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THE WHITE HOUSE  
WASHINGTON

March 3, 1986

NOTE TO JOHN ROBERTS

FROM: ARNOLD INTRATER AI

For your information. Please  
give me a call when you receive  
the attached.

Thank you.



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF ADMINISTRATION  
Washington, D.C. 20503

February 27, 1986

MEMORANDUM TO CHRISTOPHER HICKS  
DEPUTY ASSISTANT TO THE PRESIDENT  
FOR MANAGEMENT

RICHARD HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

FROM: ARNOLD INTRATER *AI*  
SUBJECT: Questionnaire on Polygraph and Pre-publication  
Review Policies

Congressmen Brooks and Ford have requested that we furnish them with information in the form of replies to a questionnaire. The survey is an update of last year's survey.

The data is requested ostensibly to be considered with H.R. 39, the Federal Polygraph Limitation and Anticensorship Act. However, each year that this or a similar questionnaire has been issued, the number of questions goes up and the relevance of the question goes further afield. In a subsequent letter, GAO requested that two additional questions be answered with reference to NSDD 196. The draft reply includes answers to those questions.

I have made an effort, on this draft, to come up with a consolidated reply for the entire Executive Office of the President. USTR had sent forward their reply before I reached them (last year it was CEA, which sent its' own reply). However, I spoke to the GAO contact and he advised me that they will wait for our reply and consolidate the USTR reply into the Executive Office of the President reply.

Some of the answers are not complete - in the main, the missing information is for the White House Office. I had made an incorrect assumption that the information was available in Jane Dannenhauer's office when, in fact, the White House Personnel Office is the correct office. I have asked for their help and expect to be able to adjust the relevant numbers soon. In the meanwhile, I inserted the data that I do have simply so that you can get a sense of how the questionnaire will look.

I have kept in touch with the GAO office handling replies. They are aware that we are still working on our reply. My understanding is that some 10 agencies (Treasury among them) have yet to reply. When I checked in with the CIA on how they were, or if they were, advising agencies on how to handle the questions relating to SCI, I was advised that the CIA had not been sent the questionnaire.

I have been unsuccessful in determining whether we ever sent out a reply to last year's questionnaire. It appears that we did send a reply in 1983. If there is a decision made not to answer the questionnaire, I would, nevertheless, recommend that we send a reply that at least states that we do not use polygraph tests and that answers the questions concerning NSDD 196.

I have attached a narrative explanation for the proposed answers. The back up data is available in my office.

- Attachments:
1. Questionnaire with proposed replies
  2. Narrative explanation of proposed replies and relevant attachments
  3. Ed Wilson's memorandum of June 6, 1984 and attachments

## QUESTIONNAIRE

### REQUEST FOR INFORMATION RELATIVE TO INFORMATION AND PERSONNEL SECURITY

1. The data is based on input from the various agencies involved. I compared their figures with those furnished to me by Ray Kogut, the Director of Personnel. I used my judgement to make some adjustments where the data was not consistent. At least some of the incoming information is estimated so the totals will also be estimated. The form anticipates that much of the data to be furnished will be estimated.

One issue that needs to be addressed is whether to include detailees. According to the data I have from last year, NSC reported detailees as well as full time and part time employees. The detailees just about double the number of employees to be reported. I do not have a copy of the report that was finally submitted last year but it appears that we were prepared to report detailees for NSC but not for the other units in the Executive Office of the President.

If we were to include detailees, the White House Office figures would increase by 31 for 1984 and 19 for 1985.

Note: In addition to detailees, there are 129 (1984) and 113 (1985) employees in the category, Other Government Agencies, which I do not believe need to be reported at all.

For the Office of Science and Technology Policy, including the detailees would result in an increase of 24 employees for 1984 and 22 for 1985.

Recommendation: I would include in the total number to be reported no detailees other than those with NSC.

2. This answer is based on the data received and on assumption that all of the employees of the White House Office and the Office of Policy Development have the equivalent of Top Secret Clearances. As I understand it, the White House Office does not have a formal procedure for granting clearances. Instead, since everyone in the White House Office staff receives a full field FBI investigation, each employee is deemed to have the equivalent of a Top Secret Clearance. This results in a very inflated figure since I doubt that

more than 20% of those in the White House Office ever really have access to classified documents. However, I do not see any evidence of our having explained the special condition in effect for the White House Office in previous reports.

Recommendation: Include all such employees on the list, rather than trying to explain the special situation at the White House Office. In the unlikely event that an issue is made of the numbers, we can explain the procedure in effect in the White House Office.

3. Based on my discussions with NSC and evidence of past practice, I believe it is consistent with our previous approach to take the position that questions with respect to SCI and non-SCI clearances are not to be answered. I have drafted a footnote that covers question 3 and can be referenced in later questions.
4. The data for this reply is penciled in. I have not yet identified the totals for the White House Office and the Office of Policy Development.
5. Again, these totals are incomplete. We need to add the White House Office and the Office of Policy Development totals.
6. The White House Office and the Office of Policy Development data should not change the basic reply. We could furnish a weighted average response to this question, i.e. OMB which has the bulk of the employees in the system reported that the average time necessary to complete a Top Secret clearance review was 180 days in 1984 and 210 in 1985. However, I believe furnishing the range is an appropriate reply.
7. All the offices reported that there were no security clearance denials. Again, I don't have the White House Office and the Office of Policy Development data.
8. The Executive Office of the President follows the standard government guidelines. Investigations are updated each five years. Average time to complete these investigations falls within the same range of time as was reported for initial investigations.

9. Only USTR, OMB and OA reported expenditures for investigations. The FBI investigations are not reimbursed. The totals do not include, as yet, any data from the White House Office or the Office of Policy Development.
10. This data is incomplete. Needs the addition of information from the White House Office and the Office of Policy Development.
- 11-12. Self explanatory
- 13-19. These questions all relate to use of polygraphs and so answers are basically no or not applicable.
20. Only two of the Executive Office of the President agencies reported a pre-publication review procedure in effect, the OSTP and NSC. There are references in the file on last years questionnaire to a Fred Fielding memorandum on point, but I have not been able to put my hands on a copy (John Roberts is searching the White House Counsel files).
- Recommendation: Answer is yes to this question, but add footnote to the effect that this answer applies to only two of the Executive Office of the President agencies.
21. The proposed reply does not answer this question directly but I believe it will suffice.
22. Rather than using a number, I propose we answer question 22 by stating that all the employees in the two agencies are covered by the procedures.
- 23-25. OSTP showed no pre-publication review activity for 1984 and 1985. All the data for these questions comes from NSC.
26. This data does not include the White House Office or the Office of Policy Development.

27-30. Last years questionnaire asked about unauthorized disclosures also, but there were only two questions rather than four. It was easier to come up with a reply which finessed the need to cite actual numbers.

Nevertheless, I recommend that we adopt the same approach to replying to this year's question. That is, state for question 27 that there have been unauthorized disclosure and add a footnote that is applicable to questions 28 to 30 that reads as follows - "All unauthorized disclosures have been forwarded to the Criminal Division, Department of Justice. This note constitutes our reply for questions 27 through 30.

31. The proposed reply answers this question generally. OSTP had made reference to their 103 page security movement which, on the last page, contains guidance on media contacts. Ed Wilson had suggested in last year's reply that we furnish a copy of a January 10, 1983 guidance memorandum issued by James Baker. I would not recommend that either document be included in the reply. (copies of the OSTP document and the Baker memorandum are attached)

32. Self-explanatory

33-34. By a separate letter, the General Accounting Office added two questions which focus on NSDD-196. The proposed reply, I think, makes it clear that NSDD-196 is not self-executing. The reply to these two questions appears on the attachment page to the questionnaire. NSC suggested that we furnish the General Accounting Office a copy of the sanitized NSDD. I agree.



# Congress of the United States

House of Representatives

Washington, D.C. 20515

December 5, 1985

The Honorable Christopher Hicks  
Deputy Assistant to the President for  
Administration  
Office of Administration  
The White House  
Washington, D.C. 20500


Dear Mr. Hicks:

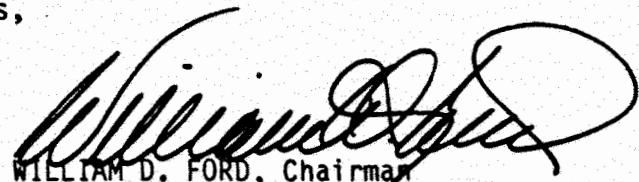
In April 1984, the General Accounting Office conducted a survey in conjunction with the Post Office and Civil Service Committee's consideration of H.R. 4681, the Federal Polygraph Limitation and Anticensorsip Act of 1984. That bill was approved by the committee but was not acted upon by the full House prior to adjournment of the 98th Congress. Similar legislation (H.R. 39) has been introduced in this Congress and again referred to the Post Office and Civil Service Committee.

We have requested the General Accounting Office to update its survey for calendar years 1984 and 1985. We would appreciate your response to this questionnaire by January 31, 1986.

Thank you very much for your prompt attention.

Sincerely yours,

  
JACK BROOKS, Chairman  
Committee on Government  
Operations

  
WILLIAM D. FORD, Chairman  
Committee on Post Office  
and Civil Service

**REQUEST FOR INFORMATION RELATIVE TO**  
**INFORMATION AND PERSONNEL SECURITY**

**Introduction:**

Because the information must be obtained quickly, this questionnaire has been designed to collect the data.

Throughout this questionnaire, we are talking about the number of people, for that reason, the number of positions should not be converted to full-time equivalents.

When an estimate is given for any answer, please precede the estimated number with the letter "E".

Unless otherwise specified, the requested information should be as of December 31, 1984, and December 31, 1985.

Please be specific when indicating whether an answer is classified.

If any information will not be obtainable within the specified timeframe, please send that information which is available and indicate a date by which we may expect the remainder.

If you have any questions, please call Mr. Jim Reid, FTS 275-5352 or Mr. Irv Boker, FTS 275-3973. The completed questionnaire should be sent to:

Mr. Irv Boker, Room 4100  
U. S. General Accounting Office  
Washington, D.C. 20548

## QUESTIONNAIRE

1. Approximately how many people were employed by your agency as of December 31, 1984 and December 31, 1985? (The total should include both full- and part-time employees. If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E").

	<u>1984</u>	<u>1985</u>
Employees	1,534	1,506

2. As of December 31, 1984 and December 31, 1985, approximately how many of your employees and how many employees of your contractors were cleared for access to classified information? Please count the individuals based on their highest level of clearance. If the exact number is not known, please give your agency's best estimate. (Enter the number on each line. If none, enter "0").

	<u>1984</u>		<u>1985</u>	
<u>Highest Level of Clearance</u>	<u>Agency Employees</u>	<u>Contractor Employees</u>	<u>Agency Employees</u>	<u>Contractor Employees</u>
TOP SECRET	955	60	964	68
SECRET	100	12	91	14
CONFIDENTIAL	0	0	0	0

3. How many SCI and non-SCI special access programs did your agency have at the close of calendar years 1984 and 1985? How many billets were authorized for these programs and how many agency and contractor employees were granted special access authorizations for them for each of those years? (If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E"). (\*See Footnote)

	<u>1984</u>		<u>1985</u>	
	<u>SCI</u>	<u>Non-SCI</u>	<u>SCI</u>	<u>Non-SCI</u>
Programs	--	--	--	--
Billets	--	--	--	--
Agency employees	--	--	--	--
Contractor employees	--	--	--	--

\* SCI clearances are granted by the CIA. There were no non-SCI special access programs reported.

4. How many personnel security clearances, SCI accesses and non-SCI special access program (SAP) accesses did you grant to your employees and employees of your contractors during calendar years 1984 and 1985? (If the exact number is not available, please give your agency's best estimate and indicate such by preceding the number with the letter "E". Do not include clearances granted to contractor employees by the Defense Investigative Service.)

Level of Clearance Granted	1984		1985	
	Agency	Contractor	Agency	Contractor
TOP SECRET	<u>94</u>	<u>3</u>	<u>133</u>	<u>2</u>
SECRET	<u>78</u>	<u>5</u>	<u>103</u>	<u>2</u>
CONFIDENTIAL	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
TOTAL	<u>172</u>	<u>8</u>	<u>266</u>	<u>4</u>
SCI Access	<u>See answer to question 3</u>		<u>          </u>	<u>          </u>
Non-SCI Special Access Program	<u>See answer to question 3</u>		<u>          </u>	<u>          </u>

5. How many requests for security clearances and SCI and non-SCI SAP accesses were in process (incomplete National Agency Checks, Background Investigations, adjudications, etc.) at the end of calendar years 1984 and 1985? (If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E").

Level of Requests for Clearances and Accesses in Process	1984		1985	
	Agency	Contractor	Agency	Contractor
TOP SECRET	<u>32</u>	<u>0</u>	<u>45</u>	<u>1</u>
SECRET	<u>38</u>	<u>0</u>	<u>56</u>	<u>2</u>
CONFIDENTIAL	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>70</u>	<u>0</u>	<u>101</u>	<u>3</u>
SCI Access	<u>See answer to question 3</u>		<u>          </u>	<u>          </u>
Non-SCI SAP Access	<u>See answer to question 3</u>		<u>          </u>	<u>          </u>

6. What was the average time (in calendar days) required for you or another agency to complete the investigative work incident to the granting of a top secret and secret security clearance and SCI and non-SCI SAP access during calendar years 1984 and 1985? (Do not include the time involved in the preparation and internal processing of the personnel security questionnaire and in the subsequent adjudicative process. Include, if appropriate, the average time taken by the Defense Investigative Service to process your requests for clearances for contractor employees.) The range of time was so broad that an average was not deemed informative.

<u>Level of Clearance</u>	<u>1984</u>		<u>1985</u>	
	<u>Agency</u>	<u>Contractor</u>	<u>Agency</u>	<u>Contractor</u>
TOP SECRET	<u>E60 to E210</u>	<u>E60 to E210</u>	<u>E60 to E210</u>	<u>E200</u>
SECRET	<u>E70-90</u>	<u>E70-90</u>	<u>E60-210</u>	<u>E60</u>
SCI Access	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>
Non-SCI SAP access	<u>--</u>	<u>--</u>	<u>--</u>	<u>--</u>

7. How many requests for your employees and employees of your contractors for security clearances and SCI and non-SCI SAP access were denied during calendar years 1984 and 1985? How many clearances and SCI and non-SCI SAP accesses were revoked for reasons of risk or potential risk to national security or administratively because of insufficient need. Identify those requests for clearances or revocations for contractor employees administered by the Defense Investigative Service. (If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E").

Level of Clearance and Access

<u>Agency</u>	<u>Top Secret</u>	<u>Secret</u>	<u>Confidential</u>	<u>SCI access</u>	<u>Non-SCI SAP access</u>	<u>Total</u>
<u>1984</u>						
Number of Denials	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>
Revocations—Because of:						
Risk or Potential Risk	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>
Administrative—No Further Need	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>
Total Number of Revocations	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>
<u>1985</u>						
Number of Denials	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>
Revocations - Because of:						
Risk or Potential Risk	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>
Administrative—No Further Need	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>
Total Number of Revocations	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>0</u>

Contractor						Non-SCI	Total
	<u>Top Secret</u>	<u>Secret</u>	<u>Confidential</u>	<u>SCI access</u>	<u>SAP access</u>		
<u>1984</u>							
Number of Denials	_____	_____	_____	<u>N/A</u>	<u>N/A</u>	_____	
Revocations-Because of: Risk or Potential Risk	_____	_____	_____	<u>N/A</u>	<u>N/A</u>	_____	
Administrative-No Further Need	_____	_____	_____	<u>N/A</u>	<u>N/A</u>	_____	
Total Number of Revocations	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>N/A</u>	<u>N/A</u>	<u>_____</u>	
<u>1985</u>							
Number of Denials	_____	_____	_____	<u>N/A</u>	<u>N/A</u>	_____	
Revocations - Because of: Risk or Potential Risk	_____	_____	_____	<u>N/A</u>	<u>N/A</u>	_____	
Administrative-No Further Need	_____	_____	_____	<u>N/A</u>	<u>N/A</u>	_____	
Total Number of Revocations	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>N/A</u>	<u>N/A</u>	<u>_____</u>	

8. Please provide copies of your agency's policies and procedures governing the periodic reinvestigation of individuals after the initial granting of clearances and SCI access. How many completed reinvestigations of any type did your agency conduct or have conducted for it during calendar years 1984 and 1985? What was the average time required for completion of the reinvestigation? (If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E"). (See Attached)

Level of Clearance and Access

						Non-SCI	Total
	<u>Top Secret</u>	<u>Secret</u>	<u>Confidential</u>	<u>SCI access</u>	<u>SAP access</u>		
<u>1984</u>							
Number of Completed Reinvestigations:							
Agency	<u>7</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	_____	
Contractor	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	_____	
Average Time Required:							
Agency	<u>90-150</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	_____	
Contractor	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	_____	

<u>1985</u>	<u>Top Secret</u>	<u>Secret</u>	<u>Confidential</u>	<u>SCI access</u>	<u>Non-SCI SAP access</u>	<u>Total</u>
<b>Number of Completed Reinvestigations:</b>						
Agency	<u>21</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>      </u>
Contractor	<u>-</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>      </u>
<b>Average Time Required:</b>						
Agency	<u>60-160</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>      </u>
Contractor	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>N/A</u>	<u>      </u>

9. Approximately how much did you spend in calendar years 1984 and 1985 for security clearance investigations, reinvestigations, special investigations, and adjudications, including inhouse costs, reimbursements to other federal agencies, and contract costs? Please identify specific costs if possible (i.e. adjudicative costs, Defense Investigative Service vs. Office of Personnel Management, etc.).

	<u>1984</u>	<u>1985</u>
<b>Inhouse costs</b>		
<u>Administrative Costs</u>	<u>12,185</u>	<u>13,496</u>
<u>Contract Costs</u>	<u>-</u>	<u>8,000</u>
<b>Total</b>	<u>          </u>	<u>          </u>
<b>Reimbursement to other agencies</b>		
<u>OPM</u>	<u>170,415</u>	<u>92,700</u>
<u>          </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>          </u>	<u>          </u>
<b>Total</b>	<u>          </u>	<u>          </u>
<b>Contracted investigative services</b>		
<u>N/A</u>	<u>0</u>	<u>0</u>
<u>          </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>          </u>	<u>          </u>
<b>Total</b>	<u>          </u>	<u>          </u>

10. How many employees of your agency were authorized to classify information (either original or derivative authority) at the top secret level and below and at the secret level and below as of December 31, 1984, and December 31, 1985? Please count the individuals based on their highest level of authority. (If the exact number is not known, please given your agency's best estimate, and indicate such by preceding the number with the letter "E").



Level of Information Classified

Agency Classifiers

	<u>1984</u>		<u>1985</u>	
	<u>Original Authority</u>	<u>Derivative Authority</u>	<u>Original Authority</u>	<u>Derivative Authority</u>
TOP SECRET and below	<u>17</u>	<u>72</u>	<u>18</u>	<u>72</u>
SECRET and below	<u>85</u>	<u>10</u>	<u>68</u>	<u>9</u>

11. Does your agency require its classifiers to be certified? Does your agency require training for classifiers? If you answer yes, please provide the requirements of the certification and syllabus of the training requirements.

Certification of Classifiers

Training Required for Classifiers

           yes  
  X   no

           yes  
  X   no

12. Does your agency use classification guides? If you answer yes, how many were issued as of December 31, 1984, and December 31, 1985?

Use of Classification Guides

Number of Classification Guides Issued as of

           yes  
  X   no

<u>December 31, 1984</u>	<u>December 31, 1985</u>
<u>  --  </u>	<u>  --  </u>

13. Did your agency employ polygraph operators during calendar years 1984 and 1985?

	<u>1984</u>	<u>1985</u>
Yes	<u>          </u>	<u>          </u>
No	<u>  X  </u>	<u>  X  </u>

14. As of December 31, 1984 and December 31, 1985, how many polygraph operators were employed by your agency? How many contracts for polygraph examinations did you have?

	<u>1984</u>	<u>1985</u>
Agency employees	<u>  N/A  </u>	<u>  N/A  </u>
Number of contracts	<u>  N/A  </u>	<u>  N/A  </u>

15. Do you have plans to employ any additional polygraph operators or contract out for services? If so, why and how many?



N/A Agency employees

N/A Contractors

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16. As of December 31, 1984 and December 31, 1985, how many polygraph machines, if any, did your agency possess? How many were procured during calendar years 1984 and 1985? Do you have plans to procure any additional polygraph machines, and if so, how many?

	<u>1984</u>	<u>1985</u>
Number of polygraph machines on hand at end of the year	<u>0</u>	<u>0</u>
Number of polygraph machines procured during the year	<u>0</u>	<u>0</u>
Plans to procure additional polygraph machines		
_____ yes (number of machines _____)		
<u>X</u> no		

17. Approximately how many polygraph tests were conducted of your employees or applicants for employment by, or for, your agency? Please list by the indicated categories for each of the listed calendar years. If they were conducted by another agency or contractor, so indicate. Identify how many tests resulted in security clearance action (denial, revocation, suspension, other) and explain.

Reason for Polygraph Test

	<u>1984</u>		<u>1985</u>	
	<u>Number of Tests</u>	<u>Clearance Action</u>	<u>Number of Tests</u>	<u>Clearance Action</u>
<u>Criminal or specific incident investigations</u>				
Conducted by agency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Conducted by other agencies or contractors (list)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Pre-employment screening</u>				
Conducted by agency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Conducted by other agencies or contractors (list)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

	<u>1984</u>		<u>1985</u>	
	<u>Number of Tests</u>	<u>Clearance Action</u>	<u>Number of Tests</u>	<u>Clearance Action</u>
<u>Pre-access screening</u>				
Conducted by agency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Conducted by other agencies or contractors (list)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Subsequent screening</u>				
Conducted by agency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Conducted by other agencies or contractors (list)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Other (explain)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Conducted by agency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Conducted by other agencies or contractors (list)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Total (Do not double count)</u>				
Conducted by agency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Conducted by other agencies or contractors (list)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Total</u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>

**Explanation of Clearance Actions:**

N/A

18. Under what authority, regulations and rules are your polygraph examinations conducted? Please list citations and attach copies. Highlight any changes since 1983. Also, indicate any plans to revise these governing regulations proposed at this time. Please describe the changes and attach copies of these proposals, if available. In particular, describe which employees, and indicate how many, would be potentially covered under each type of polygraph examination (specific incident investigation, screening or other uses (described) and the projected number of exams to be given in each category. N/A

19. Please provide the qualifications required of individuals employed as polygraph examiners by your agency. N/A

20. Does your agency require any of your employees to submit to any pre-publication review procedure (other than to review official statements on behalf of the agency)?

  X   Yes \*

       No (Please skip to Question 26)

\* This answer applies only to two of the Executive Office of the President agencies. The balance answered no to this question.

21. Please describe these pre-publication review programs. How long have they been used by your agency? Please cite and attach any applicable regulations and/or forms used for their implementation and indicate the authority for those agency programs.

(SEE ATTACHED)

22. Of the pre-publication review programs implemented through agreements and contracts, please indicate how many of your employees are covered by your pre-publication review procedures by each separate program and how many have signed as of December 31, 1985?

<u>Program(s)</u>	<u>Number Who Signed</u>	<u>Number of Covered Employees</u>
	<u>ALL</u>	<u>ALL</u>
	<u>      </u>	<u>      </u>
	<u>      </u>	<u>      </u>
	<u>      </u>	<u>      </u>

23. Approximately how many books, articles, speeches, and other materials, by category, were reviewed during your agency's pre-publication review process (described in Question 20) for calendar years 1984 and 1985? If possible, identify the reason for pre-publication review. If the number is not known, please give your agency's best estimate. Please enter the number on each line. (If none, enter "0").

<u>Reason for Pre-Publication Review</u>	<u>Type of Material</u>			
	<u>Books</u>	<u>Articles</u>	<u>Speeches</u>	<u>Other (Please Specify)</u>
<u>1984</u>				
Regulation	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
SCI Agreement	<u>17</u>	<u>9</u>	<u>95E</u>	<u>      </u>
Non-SCI SAP Agreements	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
Other (please specify)	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>1985</u>				
Regulation	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
SCI Agreement	<u>24</u>	<u>10</u>	<u>110E</u>	<u>      </u>
Non-SCI SAP Agreements	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
Other (please specify)	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

24. Please estimate the average number of working days that elapse from the date of receipt of a request for pre-publication review of each type of document below, to the date the requestor is informed of the final results. If you have not had experience in reviewing a type of document, enter "NA" on the applicable line. (Enter estimated average number of working days on each line).

Estimated Average Working Days

<u>30</u>	Books
<u>20</u>	Articles
<u>3</u>	Speeches
<u>          </u>	Other (please specify)
<u>          </u>	
<u>          </u>	

25. During calendar years 1984 and 1985, approximately how many employees were assigned, and working days were used for pre-publication review as described in Question 20?

	<u>1984</u>	<u>1985</u>
<u>Estimated number of Employees assigned</u>	<u>1</u>	<u>1</u>
<u>Estimated number of working days used</u>	<u>65</u>	<u>80</u>

26. How many employees of your agency and employees of your contractors signed Standard Form 189 or a similar form during calendar years 1984 and 1985, which require nondisclosure of classified information? (Non-disclosure agreements that contain pre-publication review provisions should be included in question 21. Please attach copies of other agreements.)

<u>SF 189</u>	<u>1984</u>	<u>1985</u>
Agency employees	<u>245</u>	<u>214</u>
Contractor employees	<u>16</u>	<u>15</u>
<u>Other Agreements with Non-disclosure provisions</u>	<u>1984</u>	<u>1985</u>
Agency employees	<u>N/A</u>	<u>N/A</u>
Contractor employees	<u>N/A</u>	<u>N/A</u>

27. During calendar years 1984 and 1985, did your agency experience any unauthorized disclosures of classified information? (Check one).

	1984*	1985*
Yes	<u>✓</u>	<u>✓</u>
No (Please skip to Question 31)	_____	_____

28. For calendar years 1984 and 1985, please indicate the total number of unauthorized disclosures, the number of unauthorized disclosures made through books, articles, speeches, written or given by then-current and former employees, and the number which were not reported to the Department of Justice.

	<u>1984</u>	<u>1985</u>
Total number of known unauthorized disclosures	<u>see footnote</u>	
Number not reported to Department of Justice	_____	_____
Number made through published writings or speeches by:		
a. then-current employees, or	_____	_____
b. former employees	_____	_____

29. How many unauthorized disclosures were investigated by your agency or referred to another agency for investigation during calendar years 1984 and 1985?

	<u>1984</u>	<u>1985</u>
Number of cases investigated by your agency	<u>see footnote</u>	
Number of cases referred to another agency for investigation, after your investigation was completed.	_____	_____
Number of cases referred to another agency for investigation, that your agency did not investigate.	_____	_____

30. How many employees of your agency and employees of your contractors were denied further access to classified information, because of their unwillingness to cooperate with the investigation of an unauthorized disclosure (because the use of the polygraph was involved or for other reasons), during calendar years 1984 and 1985? How many were subjected to other administrative sanctions?

\* All unauthorized disclosures have been forwarded to the Criminal Division, Department of Justice. This note constitutes our reply for question 27 through 30.

<u>Employees denied further access to classified information</u>	<u>1984</u>		<u>1985</u>	
	<u>Polygraph Involved</u>	<u>Other Reasons</u>	<u>Polygraph Involved</u>	<u>Other Reasons</u>
Agency	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>      </u>
Contractors	<u>N/A</u>	<u>N/A</u>	<u>      </u>	<u>      </u>
<u>Employees subjected to other administrative sanctions</u>				
Agency	<u>N/A</u>	<u>N/A</u>	<u>—</u>	<u>—</u>
Contractors	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

31. Please indicate which of your agency's policies and procedures governing contacts between your employees and media representatives are for national security reasons. Also, explain or provide documentation explaining the method by which your agency assures that all employees with security clearances are apprised of these policies and procedures. (See Attachment)

32. Please enter below the name, title, and telephone number of the persons to be contacted if clarification or additional information is needed:

Agency: Executive Office of the President

Name: Arnold Intrater

Title: General Counsel for the Office of Administration

Location: Room 480, OEOB

Telephone number : (Area Code) 202 (Number) 456-6226

If you have any questions, please contact either GAO staff member:

Mr. Jim Reid, FTS 275-5352 or Mr. Irv Boker, FTS 275-3973

Thank you for your time. Please return the completed questionnaire to:

Mr. Jim Reid, Room 4100  
 U.S. General Accounting Office  
 Washington, D.C. 20548

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON GOVERNMENT OPERATIONS  
WASHINGTON, DC 20515  
OFFICIAL BUSINESS

*John Brooks*  
M.C.

The Honorable Christopher Hicks  
Deputy Assistant to the President  
Administration  
Office of Administration  
The White House  
Washington, D.C. 20500

WHITE HOUSE MAIL RECEPTION & SECURITY
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ATTACHMENT

8. The Executive Office of the President follows the standard government guidelines. Investigations are updated each five years. Average time to complete these investigations falls within the same range of time as was reported for initial investigations.
21. The pre-publication review programs have been in effect since at least 1983. For the most part, they are required of employees who have SCI clearances.
31. The Executive Office of the President agencies follow a fairly standard procedure for governing contacts between their employees and media representatives. This includes proper coordination with the Office of Communication or Press Office as appropriate. The agencies also inform their employees of their general responsibilities to safeguard classified information and not to make that information unavailable either in writing or in interviews, speeches, etc. Employees with access to classified information are advised to conduct their contacts with the media in a manner which will minimize the risk of unauthorized disclosure of information.
- Q-33. What has your agency done to adopt the use of polygraph examinations as outlined in NSDD 196? Please provide copies of any agency policies or procedures that apply.
- Q-34. If your agency has not yet established policies or procedures to implement the polygraph of NSDD 196, how is your agency planning to implement it?

Answer  
33-34.

NSDD 196 (Counterintelligence/Counterterrorism Implementation Task Force) included a paragraph which urged the adoption, in principle, of counter-intelligence polygraph examinations. The policy was adopted. However, to date, no procedures or methods for implementation of this decision have been issued. A copy of the unclassified portions of NSDD 196 is attached for your ready reference.





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF ADMINISTRATION  
Washington, D.C. 20503

June 6, 1984

MEMORANDUM FOR FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

FROM: D. EDWARD WILSON, JR. *D. E. W., Jr.*  
GENERAL COUNSEL

SUBJECT: Request for Information Relative to Polygraph and  
Pre-Publication Review Policies

Attached at Tab A is a draft response to Congressmen Jack Brooks' and William D. Ford's request for 1983 information concerning polygraph examinations and pre-publication review policies. This item is forwarded to you at RAH's request for review and guidance concerning several questions, as noted in the body of this memorandum.

The Tab A draft combines responses from the Office of Administration (OA), the Office of the Vice President (OVP), the Office of Management and Budget (OMB), the United States Trade Representative (USTR), the Office of Science and Technology Policy (OSTP) and the National Security Council (NSC). To the best of my knowledge, the Office of Policy Development (OPD), the Council on Environmental Quality (CEQ) and the White House Office (WHO) were not requested to complete this questionnaire. The Council of Economic Advisors responded to the questionnaire immediately upon receipt and, therefore, is not included in this draft.

The following numbered paragraphs correspond with those on the 1983 questionnaire. Where a question on this year's request parallels one on the 1982 questionnaire (copy at Tab B), the paragraph number is followed by the 1982 question number in brackets.

1. [1] This question asks for the total full and part-time employees as of December 31, 1983. The total provided by the responding agencies is 1,260. According to the personnel rolls, however, these agencies had approximately 980 employees as of December 31, 1983. Discussions with responding entities showed a haphazard approach to determining the number of employees. NSC, for example, has approximately 55 employees. It responded by saying that it has 139. The difference is made up of detailees and PFIAB and PIOB personnel (some of whom are also detailees). OVP overstated its employees by approximately 15, also by including detailees. OA's security officer included approximately 120 contractors in its total, raising OA's number of employees from 165 to 288. USTR also included contractors, thereby inflating its numbers.

The question is whether detailees (to avoid double counting) and contractors should be excluded. I suggest the answer is yes, but as I discussed with RAH, I think the answer should be checked with other responding agencies such as DOD and CIA. If you agree that detailees and contractors should not be counted, I will collect the correct data.\*

You should note that last year we responded to a similar question by stating there are 1,558 employees. Unfortunately, the back-up material on which this number is based is not in the OA files.

2. [2] This question asks approximately how many employees and contractors have top secret, secret and confidential clearances. The answers shown at Tab A are self-explanatory. Note, however, that the figures given for agency employees will change if detailees are deleted. In addition, removing the detailees will cause this year's figures to differ greatly from those submitted last year. (This applies to question 3, infra, as well.) The draft answer suggests that there are as many employees holding security clearances as there are actual employees on the rolls of the responding agencies.

3. [3] This question requests the number of employees and contractors having Sensitive Compartmented Information (SCI) access as of December 31, 1983. As with question two, above, the answer to the agency employees part of this question will change if detailees are removed.

4. This question asks (a) whether SCI is considered to be a special access program and (b) the authority for the answer. The responding agencies were divided on this issue, three (OVP, OMB & USTR) considering SCI to be a special access program, but basing the decision on different authority -- NSDD-84, Executive Order 12356, or DCI decision. The rest of the responding agencies (NSC, OA, OSTP) said no, citing no authority. Discussions with Paul Thompson, Brenda Reeger (Director, Information Policy, NSC) Arnold E. Donahue (Chief, Intelligence Branch, OMB) and Al Brown (Security Officer, OA) illustrated that this is a definitional problem. CIA documents alternately define SCI as a special access program and as a type of security clearance above top secret. I recommend that the CIA be contacted since it defines SCI. See DCI Directive No. 1/14 at 1 (Sept. 1, 1983).

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\* "The Government are [sic] very keen on amassing statistics. They collect them, add them, raise them to the nth power . . . . But you must never forget that every one of these figures comes in the first instance from the village watchman, who just puts down what he damn pleases." Sir Josiah Stamp, Inland Revenue Department (England) 1896-1919.

5. This question asks whether we have "special access" programs for access to information as authorized under section 4.2(a) of E.O. 12356. The answer here should be no; while various EOP entities participate in special access programs, none were originated by an EOP agency.

6. This is a multi-part question asking (a) how many SCI and non-SCI special access programs EOP had at the close of calendar years 1979 - 1983; (b) the authority for each; (c) the number of billets authorized for these programs; and (d) the number of agency and contractor employees who were granted special access authorization for these programs for each of those years. Suggested answers to each of these questions are discussed below.

(a) Since (I am informed) no EOP agency has created a special access program, the answer to this question should be zero.

(b) The authority for these programs is Executive Order 12356.

(c) Since the question asks how many billets were authorized for "these programs," the answer should be zero. It should be recognized, however, that many EOP employees have been "read into" SCI and non-SCI special access programs during calendar years 1979 - 1983.

(d) Based on the wording of the question, we can answer none. The question asks for the number of agency and contractor employees granted special access authorizations "for them" (meaning the programs). Since EOP had no such programs, no employees could be granted access. If it is appropriate to answer this question with other than zero, the number of agency and contractor employees having SCI clearance could be entered into the appropriate place.

This approach would not be accurate, however, as no records are kept on the number of EOP employees cleared for SCI and non-SCI special access programs. To obtain such information, it appears we would have to contact each agency having special access programs and ask for a listing of EOP employees "read into" the programs. The agencies to be contacted would include DOD, the Service departments, NSA, DOE, FEMA and CIA.

The agencies participating in this joint response, except for OSTP and NSC, answered all of question 6 with "none." NSC entered a number equalling the number of agency employees having SCI clearance. OSTP's numbers are suspect as Barbara Doering, who prepared the OSTP report, states she misunderstood the question.

7-13. [5-7] The answers to these questions, all of which relate to polygraph testing, is either zero or N/A.

14. This question asks whether employees are required to submit "to any pre-publication review procedure (other than to review official statements on behalf of the agency)." I suggest that the answer to this question is no and that the following statement be added to explain that answer: "Any statement by an EOP employee which could be construed, by virtue of his or her position, to reflect Administration policy, must be submitted for pre-publication review."

15-19. [8-10] Since the answer to question 14 is no, the questionnaire directs respondents to skip to question 20. Note that we responded by giving numbers to similar questions on the 1982 form. Last year, however, we were not given the benefit of question 14, so answers had to be provided.

20. [11] This question requests a description of the implementation of paragraphs 1a (concerning non-disclosure agreements), 1d (policies to govern contacts between media representatives and agency personnel) and 2 (internal procedures to govern the reporting and investigation of unauthorized disclosures of classified information) of NSDD-84 (copy attached at Tab C). The answer to implementation of paragraph 1a is to refer to and attach a copy of SF 189, which each employee cleared since NSDD-84 was promulgated must sign before being given access to classified information. The response to paragraph 1d might be to attach JAB, III's January 10, 1983 memorandum on guidelines for press coordination (copy attached at Tab D) as those governing the EOP. Response to the final inquiry, internal procedures to govern reporting and investigation of unauthorized disclosures of classified information, is left for your guidance. As Peter Rusthoven reminded me on March 5, 1984, OA is to do nothing in this area; any regulations will be issued by JAB, III's office. (OSTP, however, has promulgated its own procedures.)

21. [12] This questions asks whether any unauthorized disclosures of classified information were experienced during 1983. The answer to this inquiry is yes.

22. [13] This is a follow-up to question 21 and requests an indication of the total number of unauthorized disclosures, the form in which those disclosures were made and the number of such disclosures "which were not reported to the Department of Justice." I recommend that we adopt the answer to question 13 from last year's form (Tab B at 5), put an "X" next to the line asking for the number of known unauthorized disclosures and include a statement that "all known unauthorized disclosures have been forwarded to the Criminal Division, Department of Justice."

I would appreciate your providing me with your comments on this draft at your earliest convenience. If the person on your staff reviewing this matter would like any back-up material, please let me know.

cc: John F. W. Rogers (w/o attachments)

REQUEST FOR INFORMATION RELATIVE TO  
POLYGRAPH AND PRE-PUBLICATION REVIEW POLICIES

Introduction:

In order to evaluate the potential impact of polygraph and pre-publication review policies, certain information is being requested from agencies.

Because the information must be obtained quickly, this questionnaire has been designed to collect the data.

Throughout this questionnaire, we are talking about the number of people, for that reason, the number of positions should not be converted to full-time equivalents.

When an estimate is given for any answer, please precede the estimated number with the letter "E."

Unless otherwise specified, the requested information should be as of December 31, 1983.

Please be specific when indicating whether an answer is classified.

If any information will not be obtainable within the specified timeframe, please send that information which is available and indicate a date by which we may expect the remainder.

If you have any questions, please call Mr. Jim Reid, FTS 275-5352 or Mr. Irv Boker, FTS 275-3973. The completed questionnaire should be sent to:

Mr. Irv Boker, Room 4100  
U. S. General Accounting Office  
Washington, D.C. 20548

QUESTIONNAIRE

1. Approximately how many people were employed by your agency as of December 31, 1983? (The total should include both full- and part-time employees. If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E").

E 1260 Employees

2. On December 31, 1983, approximately how many of your people and how many employees of your contractors had access to classified information? Please count the individuals based on their highest level of clearance. If the exact number is not known, please give your agency's best estimate. (Enter the number on each line. If none, enter "0").

<u>Highest Level of Clearance</u>	<u>Agency Employees</u>	<u>Contractor Employees</u>
TOP SECRET	<u>561</u>	<u>36</u>
SECRET	<u>420</u>	<u>4</u>
CONFIDENTIAL	<u>- 0 -</u>	<u>- 0 -</u>

3. On December 31, 1983, approximately how many employees of your agency and its contractors had sensitive compartmented information (SCI) access? If the exact number is not known, give your agency's best estimate. (Enter the number on each line. If none, enter "0").

274 Agency employees with SCI access

29 Contractor Employees with SCI access

4. Do you consider SCI to be a special access program? Please cite the authority.
5. Does your agency have "special access" programs for access to information as authorized under Sec. 4.2(a) of Executive Order 12356, or any other similar access programs under other authority?

\_\_\_\_\_ Yes

  X   No

6. How many SCI and non-SCI special access programs did your agency have at the close of calendar years 1979-1983, and what was the authority for them? How many billets were authorized for these programs and how many agency and contractor employees were granted special access authorizations for them for each of those years? (If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E").
- ~~SECRET~~

	1983		1982		1981	
	SCI	Non-SCI	SCI	Non-SCI	SCI	Non-SCI
Programs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Billets	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Agency employees	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Contractor employees	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

	1980		1979	
	SCI	Non-SCI	SCI	Non-SCI
Programs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Billets	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Agency employees	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Contractor employees	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Authorities  
EO 12356   
Others (please specify) \_\_\_\_\_

7. Did your agency employ polygraph operators during calendar year 1983?  
       Yes  
 X  No

8. As of December 31, 1983, how many polygraph operators were employed by your agency? How many contracts for polygraph examinations did you have?  
 0  - Agency employees  
 0  - Contractors

9. Do you have plans to employ any additional polygraph operators or contract out for services? If so, why and how many?  
 0  - Agency employees  
 0  - Contractors



10. As of December 31, 1983, how many polygraph machines, if any, did your agency possess?  How many were procured during calendar year 1983?  Do you have plans to procure any additional polygraph machines, and if so, how many?

11. Approximately how many polygraph exams were conducted of your employees or applicants for employment by, or for, your agency? Please list by the indicated categories for each of the listed calendar years. If they were conducted by another agency or contractor, so indicate. *None*

	<u>1983</u>	<u>1982</u>	<u>1981</u>	<u>1980</u>	<u>1979</u>
<u>Criminal or Specific incident investigations</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Pre-employment screening</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Pre-access screening</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Subsequent screening</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Other (explain)</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Total (Do not double count)</u>	_____	_____	_____	_____	_____

12. Under what authority, regulations and rules are your polygraph examinations conducted? Please list citations and attach copies where applicable. Also, indicate any plans to revise these governing regulations proposed at this time. Please describe the changes and attach copies of these proposals, if available. In particular, describe which employees, and indicate how many, would be potentially covered under each type of polygraph examination (specific incident investigation, screening or other uses (described) and the projected number of exams to be given in each category.

*N/A*

13. Please briefly describe the qualifications required of individuals employed as polygraph operators by your agency. The attachment of a job description which contains this information will be sufficient. If there is no change from last year's questionnaire answer, simply so indicate.

N/A

14. Does your agency require its employees to submit to any pre-publication review procedure (other than to review official statements on behalf of the agency)?

Yes

No (Please skip to Question 20)

15. Please describe these pre-publication review procedures. How long have they been used by your agency? Cite and attach any applicable regulations and/or forms used for their implementation and indicate the authority for those agency programs.

16. Please describe which, and indicate how many, of your employees are covered by your pre-publication review procedures by each separate program.

17. Approximately how many books, articles, speeches, and other materials, by category, were reviewed during your agency's pre-publication review process (described in Question 14) for each calendar year of its operation. If used prior to calendar year 1979, please indicate date this operation began. If the number is not known, please give your agency's best estimate. Please enter the number on each line. (If none, enter "0").

	1983	1982	1981	1980	1979
Books	_____	_____	_____	_____	_____
Articles	_____	_____	_____	_____	_____
Speeches	_____	_____	_____	_____	_____
Other (please specify)	_____	_____	_____	_____	_____

18. Please estimate the average number of working days that elapse from the date of receipt of a request for pre-publication review of each type of document below, to the date the requestor is informed of the final results. If you have not had experience in reviewing a type of document, enter "NA" on the applicable line. (Enter estimated average number of working days on each line). If your answer has not changed since last year's questionnaire, simply so indicate.

Estimated Average Working Days

\_\_\_\_\_ Books  
\_\_\_\_\_ Articles  
\_\_\_\_\_ Speeches  
\_\_\_\_\_ Other (please specify)  
\_\_\_\_\_  
\_\_\_\_\_

19. During calendar year 1983, approximately how many employees were assigned, and working days were used for pre-publication review as described in Question 14? (If none, enter "0").

\_\_\_\_\_ Estimated number of employees assigned

\_\_\_\_\_ Estimated number of working days used

20. Please describe your agency's implementation of paragraphs 1a., 1d., and 2 of the President's National Security Decision Directive 84. Attach any regulations and forms used and indicate the number of employees affected.

21. During the 1983 calendar year, did your agency experience any unauthorized disclosures of classified information? (Check one).

  X   Yes

       No (Please skip to Question 23)

22. During the 1983 calendar year, please indicate the total number of unauthorized disclosures, the number of unauthorized disclosures made through books, articles, speeches, written or given by then-current and former employees, and the number which were not reported to the Department of Justice.

\_\_\_\_\_ Total number of known unauthorized disclosures

\_\_\_\_\_ Number not reported to Department of Justice

Number made through published writings or speeches by:

\_\_\_\_\_ a. then-current employees, or

\_\_\_\_\_ b. former employees

*See forms for FRIP*

23. Please enter below the name, title, and telephone number of the person to be contacted if clarification or additional information is needed:

Agency: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Location: \_\_\_\_\_

Telephone number: (Area Code) \_\_\_\_\_ (Number) \_\_\_\_\_

If you have any questions, please contact either GAO staff member:

Mr. Jim Reid, FTS 275-5352 or Mr. Irv Boker, FTS 275-3973

Thank you for your time. Please return the completed questionnaire to:

Mr. Irv Boker, Room 4100  
U. S. General Accounting Office  
Washington, D.C. 20548

Approximately how many people were employed by your agency as of December 31, 1982? (The total should include both full- and part-time employees. If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E".)

1,558 Employees

2. On December 31, 1982, approximately how many of your people and how many employees of your current contractors had access to your agency's classified information? Please count the individuals based on their highest level of classification. If the exact number is not known, please give your agency's best estimate. (Enter the number in each box. If none, enter "0".)

<u>Highest Classification Level</u>	<u>Agency Employees</u>	<u>Contractor Employees</u>
TOP SECRET	<u>/ 921 /</u>	<u>/ 22 /</u>
SECRET	<u>/ 395 /</u>	<u>/ 0 /</u>
CONFIDENTIAL	<u>/ * /</u>	<u>/ 0 /</u>

\*Clearances to the Confidential level are not granted, however, all personnel with Top Secret and Secret access also have access to confidential information.

3. On December 31, 1982, approximately how many of your employees and employees of your contractors had Sensitive Compartmented Information (SCI) access? If the exact number is not known, give your agency's best estimate. (Enter the number on each line. If none, enter "0".)

224 Employees have SCI access  
22 Consultants  
~~Contractor employees~~ have SCI access

4. Approximately how many of your employees have original and derivative classification authority at each of the following classification levels? Count the employees based on their highest level of classification authority. If the exact number is not known, give your agency's best estimate. (Enter the number in each box. If none, enter "0".)

<u>Highest Classification Level</u>	<u>Classification Authority</u>	
	<u>Original</u>	<u>Derivative</u>
TOP SECRET	<u>17</u>	<u>*</u>
SECRET	<u>58</u>	<u></u>
CONFIDENTIAL	<u>11</u>	<u></u>

\*No specific "authority" is required to assign a derivative classification.

5. Does your agency employ polygraph operators, or did it contract out for polygraph operators during calendar year 1982? (Check one.)

- Yes -- continue
- x   No -- please go to Question 8.

6. As of December 31, 1982, approximately how many polygraph operators were employed by your agency? If the exact number is not known, please give your agency's best estimate. How many contract polygraphers did your agency employ during calendar year 1982?

- Agency employees
- Contract personnel

7. Please briefly describe the qualifications required of individuals employed as polygraph operators by your agency. The attachment of a job description which contains this information will be sufficient.

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8. During calendar year 1982, approximately how many books, articles, speeches, and other materials were reviewed during your agency's preclearance process, if any? If the number is not known, please give your agency's best estimate. Please enter the number on each line. If none, enter "0".)

14 Books  
E 13 Articles  
E 140 Speeches  
0 Other (please specify)  

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9. Please estimate the average number of working days that elapse from the date of receipt of a request for preclearance of each type of document below, to the date the requestor is informed of the final results. If you have not had experience in reviewing a type of document, enter "NA" on the applicable line. (Enter estimated average number of working days on each line.)

Estimated Average Working Days

E 30 Books  
E 15 Articles  
E 2 Speeches  
         Other (please specify)  

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10. During calendar year 1982, approximately how many employees were assigned, and working days were used for each of the following tasks? (Place the numbers in the appropriate boxes. If none, enter "0".)

	<u>Estimated Number of Employees Assigned</u>	<u>Estimated Number of Working Days Used</u>
Preclearance review of books, speeches, articles and other materials	/ E 3 /	/ E 171 /
Reviewing Freedom of Information Act requests	/ 8 1/2 /	/ 884 /
Mandatory review for declassification requests under Executive Order 12356 (August 1, 1982)	/ E 4 /	/ E 362 /

11. Please briefly describe your agency's plans to implement the nondisclosure agreement (paragraphs 1.a. and 1.b.), the preclearance for publication (paragraph 1.b.), and the contacts between media representatives and agency personnel (paragraph 1.d.) requirements. If you have not yet formulated these plans, please indicate a date by which we may expect a reply to this question, which should at that time be forwarded under separate cover.

As provided in the National Security Decision Directive of March 11, 1983, the Director, Information Security Oversight Office ("ISOO") is developing standardized forms dealing with nondisclosure agreements and, for persons with authorized access to Sensitive Compartmented Information ("SCI"), pre-publication review to assure deletion of SCI. Guidelines for contacts between agency personnel and media representatives were promulgated for the Executive Office of the President on March 12, 1983. Implementation guidelines for other aspects of the Directive for the Executive Office of the President are expected to be promulgated when the standardized forms being developed by ISOO, described above, are finalized.

12. During the five-year period ending December 31, 1982, did your agency experience any unauthorized disclosures of classified information? (Check one.)

Yes -- continue

No -- please go to Question 14

Source of agency unauthorized disclosures is unknown.



For the five-year period ending December 31, 1982, please indicate the total number of unauthorized disclosures, the number of unauthorized disclosures made through books, articles, speeches written or given by then-current or former employees, and the number which were not reported to the Department of Justice.

  x   Number of known unauthorized disclosures  
All known unauthorized disclosures have been forwarded to the Criminal Division,  
  Number not reported to Department of Justice Department of Justice  
  Number made through writings or speeches by  
  then-current or former employees

4. Please enter below the name, title, and telephone number of the person to be contacted if clarification or additional information is needed.

Agency: Executive Office of the President  
Name: Anne D. Neal  
Title: General Counsel, Office of Administration  
Location: Old Executive Office Building, Room 423  
Telephone  
Number: (Area Code) 202 (Number) 456-7530

If you have any questions, please contact either GAO staff member:

Mr. Irving Boker on 275-4407 or Mr. James Reid on 275-4430

Thank you for your time. Please return the completed questionnaire to:

Legislation and National Security Subcommittee  
Committee on Government Operations  
B-373 Rayburn House Office Building  
Washington, D.C. 20515

March 11, 1983

Safeguarding National Security Information

As stated in Executive Order 12356, only that information whose disclosure would harm the national security interests of the United States may be classified. Every effort should be made to declassify information that no longer requires protection in the interest of national security.

At the same time, however, safeguarding against unlawful disclosures of properly classified information is a matter of grave concern and high priority for this Administration. In addition to the requirements set forth in Executive Order 12356, and based on the recommendations contained in the interdepartmental report forwarded by the Attorney General, I direct the following:

1. Each agency of the Executive Branch that originates or handles classified information shall adopt internal procedures to safeguard against unlawful disclosures of classified information. Such procedures shall at a minimum provide as follows:

a. All persons with authorized access to classified information shall be required to sign a nondisclosure agreement as a condition of access. This requirement may be implemented prospectively by agencies for which the administrative burden of compliance would otherwise be excessive.

b. All persons with authorized access to Sensitive Compartmented Information (SCI) shall be required to sign a nondisclosure agreement as a condition of access to SCI and other classified information. All such agreements must include a provision for prepublication review to assure deletion of SCI and other classified information.

c. All agreements required in paragraphs 1.a. and 1.b. must be in a form determined by the Department of Justice to be enforceable in a civil action brought by the United States. The Director, Information Security Oversight Office (ISOO), shall develop standardized forms that satisfy these requirements.

d. Appropriate policies shall be adopted to govern contacts between media representatives and agency personnel, so as to reduce the opportunity for negligent or deliberate disclosures of classified information. All persons with authorized access to classified information shall be clearly apprised of the agency's policies in this regard.

2. Each agency of the Executive branch that originates or handles classified information shall adopt internal procedures to govern the reporting and investigation of unauthorized disclosures of such information. Such procedures shall at a minimum provide that:

a. All such disclosures that the agency considers to be seriously damaging to its mission and responsibilities shall be evaluated to ascertain the nature of the information disclosed and the extent to which it had been disseminated.

b. The agency shall conduct a preliminary internal investigation prior to or concurrently with seeking investigative assistance from other agencies.

c. The agency shall maintain records of disclosures so evaluated and investigated.

d. Agencies in the possession of classified information originating with another agency shall cooperate with the originating agency by conducting internal investigations of the unauthorized disclosure of such information.

e. Persons determined by the agency to have knowingly made such disclosures or to have refused cooperation with investigations of such unauthorized disclosures will be denied further access to classified information and subjected to other administrative sanctions as appropriate.

3. Unauthorized disclosures of classified information shall be reported to the Department of Justice and the Information Security Oversight Office, as required by statute and Executive orders. The Department of Justice shall continue to review reported unauthorized disclosures of classified information to determine whether FBI investigation is warranted. Interested departments and agencies shall be consulted in developing criteria for evaluating such matters and in determining which cases should receive investigative priority. The FBI is authorized to investigate such matters as constitute potential violations of federal criminal law, even though administrative sanctions may be sought instead of criminal prosecution.

4. Nothing in this directive is intended to modify or preclude interagency agreements between FBI and other criminal investigative agencies regarding their responsibility for conducting investigations within their own agencies or departments.

5. The Office of Personnel Management and all departments and agencies with employees having access to classified information are directed to revise existing regulations and policies, as necessary, so that employees may be required to submit to polygraph examinations, when appropriate, in the course of investigations of unauthorized disclosures of classified information. As a minimum, such regulations shall permit an agency to decide that appropriate

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adverse consequences will follow an employee's refusal to cooperate with a polygraph examination that is limited in scope to the circumstances of the unauthorized disclosure under investigation. Agency regulations may provide that only the head of the agency, or his delegate, is empowered to order an employee to submit to a polygraph examination. Results of polygraph examinations should not be relied upon to the exclusion of other information obtained during investigations.

6. The Attorney General, in consultation with the Director, Office of Personnel Management, is requested to establish an interdepartmental group to study the federal personnel security program and recommend appropriate revisions in existing Executive orders, regulations, and guidelines.

January 10, 1983

Guidelines for Press Coordination

1. The press office should remain the first stop for White House reporters seeking information about the President's policies and views.
2. In order to maintain an open Presidency, it is essential that members of the senior staff also be willing to meet with reporters on a frequent basis.
3. As the need arises, the communications department will designate key members of the staff who will be available to the press to answer questions on a specific subject. These "designated hitters" will be expected to take either telephone calls or be personally available to members of the press.
4. Requests for interviews or comments from members of the staff who have not been already designated to answer questions should first be referred to the communications department. After receiving a clearance or recommendation from the communications department, the staff member will be expected to make his or her own arrangements for the press interview. This procedure extends to the entire staff practices that are already followed in several departments of the White House.
5. Other departments that are part of the Executive Office of the President but are not formally part of the White House (e.g., NSC, OMB, CEA, Office of the Science Adviser) shall adopt parallel guidelines in coordination with the White House communications department.
6. The communications department will seek to ensure key members of the staff are sufficiently available to the press, especially on major news stories, to provide an open and full flow of information to the press.
7. As in the past, no member of the White House staff and related organizations shall accept a major television interview or large-scale press luncheon and breakfast without prior coordination with the communications department. In addition, it is recommended that all major interviews with groups of reporters inside the complex be held with a White House stenographer present.

8. On-the-record interviews should be recognized as the best way to conduct most interviews with the press.
9. The guidelines outlined here will apply whether the President is in Washington or out of town. They will not apply to strictly social engagements with members of the press.
10. In keeping with the traditions of this Presidency, these guidelines should be carried out in a way that maintains an atmosphere of openness, professionalism and civility in relations with the White House press corps.





UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

NATIONAL SECURITY AND  
INTERNATIONAL AFFAIRS DIVISION

The Honorable W. Glenn Campbell  
Chairman  
President's Intelligence Oversight Board  
Old Executive Office Building  
Washington, D.C. 20500

Dear Mr. Chairman:

On December 5, 1985, Jack Brooks, Chairman, House Committee on Government Operations and William D. Ford, Chairman, House Committee on Post Office and Civil Service, sent you a questionnaire requesting information relative to personnel and information security. Shortly thereafter, the Administration announced the issuance of National Security Decision Directive (NSDD) 196, dated November 1, 1985. Paragraph 2, page 1 of the Directive states

"The NSPG [National Security Planning Group] also recommended that the US Government adopt, in principle, the use of aperiodic, non-life style, CI-type [counterintelligence] polygraph examinations for all individuals with access to US Government Sensitive Compartment[ed] Information (SCI), Communications Security Information (COMSEC) and other special access program classified information. I have decided this policy should be established. (U)"

The Chairmen have requested the General Accounting Office to notify the questionnaire recipients that the Directive should be specifically addressed when answering questions 15, 16, and 18 in the December 5, 1985, questionnaire. These questions relate to current and planned use of the polygraph. Also, the Chairmen want the following two questions added to the December 5, 1985, questionnaire:

33. What has your agency done to adopt the use of polygraph examinations as outlined in NSDD 196? Please provide copies of any agency policies or procedures that apply.
34. If your agency has not yet established policies or procedures to implement the polygraph paragraph of NSDD 196, how is your agency planning to implement it?

If you have any questions, please call Jim Reid, FTS 275-5352 or Irv Boker, FTS 275-3973.

Sincerely yours,

Frank C. Conahan  
Director



NEWS CONFERENCE  
BY  
THE PRESIDENT

January 7, 1986

The East Room

8:00 P.M. EST

Extract from Pages 6-7 Regarding  
Lie Detector Tests

Sam?

Q Mr. President, you signed a directive which would require a great number of government employees to take lie detector tests for security purposes. But when Secretary Shultz publicly complained, you changed your mind and cut back on that directive. And one of your aides said to reporters that you really hadn't understood what was in it when you signed it. My question is, did you understand it when you signed it originally, and if so, why did you change your mind?

THE PRESIDENT: If there was an aide that said anything of that kind, he wasn't an aide. (Laughter.)

Q He won't be tomorrow.

THE PRESIDENT: No. No, when Secretary Shultz came back, he had been accosted by the press in Europe and they were leading to believe that I had okayed virtually carte blanche the two and a half million federal employees subject to lie detector tests and they would be tested based on their personalities or their own personal lives and so forth. None of this was true. And the document I signed was not changed nor did I change my mind. I was able when the Secretary and I had a chance to talk when he came back to point out that what I had signed was a directive that was creating an investigative policy that we were -- I did not create it -- in that I asked for and was proposing that we come together on a policy for heading off espionage. And therefore, out of the thousands and thousands of employees, there is a very limited number that actually deal with classified material or could possibly be involved in this. And I recommended, among other things, that this be included as an investigatory tool in such investigations and it would be limited to what we were trying to find out -- espionage and whether to head it off or not. So, whoever was telling that -- and I've seen it and heard it and so forth. And I've sat there fidgeting in my chair because it wasn't true. That's what I signed and that's what is still signed.

Q Sir, Secretary Shultz made the point that he doesn't believe lie detector tests are accurate -- that often they catch people who are not guilty, and even let people who are guilty go. I take it you think they are accurate.

THE PRESIDENT: I think that it's a useful tool. I know that he does not have too high an opinion of them and I think that he was thinking also if you're going to have one of those in which you get into people's personal lives and so forth -- but also, there are others who have a greater confidence in them in such an investigation where you are directly going after a subject. One of the things that they've done and the record of polygraph tests throughout our land has proven, that they have been responsible for more confessions than anything actually proven there -- that the very nature of the test has led to a multitude of confessions of various crimes and so forth.

November 1, 1985

COUNTERINTELLIGENCE/COUNTERMEASURE IMPLEMENTATION  
TASK FORCE (U)

Intelligence collection by foreign intelligence officers and agents operating in the United States presents the greatest counterintelligence (CI) threat confronting the United States. Under cover of diplomatic establishments, foreign-owned commercial entities and exchange student programs, the Soviet, Soviet Bloc, Peoples Republic of China and other criteria countries have emplaced large numbers of professional intelligence officers and other intelligence collectors (economic, scientific and technical, and military) in the United States. The numbers of foreign intelligence officers far surpass the counterintelligence assets the US Government has been able to deploy against them, and the number has been increasing over the years. This issue has been studied extensively by the Interagency Group on Counterintelligence (IG/CI) and a series of recommendations were forwarded to and endorsed by the Senior Interagency Group for Intelligence (SIG/I). These recommendations were reviewed and endorsed by the National Security Planning Group (NSPG) on August 7, 1985. I have decided it is in the national interest to implement each of these proposals. (U)

The NSPG also recommended that the US Government adopt, in principle, the use of aperiodic, non-life style, CI-type polygraph examinations for all individuals with access to US Government Sensitive Compartment Information (SCI), Communications Security Information (COMSEC) and other special access program classified information. I have decided this policy should be established. (U)

In order to facilitate the implementation of these decisions, I am directing the establishment of a task force to develop the time table, procedures and method to implement this Decision Directive. This implementation task force will be chaired by a representative of the Assistant to the President for National Security Affairs. The task force will be composed of a representative of each NSPG principal: Secretary of State, Secretary of Defense, Attorney General, Director of Central Intelligence, and Chairman, Joint Chiefs of Staff. In addition, the task force will include a representative of the Director of the Federal Bureau of Investigation and a representative from Department of State/Office of Foreign Missions (OFM). (U)

Partially Declassified/Released on DEC 11, 1985  
under provision of E.O. 12356  
by B. Regier, National Security Council

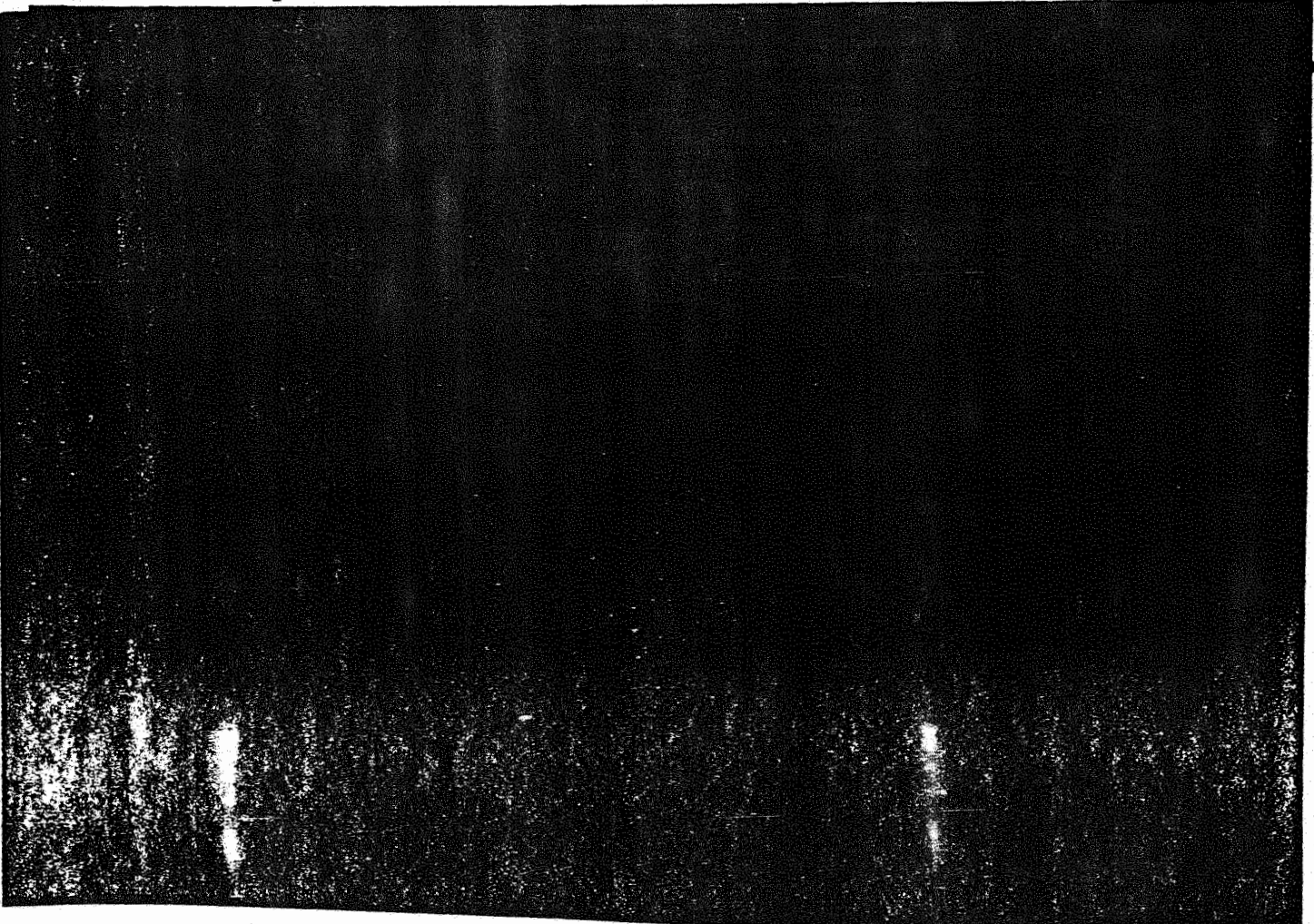
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Released  
Partial Text of  
NSDD 196

The following agencies will provide an observer to this implementation task force since the timing and method of implementation may have an impact on one or more of them: Diplomatic Security Service (Department of State), Office of Foreign Missions (Department of State), Department of the Treasury, Department of Commerce, US Army Intelligence and Security Command, Naval Intelligence Command, US Air Force Office of Special Investigations, National Security Agency, and the Immigration and Naturalization Service. (U)

The Intelligence Community Staff Secretariat will provide necessary administrative support. (U)

The purpose of this task force will be to make recommendations on the method, timing and procedures to implement the SIG(I) options; establish implementation policy for the national polygraph program and implement other counterintelligence and countermeasures improvements which have appropriate national policy level implications. Final implementation decisions will be made by the President. (U)



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PAGES 3 - 5

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