departments. They responded to it. It was not of a directive nature. I have no authority to issue directives.

Mr. ARCHIBALD. The memorandum did, however, suggest a prohibition in investigations of questions on religion, race, politics and union affiliation, didn't it?

Mr. SKALLERUP. That is correct.

Mr. ARCHIBALD. And that has substantially been picked up in this directive now, hasn't it?

Mr. SKALLERUP. That is correct.

Mr. ARCHIBALD. But there is no prohibition in the directive itself on questions of union affiliation. This part of your memorandum was not included in the directive.

Why was that not done?

Mr. SKALLERUP. That was deliberately left out because it was our judgment that we had reached a time in the development of our investigative organizations where that was widely recognized as not being a proper area to go into. And it appeared to be a bit strange to have to include it in this day and age, so we left it out.

Mr. ARCHIBALD. You felt that was a more widely accepted area than religion or race?

Mr. SKALLERUP. Definitely.

Mr. ARCHIBALD. And you found investigators weren't going into that then?

Mr. SKALLERUP. That is correct.

Mr. ARCHIBALD. In the Defense Department, who in general will have access to the results of the individual polygraph tests?

Mr. SKALLERUP. Initially the access will be available to those immediately concerned with the investigation. Subsequently, after the investigation is completed and whatever action is required to be taken has been completed, the files of polygraph examinations will be returned to, in each one of the investigative organizations, to a central headquarters master file. So there will be one place in each military department where these records will be kept.

Mr. ARCHIBALD. Section VII-D of the directive covers the access. Apparently, in a major DOD component such as the Army, the head of the component—the Secretary of the Army—all of his advisers, every Army official responsible for personnel security, law enforcement, and the administration of justice, would have access to polygraph test records.

Do you have any idea of the number of persons it would be in the Army, for example?

Mr. SKALLERUP. I have no idea of the number, but this provision that you read was essential so that the information obtained from a polygraph examination would be available to officials who have to take action on the information.

Mr. KING. Might I interrupt you to say there are some gentlemen in the back of the room representing the press, and others that are having a little hard time hearing, so all those participating could speak up a little louder.