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30 September 1996 CCA 86-3278

MEMORANDUM FOF:

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C/ALD/OGC C/ICAD/OGC

FROM:

Legislation Division

Office of Congressional Affairs

SUBJECT:

Polygraph Legislation: Fa

Failure to Obtain

STAT

Senate Consideration

- l. It appears the Senate will not take up Senator Hatch's polygraph legislation in the remaining days of this session. This means the legislation is effectively "dead" for this Congress.
- 2. You will recall that Senator Hatch had forced the Senate Labor and Human Resources Committee which he chairs to report out without amendment the polygraph bill which he introduced, S. 1815. He then circulated among his colleagues and other interested parties a version of S. 1815 which had been modified in an attempt to gain a consensus. His intention was to bring a consensus version to the Senate floor in the remaining days of this Congress, either as a separate bill or, more likely, as a rider to a "must past" bill.
- 3. We were advised, however, that late last week, he failed in this effort. As a result, the bill is not likely to see further action in this Congress.

4. It is too early to tell what are its prospects for the next Congress. Any bill on the subject in either House would have to be reintroduced and begin the legislative process anew. It would, of course, begin in the House in an advantageous position as the House did pass its version of the legislation this year (H.R. 1524). On the other hand, in the next Congress the Administration is likely to express its opposition much earlier on in the legislative process. This, in turn, will make it much more difficult for any legislation	
to move forward.	STAT
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1 - DDL/OCA 1 - Liaison	STAT
<pre>1 - OCA Registry 1 - Signer 1 - OCA/LEG Subject File: Polygraph</pre>	STAT