

Mr. SKALLERUP. We might ask them to move up further.

Mr. ARCHIBALD. Under this same section on access to polygraph results outside the Defense Department, Federal officials in all Federal agencies responsible for intelligence, security, or law enforcement will be privy to Defense Department polygraph results.

Do you have any idea how many people this will be?

Mr. SKALLERUP. Those individuals will not have access to these polygraph records except in those cases where information has come up which in the view of the Federal official having custody of the record should be disclosed to the State or local official.

This provision does not provide a license to State and local officials to have access to polygraph results.

Mr. ARCHIBALD. I was referring in this case to State and local officials. The directive says that the polygraph test will be open to State officials if there is an alleged violation of State law or if a serious crime is likely to be committed.

Who is going to decide that a serious crime is likely to be committed?

Mr. SKALLERUP. In the initial instance, it would be the polygraph examiner and his supervisor would make this determination. Whether that information should be disclosed to State officials will be determined by somebody else.

In the case of Air Force investigations, this determination whether to turn the information over to a State official will be made by any one of these five officials in Washington, who in the first instance is authorized to permit the conduct of the polygraph examination.

In the case of Army criminal investigations, I understand that this authority will be limited to the Provost Marshal General himself. I am not acquainted with the Navy's way of doing this. They have not yet established their own ground rules, but they are in the process of doing so.

Mr. ARCHIBALD. Mr. Chairman, if we might ask the witness to provide this information for the record?

Mr. KING. Could this be done?

Mr. SKALLERUP. Yes.

Mr. KING. Without objection, that will be part of the record when submitted.

(The information referred to follows:)

Within their respective agencies, the following persons have been granted authority to make the determination as to whether results of polygraph examinations may be released to State or local law enforcement agencies:

Department of the Army:

(1) Provost Marshal General.

(2) Assistant Chief of Staff for Intelligence, Headquarters, U.S. Army.

Department of the Navy:

(1) Director of Naval Intelligence.

(2) Deputy Director of Naval Intelligence.

(3) Assistant Director of Naval Intelligence (Counterintelligence) and three members of his staff.

(4) Ten officers in charge of their respective district intelligence offices.

Department of the Air Force:

(1) The Director of Special Investigations (OSI).

(2) Deputy Director for Operations, OSI.

(3) Chief, Counterintelligence Division, OSI.

(4) Chief, General Investigations Division, OSI.

(5) Chief, Personnel Investigations Division, OSI.