

A. A. 2015  
 OLL  
 84-1189/2

**ROUTING AND RECORD SHEET**

**SUBJECT: (Optional)** H.R. 4681, the "Federal Polygraph Limitation and Anti-Censorship Act of 1984"

**FROM:** [Redacted]  
 Director of Security

**DIVISION**

**NO.**

**DATE**

**TO: (Officer designation, room number, and building)**

**DATE**

**OFFICER'S INITIALS**

**COMMENTS (Number each comment to show from whom to whom. Draw a line across columns after each comment.)**

**RECEIVED      FORWARDED**

1. C/LD/OLD  
 7B-42, Hdqs.

Attached is the Office of Security's response to your 25 April 1984 request for comments concerning H.R. 4681, the "Federal Polygraph Limitation and Anti-Censorship Act of 1984."

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MEMORANDUM FOR: Chief, Legislation Division  
Office of Legislative Liaison

25X1 FROM:   
Director of Security

SUBJECT: H.R. 4681, the "Federal Polygraph  
Limitation and Anti-Censorship Act of 1984"

REFERENCES: A. OLL 84-1689/1, dated 25 April 1984,  
same subject

B. OLL 84-1245, dated 28 March 1984,  
same general subject

C. OLL 84-1268, dated 30 March 1984,  
Office of Management and Budget  
Legislative Referral Memorandum,  
same general subject

1. Reference A forwarded a copy of the amendment to H.R. 4681 drafted by the staff of the House Permanent Select Committee on Intelligence (HPSCI), and asked that the Office of Security provide your Office with comments on the amendment for inclusion in an Agency response on the subject to the Office of Management and Budget.

2. The Office of Security previously agreed with the Office of Legislative Liaison position expressed in Reference B and its Attachment, which contained suggested revisions to H.R. 4681 as coordinated through this Agency's Office of General Counsel. If there is to be a so-called "Brooks Bill," this Office would like to see it contain at least the provisions stated in Reference B.

3. On the other hand, this Office was very pleased to see the strong position taken by Mr. Donald J. Devine, Director,

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Office of Personnel Management (OPM), in his letter forwarded to the Office of Legislative Liaison by the Office of Management and Budget as an attachment to Reference C. In that letter, Mr. Devine made the point that...."there has not been a single complaint (filed with or brought to the attention of OPM or the Civil Service Commission) of the type of abuse and misidentification noted in the [somewhat sensational] 'Findings' of the Act." Mr. Devine was, of course, referring to the proposed H.R. 4681. He went on to state that "The enactment of the Proposed Act would protect against 'abuses' that do not exist, and would refute the overwhelming evidence demonstrated by scientific studies, government surveys and 'real life' experience of the extraordinary effectiveness of polygraph testing as a screening and investigative tool, when these are restricted to situations where they are warranted." Mr. Devine noted that OPM is opposed to H.R. 4681, stated that it appears to have been drafted without regard to any of the vitally important national security considerations where polygraphs have been found essential by at least six presidents, and added that the proposed bill's "Findings" are entirely inconsistent with the combined, decades-long experience of federal agencies. [redacted]

4. The Office of Security fully supports the position taken by the Director, OPM. Mr. Devine has stated the case for polygraph most succinctly. There simply is no need for the polygraph limitations that the Proposed H.R. 4681 would impose on federal agencies. [redacted]

5. As to the H.R. 4681 provisions relating to prepublication review, the Office of Security shares the position of your own Office, that there should be no legislation enacted which would significantly affect the status quo with respect to prepublication review. [redacted]

6. As its bottom line, the Office of Security believes that the Office of Management and Budget should be informed that the Central Intelligence Agency is opposed to the Brooks Bill and any amendment thereto which significantly affects the status quo with respect to polygraph usage and prepublication review. [redacted]

7. Any questions concerning this matter may be addressed to [redacted] Policy and Plans Group, on black line 5311 or secure [redacted]

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