

Army

PMG: Yes. The results of a polygraph examination or information that an individual refused to take a polygraph examination, is included in the completed report of investigation. The report is releasable to agencies authorized access to these reports. The procedure followed in such instances is outlined in paragraph 24, AR 195-10. Two copies of this regulation are attached.

OACSI: If an individual does not consent when requested to take an examination the investigator will include a statement of this fact in his investigative report. This agent report, together with all other agent reports pertaining to the individual become part of the investigative file and will be forwarded to the U.S. Army Counterintelligence Record Facility. Individuals from other Government investigation agencies, such as the Federal Bureau of Investigation and the Central Intelligence Agency, who have been accredited to the facility based upon need-to-know and security clearance and certified by the heads of their respective agencies, do have access to Intelligence files which contain the results of polygraph examinations. Army Regulation 381-45, attached, governs this procedure.

Navy

ONI: Not as a general rule nor even in a large number of cases.

(a) There are occasions, however, when requests for investigative assistance, to include polygraph examinations, will come from outside this agency and the results must be reported back, e.g., if an adjudicative board at the Department of Defense level requested from Department of the Navy (Office of Naval Intelligence) investigative assistance to include polygraph examination, concerning an employee of the Navy, the results of the investigative action, including the subject's refusal to take the polygraph examination, would be furnished to the requestor.

(b) In all investigations in which polygraph examinations are authorized, the results thereof or the refusal of individuals concerned to submit to examination are duly recorded as part of the investigative record. The fact of the refusal to submit to examination in itself would not be disseminated within nor outside this agency as a matter of policy or requirement. There are, however, numerous executive and departmental regulations requiring that investigative files of one agency be made available to duly authorized representatives of other Federal agencies, upon request. It is possible therefore that the refusal of a person connected with this agency to take a polygraph examination will become known to another agency as a result of these authorized reviews of investigative files.

(c) Not at the present time. There will, however, be a written regulation governing this procedure in the immediate future upon implementation of the Department of Defense instruction governing the use of polygraphs.

Marine Corps: If a member of the Marine Corps refuses to take a polygraph examination, his refusal is noted in the investigative report which relates to his case. These investigative reports, or copies thereof, are transmitted to the Office of Naval Intelligence in accordance with Sec Nav Instr 5430.13B.