

EPD (FYI)

DDS 69-5035 (ER 69-5750/1) dated 11/18/69 to DCI from D/Security
Subject: Directive Governing Use and Procedures of Polygraph in
CIA w/a ER 69-5750 to D/Security from DCI, Subject: Polygraph
Program (unsigned and undated) -- returned from Executive
Director-Comptroller for rewrite 12/30/69. Is currently being handled
by DD/PS who will be in touch with ES. DD/PS has a copy of the
memo dated 11/18/69 which was rewritten in O/DDS and is referenced
above.

Jaye

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Remarks:

For your information.

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FROM: NAME, ADDRESS AND PHONE NO. DATE

Director of Personnel 5E-56 HQ 6825 26 Nov 68

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PUBLISHED IN ADVANCE OF INCORPORATION
IN FPM CHAPTER 736
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FPM LTR. NO. 736-4

UNITED STATES CIVIL SERVICE COMMISSION

FEDERAL PERSONNEL MANUAL SYSTEM

LETTER

Washington, D.C. 20415

October 25, 1968

FPM LETTER NO. 736-4

**SUBJECT: Full Field Investigations on Competitive Service
Employees and Applicants for Critical-Sensitive Positions**

Heads of Departments and Independent Establishments:

This letter announces minimum standards relating to full field investigations for appointment to critical-sensitive positions in the competitive service. Included are standards on scope and coverage of full field investigations; the selection, training and supervision of investigators; and safeguards to avoid unwarranted invasion of privacy. These standards are the result of a careful study by an interagency committee representing the major agencies which conduct full field investigations. They are issued in accordance with the delegation of authority to the Commission contained in section 8(b) of Executive Order 10450 dated April 27, 1953. They are binding on all agencies which make competitive appointments, with particular application to those agencies which conduct full field investigations by agreement with the Commission.

Scope and Coverage of Full Field Investigations
for Critical-Sensitive Positions

Full field investigations on competitive service employees and applicants for critical-sensitive positions shall be personally conducted investigations which cover the life of the individual with emphasis on the person's background and activities during the most recent fifteen years, or since his eighteenth birthday, whichever is the shorter period. Particularly intensive investigative coverage is obtained for the last five-year period. In addition, a thorough personal investigation shall be made of any materially derogatory matters developed, requiring investigation before the five-year period.

The basic elements of investigation are:

- A National Agency Check as follows:
 - FBI name check
 - FBI fingerprint check
 - CSC Security File check
 - CSC Security Investigations Index check

INQUIRIES: Bureau of Personnel Investigations, 343-7205 (183-7205)

CSC CODE 736, Investigations

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- Defense Central Index of Investigations check (covering military service or defense employment)
 - House Committee on Un-American Activities check as appropriate
 - Immigration and Naturalization files (on naturalized citizens)
 - State Department Passport files (covering foreign travel)
- personal interviews with present and former employers; supervisors; fellow workers; references, when available; neighbors; school authorities; and other knowledgeable associates.
 - checks of police, credit (when practical and justified), and other pertinent records as appropriate, such as FBI field offices, vital statistics (to resolve discrepancies), military service, and the like.

Personal interviews as appropriate, for the proximate five-year period, should be scheduled with employers, supervisors, and work associates to verify and obtain pertinent details for all employments in that investigative period. Particular care shall be taken also to verify the fact of unemployment or self-employment claimed by the subject of investigation during the proximate five-year period.

Significant education at a college level should be verified by a check of the school records. Secondary education should be investigated when the subject is young and has had no subsequent schooling. Personal interviews should be conducted with available witnesses such as school authorities, professors and former students who were associated with the subject during recent schooling.

Neighborhood investigation should normally be conducted on civilian employees and applicants to cover residence during the most recent three years. Testimony of neighbors before that period may be sought to verify periods of unemployment or self-employment, or to resolve questionable matters which have been raised from other sources.

The number of witnesses interviewed cannot be reduced to a formula but in each case should depend upon the diversity of the subject's experience and places of residence, as well as upon the depth of knowledge shown by witnesses concerning the subject's character, habits, and background. The objective of the investigation should be to obtain a comprehensive and well-rounded picture of the individual's background and activities.

Matters Covered in Full Field Investigations

Basically, full field investigations are designed to develop sufficient information to enable agency officials to determine the employability or fitness of persons entering critical-sensitive

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positions. Fitness includes both security and suitability fitness. Investigations, whenever practicable, should be conducted on a pre-employment basis and reports used as a personnel selection device.

Character, habits, morals, associations, and reputation shall be investigated generally. Loyalty should be particularly stressed and if a question is raised concerning the subject's loyalty the case shall be referred to the Federal Bureau of Investigation in accordance with Section 8(d) of Executive Order 10450.

The affirmative qualities and qualifications of the subject should be fully developed.

Over and above the minimum standards, the full field investigation may be tailored to obtain information in depth concerning special attributes and qualifications required for proper performance in the particular kind of position involved.

GUIDES FOR SELECTION, TRAINING AND SUPERVISION
OF FEDERAL PERSONNEL INVESTIGATORS

The following guides for the selection, training, and supervision of Federal personnel investigators conducting full field investigations for the competitive service have been adopted by the Commission:

1. *Selection should be based upon
 - o Any of the following as indication of above-average mental capacity and verbal ability:
 - (a) a college degree and written test;
 - (b) a college degree and oral examination;
 - (c) education and experience equivalent to four years of college and written test; or
 - (d) college level written test.
 - o Demonstrated ability to meet and deal with people of all social and economic levels, evidenced by an appropriate employment interview or through affirmative findings in a personal investigation.
 - o Preappointment completion of a comprehensive full field investigation with favorable results concerning loyalty and suitability, showing also that the applicant possesses high moral standards, and the requisite personal attributes

* Does not modify or amend the standards for investigators in the competitive service which appear in CSC Handbook X-118.

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including integrity, tact, initiative, adaptability, resourcefulness, soundness of judgment, and ability to meet and deal with people.

- o Potential for growth as an investigator and consideration of capacity for future development along other technical or managerial lines as dictated by agency needs.

2. Training and supervision of personnel investigators should meet these minimum requirements:

- o Initial training to provide a thorough grounding in the fundamentals of personnel investigations and agency missions.
- o Provision for periodic refresher training to update skills and assure continuing investigative competence.
- o Supervision that is sufficiently close, and review that is sufficiently frequent and thorough, to assure good quality of investigating and reporting on a timely basis at reasonable cost.

Manuals and Instructional Material Subject to Review
by the Commission

To insure uniformity of investigative methods and procedures the Commission shall, as appropriate, review manuals and instructions to investigators which relate to conducting full field or background investigations on competitive service applicants and employees with respect to those departments and agencies which have negotiated agreements with the Commission under the provisions of section 8(b) of Executive Order 10450.

Avoiding Unwarranted Invasion of Privacy

In conducting full field (background) investigations for acceptability for employment in critical-sensitive competitive service positions under E.O. 10450, inquiries concerning an applicant will be limited to matters relevant to a determination of fitness for the position, including a determination as to whether his employment is clearly consistent with the national security. Investigators are not authorized to:

- (1) Inquire about race, religion, national origin, union membership, fraternal affiliations, political affiliations, or the constitutionality or wisdom of legislative

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policies except when such information constitutes a bona fide qualification or fitness requirement for specific employment, is required to establish identity, or directly relates to security fitness or subversive activities.

- (2) Investigate any case or person other than those officially assigned within their lawful duties.
- (3) Interview witnesses without first showing credentials giving proper identification and informing the witness why the investigation is being conducted.
- (4) Furnish information or ask questions in such manner as to indicate the investigator is in possession of derogatory information concerning the subject of investigation.
- (5) Make covert or surreptitious investigations, or use such devices or techniques as mail covers, inspection of trash, or paid informants, except as any of the foregoing may specifically and individually first be authorized by the head of the agency or his designee.
- (6) Use telephone or wire taps or covert listening or recording devices.
- (7) Use the polygraph or other so-called lie detectors except as authorized in Attachment 1.
- (8) Interview applicants or appointees to the competitive service concerning their sexual behavior or attitudes concerning sexual conduct in the absence of allegations or information indicating sexual misbehavior.
- (9) Express opinions about the person under investigation.
- (10) Investigate any case in which the investigator knows of circumstances which might adversely affect his fairness, impartiality, or objectivity, without first making this fact known to his superiors.
- (11) Divulge any investigative information outside official channels.
- (12) Make unauthorized intrusions on private property.

Nicholas J. Oganovic

Nicholas J. Oganovic
Executive Director

Attachment 1
Rules concerning use of the polygraph
for competitive service positions

Attachment to FPM Letter No. 736-4 (1)

USE OF THE POLYGRAPH IN PERSONNEL INVESTIGATIONS
OF COMPETITIVE SERVICE APPLICANTS AND APPOINTEES
TO COMPETITIVE SERVICE POSITIONS

An executive department or agency which has a highly sensitive intelligence or counter-intelligence mission directly affecting the national security (e.g. a mission approaching the sensitivity of that of the Central Intelligence Agency) may use the polygraph for employment screening and personnel investigations of applicants for and appointees to competitive service positions only after complying with the following procedures:

The executive agency must submit to the Chairman of the Civil Service Commission a statement setting forth the nature of its mission. The Chairman shall then determine whether the agency has an intelligence or counter-intelligence mission directly affecting the national security. If he so finds, the following shall apply:

The agency shall prepare regulations and directives governing use of the polygraph in employment screening and personnel investigations which must be reviewed by the Chairman of the Civil Service Commission. These shall contain as a minimum:

- a. Specific purposes for which the polygraph may be used, and details concerning the types of positions or organizational entities in which it will be used, and the officials authorized to approve such examinations.
- b. A directive that a person to be examined must be informed as far in advance as possible of the intent to use the polygraph and of --
 - (i) Other devices or aids to the interrogation which may be used simultaneously with the polygraph, such as voice recordings, etc.
 - (ii) His privilege against self-incrimination and his right to consult with legal counsel or to secure other professional assistance prior to the examination.
 - (iii) The effect of the polygraph examination or his refusal to take such examination on his eligibility for employment. He shall be informed that refusal to consent to a polygraph examination will not be made a part of his personnel file.

Attachment to FPM Letter No. 736- 4 (2)

- (iv) The characteristics and nature of the polygraph machine and examination, including an explanation of the physical operation of the machine, the procedures to be followed during the examination, and the disposition of information developed.
- (v) The general areas of all questions to be asked during an examination.
- c. A directive that no polygraph examination will be given unless the person to be examined has voluntarily consented in writing to be examined after having been informed of the above, (i) through (v).
- d. A directive that questions to be asked during a polygraph examination must have specific relevance to the subject of the particular inquiry.
- e. Adequate standards for the selection and training of examiners, keeping in mind the Government's objective of insuring protection for the subject of an examination and the accuracy of polygraph results.
- f. A provision for adequate monitoring of polygraph operations by a high-level official to prevent abuses or unwarranted invasions of privacy.
- g. A provision for adequate safeguarding of files, charts, and other relevant data developed through polygraph examinations to avoid unwarranted invasions of privacy.

Approval to use the polygraph will be granted only for one-year periods. A department or agency given approval to use the polygraph for competitive service positions will be required to recertify annually that the conditions which led to the original certification still obtain in the agency.

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FEDERAL PERSONNEL MANUAL SYSTEM

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FIM Letter No. 736-

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