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JS, SOCOM: (b)(1) 1.4(a)

Report No. 09-INTEL-06
May 4, 2009
Evaluation

Inspector General

United States
Department of Defense

DoDIG: (b)(6)



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Evaluation of DoD Polygraph Support to U.S. Special
Operations Command (U)

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Acronyms

ACCM	Alternate and Compensatory Control Measures
AFOSI	Air Force Office of Special Investigations
CENTCOM	Central Command
COMSEC	Communications Security
DACA	Defense Academy for Credibility Assessment
DCIS	Defense Criminal Investigative Service
FBI	Federal Bureau of Investigation
HUMINT	Human Intelligence
INSCOM	United States Army Intelligence and Security Command
SOCCOM: (b)(1).	[DoDIG, (b)(1) 1.4(a)]
OPSEC	Operations Security
ORCON	Originator Controlled
PPM	Polygraph Program Manager
RFF	Request for Forces
SAP	Special Access Program
SOCOM	Special Operations Command
TF	Task Force

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MAY 4 2009

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE
COMMANDER, U.S. SPECIAL OPERATIONS COMMAND

SUBJECT: EVALUATION OF DOD POLYGRAPH SUPPORT TO U.S. SPECIAL
OPERATIONS COMMAND (Report No. 09-INTEL-06) (U)

(U//~~FOUO~~) We are providing this evaluation for information and use. We considered management comments on a draft of this report in preparing the final report. We received the classification review of the draft report from U.S. Special Operations Command and revised the classification of the report in accordance with their security review.

(U//~~FOUO~~) Comments on the draft of this report conformed to the requirements of DoD Directive 7650.3 and left no unresolved issues. Therefore, no additional comments are required.

(U//~~FOUO~~) We appreciate the courtesies extended to the staff. Questions should be directed to ^{DoD IG: (b)(6)} at (703) 604-^{DoD IG: (b)(6)} (DSN 664-^{DoD IG: (b)(6)}) or ^{DoD IG: (b)(6)} at (703) 604-^{DoD IG: (b)(6)}. Team members are listed on the back cover.

Patricia A. Brannin
Deputy Inspector General
for Intelligence

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Department of Defense Office of Inspector General

Report No. 09-INTEL-06
(Project No. D2008-DINT01-0062)

May 4, 2009

Review of DoD Polygraph Support to U.S. Special Operations Command (U)

(U) Executive Summary

(S) JS, SOCOM: (b)(1) 1.4(a)) **Background.** The Department of Defense Office of the Inspector General conducted this evaluation to determine if Department of Defense polygraph support to SOCOM: (b)(1) 1.4(a) operations in Iraq was provided in accordance with applicable policies and procedures. This evaluation was suggested to the Deputy Inspector General for Intelligence by the Defense Criminal Investigative Service as a result of a briefing presented by representatives from the Defense Academy for Credibility Assessment in September 2007.

(S) JS, SOCOM: (b)(1) 1.4(a)) The Defense Academy for Credibility Assessment reported results of its Quality Assurance Inspections, stating that polygraph examinations were conducted in support of SOCOM: (b)(1) 1.4(a) without the examinations receiving mandatory quality control reviews and that some examinations were destroyed. Failure to have quality control reviews and to retain records violated DoD Directives, DoD and Service regulations and DoD policy guidance.

(S) JS, SOCOM: (b)(1) 1.4(a)) **Results.** Prior to November 2007, quality control and records maintenance procedures for polygraph examinations conducted in support of SOCOM: (b)(1) 1.4(a) were not conducted in accordance with DoD and Service regulations and directives. Variations in SOCOM: (b)(1) 1.4(a) pre-deployment security indoctrinations as well as an emphasis on operations security contributed to a widespread misperception that the mission that polygraph examiners supported was a special access program. Additionally, the Service's polygraph program managers believed that the operations were special access program-controlled. Once deployed, the tempo and emphasis that SOCOM: (b)(1) 1.4(a) placed on operations security led examiners to believe that they were not allowed, for security reasons, to transmit their examinations back to their respective headquarters for quality control and records maintenance. As a result, five of the first six examiners supporting SOCOM: (b)(1) 1.4(a) in Iraq between January 2005 and November 2007 sent no polygraph examinations back to their headquarters for quality control and records maintenance. In October 2007, staff at U.S. Special Operations Command became aware of operational shortcomings regarding polygraph examinations supporting SOCOM: (b)(1) 1.4(a) in Iraq and convened a meeting to mitigate the shortcomings, ultimately resulting in the SOCOM: (b)(1) 1.4(a) Policy Memorandum dated November 17, 2007 which reinforced the conduct of polygraph examinations in accordance with DoD policy and Service regulations. We recommend that the Under Secretary of Defense for Intelligence publish DoD-level guidance detailing DoD policy regarding quality control and records maintenance of polygraph examinations.

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(S//NF) There was no systemic [redacted] training program or emphasis on polygraph procedures and operations. We recommend that the Commander, U.S. Special Operations Command coordinate with the Defense Academy for Credibility Assessment and Service polygraph program managers to ensure [redacted] its elements and augmentees, receive recurring and systemic training [redacted] regarding the proper employment of polygraph examinations in support of [redacted] operations. (See Finding B).

(S//NF) **Management Comments.** The Under Secretary of Defense for Intelligence and the Commander, U.S. Special Operations Command commented on the draft report. Although not required to comment, the Director, Joint Staff, also provided comments to the draft report. We included their complete responses in the Management Comments section of this report.

(U//FOUO) The Under Secretary of Defense for Intelligence concurred with Finding A. Although not required to comment on B, the Under Secretary concurred adding that all DoD components requiring polygraph support should have a general understanding of polygraph policies and procedures and that polygraph examiners, as subject matter experts, should train and educate the supported element.

(U//FOUO) The Commander, U.S. Special Operations Command, concurred in general with Finding B, but thought the finding and recommendation to be incomplete. Although not required to comment on Finding A, the Commander concurred with the recommendation but thought that the report did not accurately define command and control relationships, did not provide appropriate corroborating evidence, and contained erroneous information.

(U//FOUO) The Director, Joint Staff, concurred with the recommendation to Finding A and B and suggested broadening the report's scope to require training for all combatant commanders and their subordinate elements.

(S//NF) **Evaluation Response.** Where appropriate and within the scope of our effort, we have clarified the report and made corrections where additional facts were provided. We agree with the suggestion that others, including the Combatant Commanders, would benefit from training on the roles and procedures for employing polygraph examiners and have included the Combatant Commanders on distribution for this report. We also agree that polygraph examiners who are supporting elements of DoD components can help train and educate the supported element. However, we continue to believe that the users of polygraphs should have a basic understanding of roles and procedures. We suggest that the Under Secretary of Defense for Intelligence and the Director, Joint Staff, include the need for this training in appropriate policy and guidance promulgations.

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(U) Background

(S//NF) US, SOCOM: (b)(1) 1.4(a)) From November 2007 through September 2008, the DoD Office of the Inspector General (DoD OIG) conducted an evaluation to determine if DoD polygraph support to SOCOM: (b)(1); 1.4(a) in Iraq was provided in accordance with applicable policies and procedures. SOCOM: (b)(1); 1.4(a) is a subordinate command of U.S. Special Operations Command (SOCOM) responsible for operations in Iraq.

(S//NF) We became aware that there was a problem within the DoD polygraph program as result of a September 2007 Defense Academy for Credibility Assessment¹ (DACA) briefing. The DACA briefing detailed the results of its biennial Quality Assurance Inspections of selected DoD polygraph programs. The DACA briefer stated that "three DoD components [i.e., U.S. Army Intelligence and Security Command (INSCOM), Naval Criminal Investigative Service (NCIS) and Air Force Office of Special Investigations (AFOSI)], supporting CENTCOM/SOCOM [U.S. Central Command and U.S. Special Operations Command] cannot complete [the] QAP [Quality Assurance Program] inspections process." The briefing stated that the support to "CENTCOM/SOCOM" was part of a "Special Access Program² (SAP)" and that:

- parent agencies (i.e., INSCOM, NCIS and AFOSI) [were] unable to provide support,
- [polygraph] examiners [were] ordered not to contact supervisors, and
- examiners had problems under these conditions.

(S//NF) US, SOCOM: (b)(1) 1.4(a)) The DACA briefer further stated that over 3000 polygraph examinations were conducted in support of SOCOM: (b)(1); without the examinations receiving mandatory quality control reviews. The briefer also stated that records of over 2500 of the 3000 examinations were destroyed and those omissions violated DoD Directives, DoD and Service regulations and DoD policy guidance. There were no issues regarding polygraph examinations supporting SOCOM: (b)(1); other than those in Iraq.

¹ (U) The Defense Academy for Credibility Assessment (DACA) is a federally funded institution providing graduate and continuing education courses in psychophysiological detection of deception (PDD). Its mission is to: qualify DoD and other federal personnel for careers as PDD examiners; provide continuous research in PDD and credibility assessment methods; manage the PDD continuing education certification program for federal agencies; manage the Quality Assurance Program that develops, implements, and provides oversight of PDD standards for the federal polygraph programs, and provide strategic support to intelligence and law enforcement operations and investigations in the form of advice, analysis, and assistance.

² (U) A Special Access Program (SAP) is any DoD program or activity (as authorized in E.O. 12958)...employing enhanced security measures (e.g., safeguarding, access requirements) exceeding those normally required for collateral information at the same level of classification shall be established, approved, and managed as a DoD SAP.

(U) Polygraph Program Guidance

(U) DoD Directive 5210.48, "Polygraph and Credibility Assessment Program," January 25, 2007:

(U) Applied to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands...and all other organizational entities in the Department of Defense.

(U) Established that, instrumentation, techniques, procedures, training, and examinations shall be employed and administered only as authorized and in the manner prescribed by this directive and three references

(U) DoD Regulation 5210.48-R, "Department of Defense Polygraph Program," January 1985, established controls governing the use of polygraph examinations, conduct of polygraph examinations guidance, training and supervision of polygraph examiners, and program management.

(U//~~FOUO~~) Deputy Under Secretary of Defense (Counterintelligence and Security) Memorandum, Subject: "Interim Policy for Polygraph Anti-Countermeasure Procedures," March 27, 2006, required that DoD polygraph programs digitize and retain records for at least 35 years.

(U) Army Regulation 195-6 "Department of the Army Polygraph Activities," September 29, 1995. Paragraph 2-5 mandated quality control of polygraph examinations conducted by Army examiners:

(U) 2-5. Supervision and Review. Each polygraph examination must be reviewed by U.S. Army Criminal Investigation Command (USACIDC) or U.S. Intelligence and Security Command (INSCOM) technical supervisors of the polygraph examiner for initial quality control. The quality control element representing USACIDC or INSCOM conducts a final review.

(U) A. These quality control elements review all charts, reports of polygraph examinations and other investigative or operational data. These reviews are used to decide if the examination was satisfactory or if a repeat polygraph examination should be conducted. Quality control examiners may require polygraph examiners to justify their conclusions.

(U) B. Direct communication between polygraph examiners and quality control elements of USACIDC and INSCOM is authorized and encouraged.

(U) Air Force Office of Special Investigations Manual 71-103, Volume 7, "Forensic Psychophysiological Detection of Deception (PDD) Examinations," August 29, 2000. Paragraph 3.1 mandated quality control of polygraph examinations conducted by Air Force examiners:

(U) 3.1. Quality Control. PDD Supervisors or their designees conduct the first level of quality control, and the Air Force PDD program management office does a final review. Forward all PDD examinations to the PDD program management office for final review not later than 15 calendar days after the examination (not 15 days after the initial review).

(U) 3.1.1. Field-Level Quality Control. At least one field-level examiner, in addition to the examiner of record, must numerically evaluate all examinations before sending them to the Air Force PDD program management office for final review. Include the numerical evaluations of both the examiner of record and the reviewing examiner in the PDD package.

(U) 3.1.2. HQ-Level Quality Control. The Air Force PDD program management office conducts final quality control on every PDD examination. At least two HQ-level reviewers must review the examination if it is to be returned to a field office for rerun.

(U) Air Force Office of Special Investigations Manual 71-103, Volume 1, "Forensic Psychophysiological Detection of Deception (PDD) Program," August 29, 2000.
Paragraph 11 assigned responsibility for initial review and final quality control:

(U) 11. Quality Control of PDD Examinations. Personnel assigned to the Air Force PDD program management office conduct the final quality control review of all Air Force PDD examinations. Regional PDD field supervisors conduct the initial review of PDD products generated within their area of responsibility. The results of an examination are not considered final until the program management office completes the quality control process.

(S) JS, SOCOM: (b)(1) 1.4(a) ~~SECRET//NOFORN~~ SOCOM: (b)(1) 1.4(a) Memorandum, "Use of Department of Defense Polygraph Examiners in Support of SOCOM: (b)(1) 1.4(a) November 17, 2007, "codifies procedures to ensure the security of SOCOM: (b)(1) 1.4(a) operations as well as proper oversight and quality control for polygraph examinations" and mandates that polygraph data will be "expeditiously released and forwarded via secure means to the parent organization or service."

(U) Objective

(S) JS, SOCOM: (b)(1) 1.4(a) ~~SECRET//NOFORN~~ SOCOM: (b)(1) 1.4(a) The primary objective of this evaluation was to determine whether DoD polygraph support to SOCOM: (b)(1) 1.4(a) operations in Iraq was provided in accordance with applicable policies and procedures. Specifically, to determine whether polygraph examinations conducted by DoD examiners were conducted in accordance with applicable policies and procedures, and whether applicable quality control and records maintenance procedures were followed.

(U) A. Lack of Quality Control and Records Maintenance of Polygraph Examinations

(S//NF) JS, SOCOM: (b)(1) 1.4(a) Between January 2005 and November 2007, the DoD polygraph examiners deployed to Iraq in support of the SOCOM: (b)(1): and their respective headquarters did not ensure that as many as 1774 of 2799 examinations received quality control as required by Air Force Office of Special Investigations Manual 71-103, Volume 7 and Army Regulation 195-6. Examiners also did not forward all of their completed examinations for 35-year retention as required by Deputy Under Secretary of Defense (Counterintelligence and Security) Memorandum, Subject: "Interim Policy for Polygraph Anti-Countermeasure Procedures," March 27, 2006, which supplemented DoD Directive 5210.48 and DoD Regulation 5210.48-R; some of these 1774 examinations had the charts deleted.

(S//NF) Extenuating circumstances contributed to the examiners' and Service headquarters' failures in that they mistakenly believed that they were supporting a special access program and did not have to follow DoD guidance. Those misperceptions appeared to be systemic in nature. SOCOM: (b)(1): 1.4(a) SOCOM: (b)(1): personnel contributed to that belief by leading the examiners to believe that the mission was a special access program by making such statements as what happens in Iraq stays in Iraq.

(S//NF) Therefore, SOCOM: (b)(1): personnel made operational decisions on as many as 2799 examinations that were not done in accordance with DoD guidelines for polygraph use.

(U) Background

(U) SOCOM: (b)(1): 1.4(a) in Iraq

(S//NF) JS, SOCOM: (b)(1) 1.4(a) The SOCOM: (b)(1): deployed to Iraq as part of Operation IRAQI FREEDOM and established a headquarters element and subordinate task forces.³ The SOCOM: (b)(1): and its subordinate task forces were designated by numbers or nicknames which frequently changed for operations security⁴ (OPSEC) reasons. The SOCOM: (b)(1): 1.4(a) was the

³ (S//NF) Once deployed to Southwest Asia, SOCOM: (b)(1): 1.4(a) came under the operational control of U.S. CENTCOM.

⁴ (U) Operations Security (OPSEC) is a process of identifying critical information and subsequently analyzing friendly actions attendant to military operations and other activities to: a. Identify those actions that can be observed by adversary intelligence systems; b. Determine what indicators hostile intelligence systems might obtain that could be interpreted or pieced together to derive critical information in time to be useful to adversaries; and c. Select and execute measures that eliminate or reduce to an acceptable level the vulnerabilities of friendly actions to adversary exploitation.

primary unit that polygraph examiners supported in Iraq. The use of polygraph examinations included support to interrogations, human intelligence (HUMINT) source vetting, and local national vetting. requested polygraph examiner augmentation using the Request for Forces⁵ (RFF) process.

(S//~~JS, SOCOM: (b)(1) 1.4(a)~~) As part of its role as the concerned geographic Combatant Command in the RFF process, U.S. CENTCOM released the first RFF [466] for polygraph examiners on April 26, 2005, with the following mission and justification:

(S//~~JS, SOCOM: (b)(1) 1.4(a)~~) The value of polygraph operations ISO [in support of] detainee interrogations (sic) and HUMINT source vetting has proven to be extremely valuable. Polygraph tests administered to detainees and potential HUMINT sources have provided interrogators and source handlers with another method to determine if an individual is being deceptive. forces do not have the capability embedded in organic assets and rely on outside agencies and organizations, which are currently over tasked, to fulfill this function. Adding this capability to will improve overall mission effectiveness and provide flexibility to detainee and source operations.

(U) ~~JS, SOCOM: (b)(1) 1.4(a)~~ Pre-Deployment and Security Indoctrinations

(S//~~JS, SOCOM: (b)(1) 1.4(a)~~) As a result of the RFF, the Joint Staff tasked the Service's polygraph elements (INSCOM and AFOSI) to provide the requested polygraph examiner support. The polygraph program managers⁶ (PPM) for INSCOM and AFOSI provided polygraph support by deploying polygraph examiners to Iraq on a rotational basis. Their normal tours were from 90 to 180 days and RFF 466 authorized routine force rotations.

(S//~~JS, SOCOM: (b)(1) 1.4(a)~~) The pre-deployment and security indoctrinations that administered to the deploying polygraph examiners varied. All examiners received indoctrination briefings at Fort Bragg, North Carolina or Balad, or at both locations by a combination of contractors, personnel. Common themes in the indoctrinations were: the sensitivity of the task force and its mission and the necessity for maintaining communications security⁷ (COMSEC) and OPSEC. One examiner reported that he was instructed by personnel during in processing at Fort Bragg to tell his parent command that he was on a training mission. The examiner found that humorous since his

⁵ (U) Requests for Forces (RFF) is a request from a Combatant Commander or Force Provider for units or capabilities to address requirements that cannot be met by the requesting headquarters or its components, or their assigned and allocated forces. The RFF is the base document that generates unscheduled force sourcing.

⁶ (U) Per DoD Directive 5200.48-R, the Services have each established polygraph program managers to be the single authority within each DoD Component...assigned responsibility for administering the program.

⁷ (U) Communications Security (COMSEC) is the protection resulting from all measures designed to deny unauthorized persons information of value that might be derived from the possession and study of telecommunications and to ensure the authenticity of such communications. COMSEC includes cryptosecurity, emission security, transmission security, and physical security of COMSEC material and information.

parent command had tasked him to deploy and knew perfectly well what mission he was to support.

(S//NF) Of the 15 examiners, 5 incorrectly assumed that their mission was a SAP. Those 5 examiners' deployments spanned the period covered by this evaluation, January 2005 through March 2008, indicating that this was not a one-time oversight. Personnel from SOCOM and (b)(1) stated that nothing that the examiners would encounter in their deployment would be a SAP. Each stated that what the examiners should encounter was a program designated as an Alternate and Compensatory Control Measure⁸ (ACCM) (b)(1) 1.4(a)

(S//NF) The emphasis on OPSEC coupled with the misleading impression of working in a SAP environment created a heightened sense of security awareness, but in the process may have created a false belief that DoD guidance could be circumvented in the name of security. That belief existed, not only among the examiners, but also among the AFOSI headquarters as evidenced in AFOSI's response to DACA's inspection report:

(U) ...polygraph examiners deployed to fill in lieu of (ILO) tasking are under the direct operational control of the unit (b)(1) 1.4(a) ...AFOSI does not have any control of the examiners deployed... Upon arrival, our examiners are indoctrinated into the OPSEC, COMSEC, and ORCON⁹, elements of the associated Special Access Program (SAP) which is the focus of our polygraph efforts supporting this war-fighting mission. Deployed examiners are briefed on the specifics of this SAP to the extent required to perform assigned tasks, and have been strictly prohibited from sharing any operational information outside the unit (b)(1) 1.4(a). All of the examiners deployed to this activity have been contacted and all advised they were specifically briefed not to disclose any information concerning their activities...there have been periods during our support to this mission when examiners were allowed to provide the PPMO (Polygraph Program Management Office) with polygraph charts for QC (quality control) purposes. The specific arrangements negotiated by the PPMO and the affected unit to facilitate polygraph oversight, while at the same time preserving SAP integrity as deemed appropriate by the unit's leadership, has admittedly been varied and at times lapsed. There are several factors responsible for these limited arrangements such as changes in unit leadership and different interpretations of existing guidance at the unit... Effective 1 Jan 2007, our examiner deployed in support of this unit has provided this office with all physiological data collected during examinations, and the data is being evaluated for technical sufficiency.

⁸ (U) Alternate and Compensatory Control Measures (ACCMs) were previously known as Limited Dissemination - LIMDIS and are defined as "Enhanced security controls established by an original classification authority to emphasize need-to-know protective measures for classified information. Measures are in addition to those involving access to classified information, but are not as stringent as those used for a SAP."

⁹ (U) Formally titled "Dissemination and Extraction of Information Controlled by Originator," ORCON is used only on classified intelligence that clearly identifies or would reasonably permit ready identification of intelligence sources or methods that are particularly susceptible to countermeasures that would nullify or measurably reduce their effectiveness. It is used to enable the originator to maintain continuing knowledge and supervision of the further use of intelligence beyond the original dissemination. Dissemination beyond headquarters elements or to agencies other than the original recipients requires advance permission from the originator. This marking may be abbreviated ORCON or OC.

(U) The Impact of OPSEC on Polygraph Operations

(S//NF) JS, SOCOM: (b)(1) 1.4(a)) Once deployed, the examiners found the work and operations tempo to be fast-paced. The operations tempo and decision-making cycle precluded examiners from getting their examinations quality controlled before they passed the results to SOCOM: (b)(1). One of the Service's polygraph program managers stated that his examiners did not have time for quality control when deployed in support of SOCOM: (b)(1). The operations tempo and emphasis that SOCOM: (b)(1) placed on OPSEC led examiners to believe that they were not allowed, for security reasons, to transmit their examinations back to their respective headquarters for quality control and records maintenance, as evidenced by the fact that five of the first six examiners sent nothing back for quality control and records maintenance.

(S//NF) In addition to the five examiners who stated that the operations in support of SOCOM: (b)(1) were SAP-controlled, both Service's polygraph program managers also shared the same understanding. The operations tempo and workload, and the examiners' dedication and commitment to assist SOCOM: (b)(1) in getting the most from polygraph examinations, perpetuated their misperceptions that they were following the SOCOM: (b)(1) and SAP rules by not transmitting their examinations to their program managers for quality control and records maintenance.

(S//NF) JS, SOCOM: (b)(1) 1.4(a)) SOCOM: (b)(1) personnel also perpetuated misperceptions that operations were a SAP. For example, one examiner approached SOCOM: (b)(1) personnel about the quality control and records maintenance requirements not being met. SOCOM: (b)(1) personnel told the examiner that we SOCOM: (b)(1) can call [Secretary of Defense] Rumsfeld directly. Personnel from SOCOM: (b)(1) also repeatedly told that same examiner that nothing could leave the SOCOM: (b)(1) (information technology) system. Another examiner described the energy and emphasis with which SOCOM: (b)(1) personnel delivered his OPSEC briefings as very serious and he thought he was being read the riot act. The examiner stated that the briefing included phrases such as this place does not exist and you did not work here.

(U) Disposition of Polygraph Examinations

(S//NF) We determined that 2799 polygraph examinations were conducted in support of SOCOM: (b)(1) in Iraq from January 2005 through November 2007. Of the 2799, 1025 were submitted to the Service headquarters for quality control and retention. 1774 (2799 minus 1025) did not receive quality control reviews in accordance with DoD and Service guidance. We also found that the polygraph examiners deleted some information (i.e., charts) from some of the 1774 examinations¹⁰. Following the SOCOM: (b)(1) November 17, 2007 policy memorandum stating the requirements for quality control and retention, 354 polygraph examinations were completed and all 354 polygraph examinations were provided to Service headquarters for quality control and retention. See Table 1.

¹⁰ The DACA estimated 3000 polygraph examinations were conducted in support of SOCOM: (b)(1) in Iraq from January 2005 through November 2007. The DACA estimated that 2500 of the 3000 could have been destroyed.

(S//JS, SOCOM: (b)(1) 1.4(a)) **Table 1: Facts and Disposition of Polygraph Examinations Conducted In Support Of (b)(1) in Balad, Iraq January 2005 - June 2008**

Organization	Start	End	Exams	To HQ	To (b)(1)
AFOSI	Jan 2005	May 2005	90	0	90
AFOSI	Jun 2005	Dec 2005	268	268	268
AFOSI	Nov 2005	Apr 2006	270	0	270
INSCOM	Apr 2006	Aug 2006	250	0	250
AFOSI	Apr 2006	Aug 2006	208	0	208
INSCOM	Aug 2006	Feb 2007	250	0	250
AFOSI	Aug 2006	Dec 2006	246	n/a	246
AFOSI	Dec 2006	Apr 2007	287	287	287
AFOSI	Apr 2007	Aug 2007	250	250	250
INSCOM	Apr 2007	Aug 2007	237	219	237
AFOSI	Aug 2007	Dec 2007	220	n/a	220
INSCOM	Aug 2007	Oct 2007	225	3	225
Sub Total			2790	1025	2790
SOCOM: (b)(1): Policy Letter - November 17, 2007					
Organization	Start	Start	Exams	To HQ	To (b)(1)
AFOSI	Dec 2007	Apr 2008	134	134	134
INSCOM	Dec 2007	Mar 2008	147	147	147
INSCOM	Jan 2008	Jun 2008	73	73	73
Sub Total			354	354	354
TOTAL			3153	1379	3153

Legend

Start: Month and Year examiner started assignment to (b)(1)
 End: Month and Year examiner ended assignment to (b)(1)
 Exams: Polygraph examinations conducted.
 To HQ: Records provided to PPA for retention and quality control.
 To (b)(1): Records provided to (b)(1).
 n/a: Data not available.

NOTE: Figures represent the best data available.

(U) Quality Control

(S//JS, SOCOM: (b)(1) 1.4(a)) DACA's problems with the DoD polygraph support to (b)(1) surfaced in its February 2007 inspection of AFOSI. Quality control of polygraph examinations was required by Army and Air Force regulations. Since five of the first six examiners did not send anything back to their respective headquarters, the only way those records could have been quality controlled was retroactively. Retroactive quality control could enhance an examiner's performance but could not impact operations decisions that were made based on polygraph examination results. One of the first six examiners reported that he sent nothing back to his Service's headquarters. Another examiner reported that he expressed concern about the conflict between the edict of nothing leaving and the requirement to send examinations back for quality

control and record keeping to SOCOM: (b)(1); leadership. Another examiner reported that the obstacle for quality control focused on OPSEC issues at SOCOM: (b)(1);.

(S//NF) The AFOSI started correcting its quality control and records maintenance problems in April 2007. The DACA inspected AFOSI in February 2007. The INSCOM examiners started sending reports back for quality control in October 2007. The DACA inspected INSCOM from November 27 – 29, 2007. Examiners from both Services reported that after the issuance of the SOCOM: (b)(1); 1.4(a) policy letter on November 17, 2007, they had no problem contacting their respective units or Services to send data back for quality control. An INSCOM examiner stated that no one from SOCOM: (b)(1); told him that he was prohibited from sending data back, but that the lack of unclassified computers was a limiting factor. Three other INSCOM examiners reported the same limitation. SOCOM: (b)(1); personnel confirmed that limitation. The limitation of unclassified computer terminals affected the INSCOM examiners more than the AFOSI examiners due to the polygraph system that the INSCOM examiners used that made data transfers between different computer networks (e.g., between unclassified and classified) more difficult. The AFOSI and INSCOM polygraph systems were different and combining files was easier with the AFOSI system, making the data transfer between systems easier for AFOSI examiners. Two INSCOM examiners stated their reluctance to transfer data between classified and unclassified systems, known as air gapping. After the SOCOM: (b)(1); 1.4(a) policy letter went into effect on November 17, 2007, INSCOM examiners reported that they continued to use a combination of unclassified and classified computers to transmit their data back for quality control and records maintenance despite the policy letter specifying that all data be transmitted via "secure means." According to deployed polygraph examiners, there was no evidence of classified data being transmitted on unclassified computer systems.

(U) Destruction, Deletion and Records Maintenance

(S//NF, JS, SOCOM: (b)(1) 1.4(a)) It is DoD policy to retain records of polygraph examinations as specified in Deputy Under Secretary of Defense (Counterintelligence and Security) Memorandum, Subject: "Interim Policy for Polygraph Anti-Countermeasure Procedures," March 27, 2006. Examiners deleted portions (i.e., charts) of polygraph examinations from their polygraph computers to enhance computer performance, not through malfeasance. An Army examiner deployed early in this scenario reported that no one at SOCOM: (b)(1); told him to destroy anything.

(S//NF, JS, SOCOM: (b)(1) 1.4(a)) Four examiners deleted portions (i.e., charts) of polygraph examinations, but not as many as the 2500 that DACA initially briefed, nor as many as the 1774 examinations that were not quality controlled or retained. One AFOSI examiner reported that he deleted the charts from his examinations from his polygraph laptop computer because SOCOM: (b)(1); would not allow the normal quality control process to happen. He also said that SOCOM: (b)(1); maintained a record of every examination that he performed. Leadership from AFOSI reported that two other AFOSI examiners deleted the charts but not the examiners' report and that since there was still a record of the examination they did not view it as destruction *per se*. Another examiner deleted an estimated 15 to 18 examinations from a

polygraph laptop computer to improve the laptop's performance. That examiner deleted only enough files to improve the performance of the polygraph laptop computer. Of those deleted files, written reports were submitted to ~~(b)(1)~~. A different examiner reported similarly that none of his examinations were destroyed, but were kept with ~~(b)(1)~~ in Balad.

(S//NF) In addition to the examiners' belief that ~~(b)(1)~~ aggressive OPSEC posture played a role in not sending anything back, an examiner reported that his branch chief instructed him to send nothing back. Another examiner from that same Service also reported concerns to headquarters about the quality control and records maintenance issues. Once the November 17, 2007, policy letter was in effect, the two examiners who were deployed during or after that date both reported that they had no issues with any destruction or deletion of records of examinations.

(U) Conclusion

(S//NF) Polygraph examinations conducted for ~~(b)(1)~~ between January 2005 and November 2007 did not receive the appropriate quality control review and final disposition as required by regulation. Additionally, operational decisions were made on examinations results without benefit of quality review as required by Air Force Office of Special Investigations Manual 71-103, Volume 7 and Army Regulation 195-6.

(U) Recommendation and Management Comments

(U) We recommend that the Under Secretary of Defense for Intelligence publish DoD-level guidance detailing DoD policy regarding quality control and records maintenance of polygraph examinations.

(S//NF) Management Comments. The Under Secretary of Defense for Intelligence concurred with this recommendation and is currently coordinating with the DoD Office of the General Counsel on an updated polygraph manual that will provide additional guidance.

(U//FOUO) Evaluation Response. We consider the Under Secretary's comments responsive to this recommendation.

(S//NF) Management Comments. Although not required to comment, the Director, Joint Staff and the Commander, U.S. SOCOM concurred with this recommendation. The Commander, U.S. SOCOM also commented on the finding.

(U//FOUO) Evaluation Response. We have clarified the report where appropriate in the context of the objective and scope of this evaluation.

(U) B. ^{SOCCOM: (b)(1), 1.4(a)} Need for Polygraph Training

(S//NF) ^{SOCCOM: (b)(1)} personnel lacked training in the proper use and application of polygraph operations. ^{SOCCOM: (b)(1)} did not have organic polygraph examiners. The absence of a training program contributed to the lack of understanding of the proper employment of polygraph assets, the appropriate use of the polygraph examination, and the importance of quality control and review of polygraph examination results.

(U) Background

(U) Training Need

(S//NF) ^{JS, SOCOM: (b)(1) 1.4(a)} ^{SOCCOM: (b)(1), 1.4(a)} No Polygraph Assets. ^{SOCCOM: (b)(1), 1.4(a)} had no organic polygraph examiners. ^{SOCCOM: (b)(1)} requested polygraph examiner augmentation using the RFF process. Polygraph examiners detailed to ^{SOCCOM: (b)(1)} received their initial orientation and in-processing at either Fort Bragg, North Carolina or upon their arrival in Balad, Iraq. Several of those polygraph examiners provided *ad hoc* training to ^{SOCCOM: (b)(1)} personnel during their deployment and did so as a reaction to a perceived need.

(S//NF) There was no criteria established for ^{SOCCOM: (b)(1), 1.4(a)} use of the polygraph examination which led to perceptions by the examiners that the polygraph was not always judiciously nor accurately employed in support of ^{SOCCOM: (b)(1)}.

(S//NF) ^{JS, SOCOM: (b)(1) 1.4(a)} ^{SOCCOM: (b)(1), 1.4(a)} Lack of Criteria for Requesting a Polygraph Examination. No criteria existed within ^{SOCCOM: (b)(1), 1.4(a)} for knowing when to request or use a polygraph examination. ^{SOCCOM: (b)(1), 1.4(a)} official told us that he was comfortable with using polygraph examinations for human intelligence source validation but was not sure of the process for detainee polygraph operations. A senior polygraph examiner also reported that he was not aware of any ^{SOCCOM: (b)(1)} criteria for the use of polygraph support to interrogations. An examiner who deployed after November 17, 2007, stated that he had a hard time getting analysts to set good criteria for using polygraph examinations.

(S//NF) **Value and Misuse of Polygraph Examinations.** The need for polygraph support to ^{SOCCOM: (b)(1)} had been identified, validated and approved via the RFF process. While the need and its approval were a matter of record, the value of the polygraph and its correct use to support ^{SOCCOM: (b)(1)} concerned the examiners who deployed. Several examiners provided examples of how ^{SOCCOM: (b)(1)} personnel showed a lack of understanding of the proper use of the polygraph and demonstrated a need for formal training.

(S//NF) ^{SOCCOM: (b)(1), 1.4(a)} use of polygraphs over a nearly three-year period left the polygraph examiners convinced that the examinations were being improperly used. An examiner deployed in 2006 stated that he believed that he was still

doing unnecessary polygraph examinations. Another examiner from a different service, who deployed in 2008, stated that 50 to 60 percent of his 108 detainee examinations were unnecessary. This examiner also stated some of the requests from (b)(1): personnel to perform polygraph examinations on detainees were not needed.

(S//NF// JS, SOCOM: (b)(1) 1.4(a) (b)(1):) The U.S. SOCOM J2X, Counterintelligence (J2X-CI) staff became aware of operational shortcomings regarding polygraph examinations supporting (b)(1): in early October 2007. The U.S. SOCOM J2X-CI staff promptly arranged a meeting between U.S. SOCOM J2 staff, (b)(1): staff, representatives from USD(I), U.S. Central Command, Service polygraph program managers, and DACA to address the issues and implement mitigation strategies. As a result of this meeting, (b)(1): published a policy memorandum dated November 17, 2007 which detailed polygraph procedures which ensured all polygraph examinations were submitted for quality control review and records maintenance.

(S// JS, SOCOM: (b)(1) 1.4(a) (b)(1):) Examiners deployed after November 17, 2007, continue to assess that (b)(1): use of polygraph examinations was not always judicious or appropriate. One of those examiners stated that he refused at least ten requests to use the polygraph as a special effects device. Another examiner deployed in 2008 also reported that the (b)(1): leadership told visitors that (b)(1): routinely used the polygraph as a prop for interrogations despite the specific prohibition in DoD Regulation 5210.48-R, C.3.4.4, regarding use of the polygraph instrument as a prop during interrogations. The examiner went on to state that the examinations performed to vet human intelligence sources were much better coordinated than those examinations supporting interrogations and that the examiners would joke and get excited to do a real polygraph when they were given the chance to conduct a source vetting examination.

(S// JS, SOCOM: (b)(1) 1.4(a) (b)(1):) Three examiners deployed in late 2006 and early 2007 reported that they turned down (b)(1): requests to perform polygraph examinations because the requests were improper. One of the examiners told us that (b)(1): personnel asked him to perform polygraph examinations on American citizens (interpreters working for (b)(1): and that the examiner refused. Another examiner reported that he turned down as many examination requests as he performed, which was over 250. A third examiner reported that in March 2008, (b)(1): personnel had a disagreement with both the FBI deployed polygraph examiner and the INSCOM deployed polygraph examiner and that both examiners had declined to perform an examination on a particular detainee.

(S// JS, SOCOM: (b)(1) 1.4(a) (b)(1):) **Need for Training.** An Army examiner with nearly 20 years intelligence (b)(1): experience and 10 years experience as a polygraph examiner stated that (b)(1): need for training to employ effectively polygraphs was great and that (b)(1): needed training on the capabilities and limitations of the polygraph examination. Post-deployment questionnaires of deployed polygraph examiners indicated a need for (b)(1): personnel to be trained in the proper employment of polygraph operations, especially those supporting interrogations. Deployed examiners saw the need and gave training classes during their deployments, including a complete analysis of polygraph operations. Two examiners determined a need to train (b)(1): personnel in those areas in January

2008 even after the November 17, 2007, policy memorandum was in effect. One of those two examiners further stated that for three days following the training that there were no requests for polygraph examinations. This examiner further reported that he believed the drop was an effect of the training provided to personnel.

(S//NF) One examiner also reported that a more selective use of polygraph support to interrogation would improve the quality and effectiveness of the examinations. That individual further stated that in his 2007 deployment the polygraph examiners were not part of developing the interrogation plan, which could include a polygraph examination. That was corroborated by an examiner deployed in 2008 who stated that his role in determining the use of the polygraph to support an interrogation was sporadic.

(S//NF) The DoD Regulation 5210.48-R defined a polygraph examination as having three distinct parts: a pretest, an in-test, and a post-test. Examiners deployed in 2006, 2007, and 2008 consistently reported that the full polygraph process was shortened to exclude the required pre-test and post-test. One senior examiner stated that being instructed by personnel to not conduct the post-test was in contravention of this DoD regulation. He further stated that without performing a post-test the examination was not complete and without it the examiner could not determine why an examinee failed. A third examiner stated that he normally used the post-test to see what may have caused an examinee to fail but that personnel did not allow him to conduct post-test interviews.

(S//NF, JS, SOCOM: (b)(1) 1.4(a)) Two examiners reported separate issues of personnel, and augmentees to personnel, telling examinees that they had failed the polygraph examination when, in fact, they had passed. One examiner reported that, between December 2006 and April 2007, personnel asked him to examine the same subject on the same issue as a previous examination. The examiner asked why and was told that personnel erroneously told the examinee that he lied. The examiner explained to that individual that a retest would be useless because the subject was told that he lied when the subject knew that he told the truth. Between December 2007 and April 2008, a similar incident occurred when an analyst augmenting personnel told a detainee that he had failed an examination when in fact the detainee had not failed. The examiner told the analyst that he could not lie about the results of a polygraph examination to the person who was the subject of the examination.

(U) Conclusion

(S//NF, JS, SOCOM: (b)(1) 1.4(a)) Experienced polygraph examiners provided in-theater training, which according to the examiners, helped the interrogators and analysts better understand the role and process for polygraph examinations. However, the implementation of a polygraph orientation and training program for staff and personnel would greatly enhance the understanding of the appropriate use and employment of the polygraph examination and the role of the polygraph examiner in support of operations.

(U) Recommendation and Management Comments

(U) We recommend that the Commander, U.S. SOCOM, coordinate with the DACA and Service polygraph program managers to ensure ^{SOCOM:}_{(b)(1)} it's subordinate components, elements and augmentees receive recurring and systemic training regarding the proper employment of polygraph examinations in support of their operations.

~~(S//NF)~~ ^{JS, SOCOM: (b)(1) 1.4(a)} _{(b)(1)} Management Comments. The Commander, U.S. SOCOM concurred in general with this recommendation and requested the actions of the staffs at both U.S. SOCOM and ^{SOCOM:}_{(b)(1)} to mitigate the shortcomings once those staffs were made aware be included. Commander, U.S. SOCOM believed that the polygraph examiner's role as the subject matter expert should be emphasized.

(U//~~FOUO~~) Although not required to comment, the Under Secretary of Defense for Intelligence and the Director, Joint Staff, concurred with the recommendation. Both believed that users of polygraphs should have an understanding of polygraph policies and procedures. The Under Secretary of Defense for Intelligence also added that polygraph examiners, as subject matter experts, should train and educate the supported element.

(U//~~FOUO~~) Evaluation Response. We consider the Commander, U.S. SOCOM's comments responsive to the recommendation. We have added the efforts of the U.S. SOCOM and ^{SOCOM:}_{(b)(1)} staffs to both the body of the report and the Executive Summary and emphasized the role of the ^{SOCOM:}_{(b)(1)} polygraph examiner, as the subject matter experts, to augment the training that ^{SOCOM:}_{(b)(1)} staff receives. However, those who use polygraph examinations should have a basic understanding of polygraph roles and procedures. This understanding can result in a more efficient use of the examiners by avoiding both unnecessary examinations and significant improper requests, and incorrect use of polygraph examination results.

(U//~~FOUO~~) The scope of our evaluation did not include the use of polygraphs by organizations other than ^{SOCOM:}_{(b)(1)}. However, we support the suggestions of the Under Secretary of Defense for Intelligence and the Director, Joint Staff. We have included the Combatant Commanders on the distribution of this report and suggest that USD(I) and Director, Joint Staff, include the need for this training in appropriate policy or guidance promulgations.

(U) Appendix A. Scope and Methodology

(U) We conducted this evaluation as the result of a DCIS referral to determine if DoD polygraph support to ^{SOCOM: (b)(1) 1.4(a)} operations in Iraq was provided in accordance with applicable policies and procedures.

(U) We interviewed 22 individuals who were involved in, had knowledge of, or were associated with polygraph support to ^{SOCOM: (b)(1) 1.4(a)} in Iraq between January 2005 and March 2008. These individuals represented the following organizations:

- Office of the Under Secretary of Defense for Intelligence
- Joint Chiefs of Staff, J2 Global Force Management
- **U.S. Special Operations Command J2**
^{SOCOM: (b)(1) 1.4(a)}
- Defense Academy for Credibility Assessment
- Defense Criminal Investigative Service
- U.S. Army Intelligence and Security Command
- Naval Criminal Investigative Service
- Air Force Office of Special Investigations

(U) We interviewed and contacted select personnel more than once. We performed this evaluation in accordance with the "Quality Standards for Federal Offices of Inspector General." We sent questionnaires via the secure internet protocol routing network (SIPRNET) to individuals whose interviews did not outweigh temporary duty and travel costs.

(U) We also examined documents from the organizations above. Reference documents are on file at DoD OIG. We believe that the evidence obtained provides a reasonable basis for our findings and recommendations based on our evaluation objective. We also considered data from three polygraph examiners who were deployed on or after November 2007.

(U) Use of Computer-Processed Data: We did not use computer-processed data to perform this evaluation.

(U) Use of Technical Assistance: We did not use technical assistance to perform this evaluation.

(U) Prior Coverage

(U) No prior coverage has been conducted on the subject of this evaluation.

(U) Appendix B. Report Distribution

(U) Office of the Secretary of Defense

Under Secretary of Defense for Intelligence

(U) Other Defense Organizations

Commander, Joint Chiefs of Staff, Inspector General
Commander, Joint Chiefs of Staff, J2, Global Force Management
Commander, U.S. Central Command, J2
Commander, U.S. European Command, J2
Commander, U.S. Southern Command, J2
Commander, U.S. Pacific Command, J2
Commander, U.S. Africa Command, J2
Commander, U.S. Northern Command, J2
Commander, U.S. Special Operations Command, J2

SOCCOM: (b)(1); 1.4(a)

U.S. Army Inspector General
Naval Inspector General
U.S. Air Force Inspector General
Director, Defense Intelligence Agency
Inspector General, Defense Intelligence Agency
Director, Defense Academy for Credibility Assessment

(U) Non-Defense Federal Organizations

Inspector General, Central Intelligence Agency

(U) Congressional Committees and Subcommittees, Chairman and Ranking Minority Member

Senate Subcommittee on Defense, Committee on Appropriations
Senate Committee on Armed Services
Senate Committee on Homeland Security and Governmental Affairs
Senate Select Committee on Intelligence
House Subcommittee on Defense, Committee on Appropriations
House Committee on Armed Services
House Subcommittee on Government Management, Organization, and Procurement,
Committee on Oversight and Government Reform
House Subcommittee on National Security and Foreign Affairs,
Committee on Oversight and Government Reform
House Permanent Select Committee on Intelligence

(U) Under Secretary of Defense for Intelligence

Final Report
Reference



~~FOR OFFICIAL USE ONLY~~
UNDER SECRETARY OF DEFENSE
2030 DEFENSE PENTAGON
WASHINGTON, DC 20301-2000

MEMORANDUM FOR THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE

SUBJECT: Draft Draft Inspection (General) (D) Report on Polygraph Support to U.S. Special Operations Command (Project No. D2000-015) (U) (S)

I thank you for the opportunity to review the draft IG report on Polygraph Support to U.S. Special Operations Command (USSOCOM). The report is a thorough evaluation of our compliance with policy and procedures during polygraph support provided to SOCOM: (b)(1); 1.4(a)

The evaluation provided a clear explanation of how the well-intentioned emphasis on operational security and its interpretations often standards for protecting the mission and perpetuated a break-down of the required polygraph procedures.

The Office in the Under Secretary of Defense for Intelligence (OUSD-I) concurs with Finding A, "Lack of Quality Control and Records Maintenance of Polygraph Examinations." We agree that, between January 2009 and November 2007, policy and procedures were not appropriately followed. Prior to the examination, the Defense Academy for Civilian Assessment (DAACA) Country Assessment Program (CAP) discovered this problem during an inspection of two separate polygraph programs. The CAP inspection was managed by the Defense Counterintelligence and Human Intelligence Center under the direction and control of the Defense Intelligence Agency. We are providing policy guidance as criteria for their inspectors.

Following this discovery, on November 27, 2007, the USSOCOM Task Force issued a memorandum, highlighted in the IG report, which corrected the policy and procedural problems. The memorandum did not introduce new policy; it reinforced existing policy and procedures. Although there is current policy and procedures for quality control and records maintenance, we are coordinating with the Department of Defense (DoD) Office of the General Counsel on an updated polygraph manual that will provide additional guidance.

The OUSD-I concurs with comments on Finding B, SOCOM: (b)(1); 1.4(a) "Need for Polygraph Training." We agree that USSOCOM, as well as all DoD components that require polygraph support, should have a general understanding of polygraph policy and procedures. We believe a polygrapher, as the source subject matter expert, should train and educate the supported elements on the effective application of polygraph.

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JS, SOCOM: (b)(1) 1.4(a)

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Additionally, DACA offers a non-technical course, primarily designed for managers, that identifies the importance of quality control, data retention, and oversight procedures. DACA will engage with USSOCOM to determine if this course suits its needs. My point of contact is Kevin Shaw at (703) 604-1118.


Joseph R. Chappell, Jr.

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JS, SOCOM: (b)(1) 1.4(a)

(U) Director, Joint Staff

Final Report
Reference



~~SECRET//NOFORN~~
THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20315-0300

DJSM 20079-09
11 March 2009

MEMORANDUM FOR THE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE

Subject: Draft IG Report, "Review of DOD Polygraph Support to USSOCOM (U)"

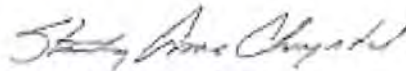
1. (U) Thank you for the opportunity to review and comment on the subject report.
2. ~~(S//NF)~~ I concur with the recommendation on page 10 that the Under Secretary of Defense for Intelligence publish DOD-level guidance detailing DOD policy for quality control of records and maintenance of polygraph examinations.
3. ~~(S//NF)~~ I also concur with the recommendation on page 13 that the U.S. Special Operations Command coordinate with the Defense Academy for Credibility Assessment (DACA) and Service polygraph program managers to ensure that the ~~JS, SOCOM: (b)(1) 1.4(a)~~ its elements and augmentees, receive recurring and systematic training on the proper employment of polygraph examinations in support of ~~JS, SOCOM: (b)(1)~~ operations. However, I suggest the recommendation apply to all combatant commands. Accordingly, I suggest the recommendation read: "The combatant commanders coordinate with DACA and Service polygraph program managers to ensure their subordinate components, elements, and augmentees receive recurring and systematic training regarding the proper employment of polygraph examinations in support of their operations."
4. The Joint Staff point of contact is ~~JS: (b)(6)~~

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JS, SOCOM: (b)(1) 1.4(a)

~~SECRET//NOFORN~~



STANLEY A. MCCHRISTAL
Lieutenant General, USA
Director, Joint Staff

Reference:

- 1 Draft Proposed Report, 16 January 2009, "Review of DOD Polygraph Support to U.S. Special Operations Command", Project No. D2008-DENT01-0062"

Derived from: Draft of a Proposed Security
Report, No. D2008-DENT01-0062,
dated 16 January 2009, "Review of
DOD Polygraph Support to U.S.
Special Operations Command (for
Declassify on: 16 February 2019)

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JS, SOCOM: (b)(1) 1.4(a)

(U) Commander, U.S. Special Operations Command



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UNITED STATES SPECIAL OPERATIONS COMMAND
OFFICE OF THE COMMANDER
400 ARMY NAVY DRIVE, ROOM 703, ARLINGTON, VIRGINIA 22202-4704

6 March 2009

MEMORANDUM FOR DEPARTMENT OF DEFENSE OFFICE OF THE INSPECTOR GENERAL, OFFICE OF THE DEPUTY INSPECTOR FOR INTELLIGENCE, 400 ARMY NAVY DRIVE, (ROOM 703), ARLINGTON, VIRGINIA 22202-4704

SUBJECT: (U) Review of Department of Defense Polygraph Support to United States Special Operations Command (U)

1. (U) This memorandum is in response to your request for review and comment on the draft report, "Review of DOD Polygraph Support to U.S. Special Operations Command."

2. (U) JS, SOCOM: (b)(1) 1.4(a) The report does not accurately define the command and control relationships between United States Special Operations Command (USSOCOM), JS, SOCOM: (b)(1) 1.4(a) United States Central Command (USCENTCOM), and the Joint Task Force (JTF) in Iraq. USCENTCOM exercised operational control of the JTF that the polygraph examiners supported. Ultimate responsibility for promulgating policy for the employment of polygraph in theater rested with USCENTCOM as the Geographic Combatant Commander. The report should be drafted to reflect accurate command and control relationships for the JTF and the polygraph examiners while deployed.

3. (U) I concur with the recommendation of Finding A, "Lack of Quality Control and Records Maintenance of Polygraph Examinations," and welcome new or enhanced Undersecretary of Defense for Intelligence (USDI) policy regarding quality control and records maintenance of polygraph examinations. Some specific points delineated in the content of Finding A require reconsideration or rewording due to either inaccuracies or a lack of supporting documentation. The exceptions are addressed below:

Academy for Credibility Assessment (ACA) briefing that inaccurately over-reported the number of polygraphs conducted and referred for quality control review. While the inaccuracies from the DACA briefing were subsequently corrected by the data compiled in Table 1 of the report, these earlier-reported DACA inaccuracies were not otherwise clarified. The executive summary and body of the report should address the inaccuracy of the DACA briefing.

Revised
Page 4

Revised
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Revised
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JS, SOCOM: (b)(1) 1.4(a)

Final Report
Reference

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JS, SOCOM: (b)(1) 1.4(a)

SUBJECT: (U) Review of DOD Polygraph Support to U.S. Special Operations Command

3. (U) In its September 2007 briefing, the DACA briefers concluded "...examiners were advised not to contact supervisors." The report does not provide appropriate documentation of the Inspector General's independent corroboration of this statement. The report should include relevant summaries or verbatim witness statements addressing the accuracy of this information.

4. (U) Once again, in the September 2007 briefing, the DACA briefers erroneously stated the polygraph examiner support to the JTF was part of a Special Access Program (SAP). Instead, the support to the JTF was for a Fingerprint (FP) program. This inaccuracy influenced both the content of the DACA briefing and the subsequent terminology used in this report. In fact, the report neither discussed nor contains documentation of either the unit indoctrination briefing provided to the polygraph examiners or the individually signed indoctrination statements. Standard indoctrination for FP or Alternative Compensatory Control Measures is specific and unambiguous. In order to clarify the DACA briefers' inaccuracy, the report should document the polygraph examiners acknowledged in writing they were being granted access to a FP program as opposed to a SAP.

4. (U) In general, I concur with Finding B, "Need for Polygraph Training" but the findings and recommendations are incomplete. Finding B fails to acknowledge that once the JTF was aware of the problems, in November 2007, the JTF J2 published a Polygraph Policy Memorandum which ensured all subsequent polygraph examinations were referred for quality control. Moreover, while requiring training for JTF personnel on the use of polygraph would be useful, DACA polygraph examiner training should also be modified to emphasize the examiners' role as subject matter experts and advisors for the supported commands.

5. (U) Finally, the September 2007 DACA briefing and this report imply the JTF is responsible for the failure of the polygraph examiners to submit reports for quality assurance. However, DOD Directive 5210.43 and Service regulations clearly state this function is the responsibility of the examiners themselves. Thus, the failure to transmit a large number of polygraph results for quality control indicates a systemic failure by the Service's organizations and the individual operators, not the JTF. It is unfortunate that an extraordinary number of violations of Service and USCA policy were allowed to occur before these deficiencies were corrected. In fact, when USSOCOM was notified of this issue in October 2007, USSOCOM J2X-C1 staff arranged a meeting between our Components, USCA, USCENCOM, Service polygraph representatives, and DACA to address the issue and implement mitigation strategies. One such corrective measure was the JTF's November 2007 policy memorandum detailing polygraph procedures which ensured all polygraph examinations were submitted for quality control review. This information should be included in the report.

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JS, SOCOM: (b)(1) 1.4(a)

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JS, SOCOM: (b)(1) 1.4(a)

SOCC

SUBJECT: (U) Review of DOD Polygraph Support to U.S. Special Operations Command

6. ~~JS, SOCOM: (b)(1) 1.4(a)~~ As requested, a line-by-line classification review is enclosed. Additionally, the classification of ~~SOCCOM: (b)(1)~~ role in executing the JTF mission and the aggregate of the report should undergo a complete security review before dissemination.

7. ~~SOCCOM: (b)(6)~~ ~~JS, SOCOM: (b)(1) 1.4(a)~~ ~~SOCCOM: (b)(6)~~ ~~JS, SOCOM: (b)(1) 1.4(a)~~

Enclosure
Classification Review

ERDGT. OLSON
Admiral, U.S. Navy
Commander

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US, SOCOM: (b)(1) 1.4(a)

(U) Team Members

The Department of Defense Office of the Deputy Inspector General for Intelligence, Intelligence Evaluations, prepared this report. Personnel of the Department of Defense Office of Inspector General who contributed to the report are listed below.

DoDIG: (b)(6)

~~SECRET//NOFORN~~

US, SOCOM: (b)(1) 1.4(a)

~~SECRET//NOFORN//~~

JS, SOCOM: (b)(1) 1.4(a)



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