

Mr. SKALLERUP. Thus far, no action has been taken to edit those publications.

Mr. KASS. If I recall the testimony by General Butchers, the Provost Marshal, and other witnesses from the Army, Navy, and Air Force, quite often they used the phrase: "When the person 'lies' on the machine," or "We have determined that the person had 'lied' because of the charts on the machine."

I remember Congressman Moss, chairman of the subcommittee, a number of times asked: "Is it a lie detector?" And despite the fact that the witnesses said, "No, it is not a lie detector," they kept using the words "he is lying."

Are you planning to try to instill in Department of Defense representatives that it is not a "lie detector," but merely maybe an investigative tool?

Mr. SKALLERUP. Well, some people use the word "lie" more freely than others. And we are not undertaking any efforts to change those practices. I believe that OSI, the organization from which the pamphlet you describe came, in its regulations states forthrightly that it is not a lie detector. This is stated.

I suppose that in the trade, as the expression goes, among investigators, it is called a "lie detector." This sort of thing is going to be difficult to change over any short period of time.

Mr. KASS. In your statement you referred to the Deputy Secretary of Defense memorandum dated April 27, 1964. As I read the new Department of Defense directive, that memorandum has been canceled. I am referring to Mr. Vance's memorandum which speaks about two-way mirrors.

Have those criteria been spelled out completely in this new Defense Department directive?

Mr. SKALLERUP. Those terms have been incorporated in the directive.

Mr. KASS. Will individuals be informed in a criminal situation of their rights, and of the presence of a two-way mirror and other monitoring devices?

Mr. SKALLERUP. The directive requires it.

Mr. KASS. Will they be informed in security and intelligence operations?

Mr. SKALLERUP. The directive requires it.

Mr. KASS. Is it also applicable to the National Security Agency?

Mr. SKALLERUP. The relationship of this directive to the National Security Agency directive has not been completely resolved. The 5210.48, as you know, in section VI-C provides that the NSA regulations must receive the prior approval of the Secretary of Defense. Presumably, the regulations of the NSA would be compatible with this directive to the extent that it would be desirable in the light of the NSA type of operation.

Mr. KASS. Was there any reason why the provisions of the Vance memorandum were not made applicable to the National Security Agency, though?

Mr. SKALLERUP. My recollection is that the Vance memorandum did not exclude the National Security Agency. Do you have a copy of it here?

Mr. KASS. I was referring not to the Vance memorandum per se, but to the principles of the Vance memorandum as incorporated in