

**Management Alert -  
CBP Spends Millions  
Conducting Polygraph  
Examinations on  
Unsuitable Applicants**





# DHS OIG HIGHLIGHTS

## *Management Alert – CBP Spends Millions Conducting Polygraph Examinations on Unsuitable Applicants*

August 4, 2017

### Why We Did This Audit

This report is part of an ongoing, department-wide audit about polygraphs. Because of planned increases in U.S. Customs and Border Protection (CBP) staffing, we believe it is important to identify and describe current inefficiencies in CBP's hiring process to promote improvements and as a precursor to our main report.

### What We Recommend

We recommend CBP improve its screening by establishing an in-person pre-security interview process, requiring examiners to use the on-call adjudication process, and discontinue testing of unsuitable applicants.

#### **For Further Information:**

Contact our Office of Public Affairs at (202) 254-4100, or email us at [DHS-OIG.OfficePublicAffairs@oig.dhs.gov](mailto:DHS-OIG.OfficePublicAffairs@oig.dhs.gov)

### What We Found

CBP administered polygraph examinations to applicants who previously provided disqualifying information on employment documents or during the pre-test interview. This occurred because CBP's process did not stop, and is not sufficient to prevent, unsuitable applicants from continuing through the polygraph examination. As a result, we estimated that between fiscal years 2013 and 2016 CBP spent about \$5.1 million completing more than 2,300 polygraphs for applicants with significant pre-test admissions of wrongdoing.

If CBP implemented a security interview and improved utilization of the adjudicative process, it could put its funds to better use by focusing on applicants with the best chance of making it through the hiring process. Not doing so slows the process for qualified applicants; wastes polygraph resources on unsuitable applicants; and will make it more difficult for CBP to achieve its hiring goals.

### CBP Response

CBP concurred with both recommendations and agreed that conducting the in-person pre-security interview prior to the polygraph examination is a best practice. However, CBP proposed its Office of Professional Responsibility take nearly 18 months to conduct and review a study to determine the feasibility of incorporating a pre-security interview prior to the polygraph examination. CBP has already conducted a study, which recommended the pre-security interview, and CBP has recognized it as a best practice. We believe that CPB's timeline is unreasonably long and will not assist CBP in meeting its hiring goals.

CBP implemented recommendation 2 by issuing a policy requiring polygraph examiners to use the on-call-adjudication process.



## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / [www.oig.dhs.gov](http://www.oig.dhs.gov)

August 4, 2017

MEMORANDUM FOR: Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

FROM: John Roth   
Inspector General

SUBJECT: *Management Alert – CBP Spends Millions Conducting  
Polygraph Examinations on Unsuitable Applicants*

For your action is our final report, *Management Alert – CBP Spends Millions Conducting Polygraph Examinations on Unsuitable Applicants*. We incorporated the formal comments provided by your office.

The report contains two recommendations aimed at improving CBP's hiring process. Your office concurred with both recommendations. Based on information provided in your response to the draft report, we consider recommendation 1 unresolved and open and recommendation 2 resolved and closed.

As prescribed by the Department of Homeland Security Directive 077-01, *Follow-Up and Resolution for Office of Inspector General Report Recommendations*, within 90 days of the date of this memorandum, please provide our office with a written response that includes your (1) agreement or disagreement, (2) corrective action plan, and (3) target completion date for each recommendation. Also, please include responsible parties and any other supporting documentation necessary to inform us about the current status of the recommendation. Until your response is received and evaluated, the recommendations will be considered open and unresolved. Please send your response or closure request to [OIGAuditsFollowup@oig.dhs.gov](mailto:OIGAuditsFollowup@oig.dhs.gov).

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the report on our website for public dissemination.

Please call me with any questions, or your staff may contact Don Bumgardner, Deputy Assistant Inspector General for Audits, at (202) 254-4100.



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### Background

The *Anti-Border Corruption Act of 2010* requires U.S. Customs and Border Protection (CBP) law enforcement applicants to receive a polygraph examination before they are hired.<sup>1</sup> CBP uses the polygraph examination as a tool to identify potential suitability and national security issues. CBP's Credibility Assessment Division oversees the polygraph phase of the hiring process. The polygraph consists of three phases:

- **Pre-test Interview** — examiners provide an explanation of the polygraph instruments and exam; ensure the equipment is working properly; obtain a waiver; and review the polygraph questions with the applicant.
- **Polygraph Examination** — examiners ask applicants questions in two categories: suitability and national security. The suitability questions probe issues such as illegal drug use, involvement in serious crimes, and falsification of a job application. National security questions seek answers related to terrorist activity, unauthorized contact with foreign nationals, and the mishandling of classified information.
- **Post-test Interview** — examiners review the polygraph exam results with the applicants.

During the pre- or post-test interviews, an applicant may provide information or admit to behavior that may disqualify him or her from employment eligibility, regardless of the results of the polygraph exam. For example, during a pre-test interview an applicant might admit to using illegal drugs or having committed other criminal activities. These admissions may disqualify the candidate, regardless of the results of the polygraph examination.

Polygraph examiners do not make the final decision on suitability for employment. Instead, they forward polygraph test results and admissions to Personnel Security Division adjudicators, who use the information to determine suitability. The polygraph is one of several factors the adjudicators consider on suitability. CBP began an on-call adjudicator process in March 2015, which gives polygraph examiners direct access to adjudicators who can determine the suitability of an applicant's admission instantaneously.

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<sup>1</sup> Pub. L. No. 111-376. This requirement was recently waived for veterans who the Commissioner determines is suitable for employment, have a current/active Top Secret clearance and are able to access sensitive compartmented information, a current single scope background investigation, and who were not granted any previous waivers to obtain the clearance. See Pub. L. No. 114-328, § 1049.



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According to CBP, between fiscal years 2013 and 2016, it spent about \$72.3 million on the polygraph program and administered polygraph examinations to 32,847 applicants.

This polygraph report is part of a series of reports on DHS hiring and an ongoing, department-wide audit to determine whether DHS components have effective controls over the polygraph and complaint processes. A recent DHS Office of Inspector General (OIG) inspection report (OIG-17-05) noted CBP continues to have significant delays in hiring law enforcement personnel.<sup>2</sup> CBP's hiring process took over 220 days in FY 2015. As part of the hiring process, polygraph examinations contribute to this delay. During the audit, the President issued an executive order calling for CBP to hire 5,000 additional agents. Given this mandate, we believe it important to identify and describe inefficiency in CBP's hiring process to promote improvements and as a precursor to our main report.

### Results of Audit

CBP administered polygraph examinations to applicants who previously provided disqualifying information on employment documents or during the pre-test interview. This occurred because CBP's process did not stop, and is not sufficient to prevent, unsuitable applicants from continuing through the polygraph examination. As a result, we estimated CBP spent about \$5.1 million completing more than 2,300 polygraphs for applicants with significant pre-test admissions.

#### Disqualifying Admissions during the Pre-test Interview

As part of our ongoing audit, we are analyzing a statistical sample of 380 polygraph exams administered from FY 2013 to FY 2016. Of the 380 polygraph examinations under our review, 71 applicants (19 percent) made disqualifying admissions during the pre-test interview. For the purpose of this report, we focused on these 71 cases with unsuitable pre-test admissions.<sup>3</sup> According to CBP's data, about 2,300 applicants made unsuitable pre-test admissions and still completed the polygraph examination between FYs 2013 and 2016. CBP administered the polygraph examination — sometimes multiple examinations — to applicants who made unsuitable admissions. For example, applicants admitted to illegal drug use, drug smuggling, human trafficking, and to having close personal relationships with people who commit these crimes.

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<sup>2</sup> *DHS is Slow to Hire Law Enforcement Personnel*, DHS OIG-17-05.

<sup>3</sup> At the time of this report, the analysis of the full statistical sample is not complete. Therefore, we selected and analyzed a judgmental sample of cases (the 71 of 380) with pre-test admissions. The complete analysis will be part of a future report.



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In addition, CBP provided information for an applicant who, during the pre-test interview, admitted to participating in the gang rape of an intoxicated and unconscious woman. The examiner obtained a written statement in the pre-test yet continued with the exam for 5 hours after the admission and did not use CBP's on-call adjudicative process.

### Disqualifying Admissions Do Not Prevent a Polygraph Examination

CBP's processes do not always remove applicants who provided disqualifying information on either their employment application or during the pre-test interview. Consequently, for example, CBP administered polygraph examinations to individuals who have admitted to such things as using illegal drugs within the last 2 years or committing serious crimes. Either of those actions would prevent someone from being eligible for employment as a CBP law enforcement officer. More thoroughly reviewing the application for disqualifying behavior before the polygraph test would prevent the waste of scarce polygraph resources.

### On-Call Adjudication Process

Only an adjudicator can officially determine if an applicant is unsuitable. Prior to March 2015, when CBP began its on-call adjudicator process, examiners did not have an official method to confirm that an applicant's pre-test admissions were in fact unsuitable and a basis for ending the exam. Rather, an examiner relied on the Assistant Special Agent in Charge (ASAC) to determine whether to discontinue testing based on an admission, which was later sent to adjudicators. The new process allowed polygraph examiners access to adjudicators who could determine the suitability of an applicant's admission instantly; however, the ASAC or Quality Control division still approved the decision to end the examination.

We found even with the on-call adjudication process, polygraph examiners 1) did not always use this resource; 2) continued the exam after an adjudicator determined the applicant was unsuitable; or 3) requested but did not receive an immediate suitability determination from an adjudicator, and the examiner continued to expend time and resources conducting additional polygraph examinations.

Of the 71 polygraph exams we judgmentally selected to review, 43 (60 percent) occurred prior to March 2015. Examiners in the remaining 28 cases —

- ignored the on-call adjudicator process or the adjudicator's determination (17); or



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- followed the process and either stopped the polygraph on applicants with disqualifying admissions or continued because the adjudicator did not deem the admission disqualifying (11).

In an example of the latter category, an examiner contacted the on-call adjudicator after the applicant admitted to anger issues that led to recurring child abuse, one instance of domestic violence, and repeated vandalism. According to CBP, these crimes were disqualifying; however, the adjudicator did not make an unsuitable determination. As a result, CBP brought the applicant back the next day. The examiner presented the adjudicator with additional drug admissions and the adjudicator deemed the applicant unsuitable.

In 2015, CBP's Office of Administration conducted an assessment on CBP's Pre-Employment Polygraph process.<sup>4</sup> Its report acknowledged similar concerns and stated that, overall, the process is not efficient and examiners scheduled timeslots for unsuitable applicants to continue through the hiring process. The report also noted that 21 percent of applicants in the polygraph phase made disqualifying admissions during the pre-test interview.

The report recommended that CBP address these inefficiencies by establishing an in-person security interview about 3 weeks prior to the polygraph examination. Other components and agencies use a security interview, or something similar, before the polygraph examination. The security interview uses a series of questions to determine whether an applicant meets the suitability requirements to continue through the hiring process. According to the report, a security interview would allow greater opportunity to screen out applicants who make unsuitable admissions and is the most cost-effective option. CBP did not implement this recommendation. Had CBP implemented the recommendation, it could have avoided testing unsuitable applicants, and potentially reduced the time it takes to hire.

### Process Improvements

A recent DHS OIG inspection report (OIG-17-05) noted CBP's FY 2015 hiring process for law enforcement personnel took over 220 days. With limited polygraph resources, CBP should focus on improving efficiency by removing unsuitable applicants from the process as soon as possible.

Shortly after notification of our audit findings for this report, CBP formalized its on-call adjudication practice with a temporary (6 month) policy, effective May 1, 2017. The new policy applies to a new polygraph format that CBP is exploring. The process now requires examiners to contact adjudicators when

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<sup>4</sup> *CBP's Pre-Employment Polygraph Assessment*, Final Report, September 2015  
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an applicant provides potentially disqualifying information. Nevertheless, the new policy does not require the polygraph exam to stop immediately after the adjudicator's determination, rather it continues for a series of questions.

Although this new policy is an improvement, it continues the practice of testing an unsuitable applicant longer than necessary, which wastes time and resources on an applicant who CBP already knows is unsuitable. CBP also has not addressed the Office of Administration recommendation to establish an in-person security interview prior to the polygraph examination. Doing so would further allow CBP to focus its limited polygraph resources on viable candidates and potentially reduce the time it takes to hire.

### Conclusion

CBP administered polygraph examinations to unsuitable applicants. This occurred because CBP's process did not stop, and is not sufficient to prevent, unsuitable applicants from continuing through the polygraph examination. Specifically, CBP 1) does not have a step, such as the security interview, to identify and remove applicants who provide disqualifying information well before they are scheduled to appear for a polygraph examination; 2) did not require examiners to consistently use the on-call adjudicator process until May 2017; and 3) does not end the exam immediately after an unsuitable determination. As a result, CBP administered polygraph examinations to individuals who provided disqualifying information during the polygraph pre-test interview. We estimated CBP spent about \$5.1 million completing more than 2,300 polygraphs to applicants with significant pre-test admissions of wrongdoing between FYs 2013 and 2016.<sup>5</sup> CBP could not hire these applicants regardless of their polygraph results.

Subjecting unsuitable applicants to the polygraph examination has a direct impact on the high failure rate of the polygraph program and limits CBP's capability to address its short- and long-term hiring needs. Given that DHS has committed to increase staffing, CBP should put its funds to better use by focusing its polygraph resources on applicants with the best chance of making it through the hiring process. Not doing so slows the process for qualified applicants, wastes polygraph resources on unsuitable applicants, and will make it more difficult to achieve its hiring goal.

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<sup>5</sup> This figure could be higher because applicants make unsuitable admissions during the pre-test, post-test, or both interviews. For the purposes of this alert, we only included pre-test admissions because we could not separate the "both" category. We will include this information in our final audit report.



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### Recommendations

**Recommendation 1:** We recommend that the Acting Commissioner of CBP establish an in-person pre-security interview well before the polygraph examination.

**Recommendation 2:** We recommend that the Acting Commissioner of CBP amend the temporary (May 2017) polygraph policy and develop permanent policy and procedures that:

1. apply to all polygraph screening methods;
2. require polygraph examiners to contact on-call adjudicators after potentially disqualifying pre-test admissions; and
3. ensure examiners immediately stop polygraph processes when applicants are deemed unsuitable.

### Management Comments and OIG Analysis

CBP concurred with our recommendations and provided comments to the draft report. A summary of CBP's response and our analysis follows. We have included a copy of the CBP's management comments in their entirety in appendix A. CBP also provided technical comments to our report. We made changes to incorporate these comments, as appropriate.

CBP raised concerns regarding our cost estimate for conducting polygraph examinations on applicants who made unsuitable admissions during the pre-test interview. CBP said that our methodology may have resulted in an overstatement of cases and associated costs. As stated in the report, our estimate could have been higher because we excluded cases where applicants made unsuitable admissions during both the pre and post-test interviews. For purposes of this report, we only included pre-test admissions because we could not separate the "both" category. In addition, the cost estimate of \$2,200 per polygraph is based on CBP's budget information it provided at the time of the alert. As a result, our cost estimate was understated rather than overstated.

CBP also noted that while there were cases in our sample that should not have progressed to the polygraph stage, many of the cases lacked sufficient information to make a suitability determination prior to polygraph testing when utilizing the "whole person concept." We asked CBP to review the cases we mentioned in the report, and adjudicators determined the applicants were unsuitable and should not have continued with the polygraph phase. Had CBP implemented the recommendation for an in-person pre-security interview it could have alleviated this concern.



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**Response to Recommendation #1: Concur.** CBP agreed that conducting the in-person pre-security interview prior to the polygraph examination is a best practice. CBP's Office of Professional Responsibility will conduct a feasibility review to assess the impacts of implementing an in-person pre-security interview prior to conducting a polygraph examination. According to CBP, adding a pre-security interview will force the restructuring of the hiring process and add further delays. Additionally, due to the volume of applicants that CBP receives, the feasibility review will identify resources needed to conduct this interview and administrative support resources to integrate this step in the hiring process. Once the feasibility review is complete, CBP will review recommendations and determine whether, based on CBP's current hiring process, it is feasible to implement the pre-security interview.

**OIG Analysis:** CBP concurred but the comments and proposed actions are not responsive to the recommendation. CBP proposed nearly 18 months to conduct and review a study and make a determination for "the feasibility" of incorporating a pre-security interview in the hiring process. Based on this response, CBP did not commit to implementing our recommendation. We believe the length of time for the feasibility study is unreasonably long and does not help CBP achieve its hiring goals. As mentioned in the report, CBP already conducted an assessment of the hiring process which recommended the pre-security interview occur before the polygraph.

As CBP noted, the pre-security interview is a best practice. Other law enforcement agencies we spoke with conduct a pre-security interview to obtain and review additional information about applicants prior to polygraph. CBP polygraph officials we spoke with also considered the pre-security interview an integral and missing step in the hiring process. During our review we found multiple examples of applicants with disqualifying information on their application documents. CBP could have removed these applicants had it conducted a thorough pre-security interview. We recognize this adds an additional step in the hiring process; however, it allows CBP's polygraph program to focus on the best applicants and can ultimately reduce the overall time and cost to hire.

The recommendation will remain unresolved and open until CBP provides milestones for incorporating the pre-security interview into the hiring process.

**Response to Recommendation #2: Concur.** According to its response, CBP implemented this recommendation by issuing a policy memorandum that became effective on June 12, 2017, requiring all polygraph examiners to contact an on-call adjudicator and obtain a suitability determination any time potentially disqualifying information is obtained during a polygraph examination. CBP directed all polygraph managers and quality control personnel to review every polygraph examination to ensure compliance with



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this new policy. Additionally, CBP made changes to its polygraph database to allow for better oversight of examiner compliance with the policy. Through these database changes, managers can easily determine whether any additional testing was performed following an unsuitable determination. On-call adjudicators also make notations in the Integrated Security Management System if an unfavorable suitability determination is made resulting from an admission(s) made during a polygraph examination. According to CBP, since it issued the new policy, it is not aware of any policy violations that have occurred.

**OIG Analysis:** CBP concurred with our recommendation and provided the June 12, 2017 memorandum addressing our recommendation. CBP also provided information showing the changes it made to the polygraph database. Since the new policy, we observed two polygraph examinations where an applicant made unsuitable admissions during the pre-test interview. In both cases, the examiner ended the exam after contacting an adjudicator who determined the applicant was unsuitable. This determination occurred in less than 10 minutes in both cases, which satisfied the intent of our recommendation.

These efforts are responsive to the recommendation, and we consider it resolved and closed.

### Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*.

This report is part of an ongoing department-wide audit to determine whether DHS components have effective controls over the polygraph and complaint processes. During the audit, the President issued an executive order calling for CBP to hire 5,000 additional agents. Given this mandate, we believe it important to identify and describe current inefficiencies in CBP's hiring process to promote improvements and as a precursor to our main report.

To identify and report inefficiencies in CBP's hiring process we relied on our ongoing audit activities that —

- analyzed the unsuitable admissions of applicants within a statistical sample pulled for the larger audit as well as other examples CBP provided;
- confirmed the information by reviewing admissions, correspondence with CBP, and examiner notes;



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- interviewed officials from CBP's Credibility Assessment Division, Personnel Security Division, Human Resource Management, and budget offices; and
- analyzed a September 2015 internal report that CBP commissioned on Pre-Employment Polygraph Assessments;
- used CBP's budget information it provided at the time of the alert and estimated it cost CBP \$2,200 per polygraph. We filtered the full universe of data to identify applicants CBP classified as having significant pre-test admissions and removed applicants that did not complete the polygraph examination. We identified about 2,300 applicants who proceeded with the examination although CBP's data indicated they made unsuitable pretest admissions. We estimated CBP spent about \$5.1 million (\$2,200 multiplied by 2,300) completing polygraphs for these applicants.

We conducted the research for this Management Alert between February and March 2017 pursuant to the *Inspector General Act of 1978*, as amended, and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.

The Office of Audits major contributors to this report are Sean Pettersen, Director; Priscilla Cast, Analyst In-Charge; Gary Crownover, Program Analyst; Jeffrey Wilson, Program Analyst; Megan McNulty, Program Analyst; Robert Williams, Program Analyst; Christopher Yablonski, Auditor; Benjamin Wing, Auditor; Michael Redmond (Office of Investigations), Kevin Dolloson, Communications Analyst; Ellen Gallagher, Communications Analyst; and David DeHaven, Independent Referencer.



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**Appendix A**  
**CBP Response to the Alert**

1300 Pennsylvania Avenue NW  
Washington, DC 20229

JUL 03 2017



**U.S. Customs and  
Border Protection**

MEMORANDUM FOR: John Roth  
Inspector General  
U.S. Department of Homeland Security

FROM: Sean M. Mildrew  
Senior Component Accountable Official

SUBJECT: Management Response to OIG "Management Alert: CBP Spends Millions Conducting Polygraph Examinations on Unsuitable Applicants" (Project Nr. 16-085-AUD-DHS)

Thank you for the opportunity to review and comment on this draft Management Alert. U.S. Customs and Border Protection (CBP) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review, and writing this alert. Organizations with critical missions and changing priorities should continually review and assess their processes to ensure efficiency and effectiveness; and the CBP Office of Professional Responsibility (OPR), which manages the CBP Polygraph Program, is no exception.

CBP strives to maintain an effective hiring process to meet staffing demands. Determinations regarding suitability for employment are made by trained adjudicators, from the CBP OPR Personnel Security Division (PSD), who apply adjudicative criteria and considerations (referred to as "mitigating factors" as determined in 5 CFR 731 and 5 CFR 732), guidelines set forth in Security Executive Agent Directive #4,<sup>1</sup> and applicable Executive Orders. The adjudicative process is an examination of all relevant information to determine whether an applicant is suitable and/or eligible for employment that carefully weighs a number of factors. This process includes a review of the "mitigating factors," referred to as the "whole person concept." This review considers many variables when determining suitability for employment, including, but not limited to: the seriousness of the conduct, circumstances around the conduct, frequency of the conduct, age and maturity of the applicant at the time of the conduct, and the potential for rehabilitation.

It is important to note that while there were cases in the OIG sample that should not have progressed to the polygraph stage, many of the cases lacked sufficient information to make a suitability determination prior to polygraph testing when utilizing the "whole person concept."

<sup>1</sup> Security Executive Agent Directive 4: National Security Adjudicative Guidelines, issued by the Director of National Intelligence, December 10, 2016



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In addition, CBP is concerned with the OIG's cost and case estimates. As stated in the draft alert, OIG's analysis of the full statistical sample is not yet complete; and a judgmental sample of cases was used as the basis for some estimates. This methodology may have resulted in an overstatement of the 2,300 cases and \$5.1 million, as cited by the OIG.

CBP is pleased, however, with the OIG's positive recognition of CBP's "on-call" adjudicator program created in Fiscal Year 2015. This program allows a polygraph examiner to contact an adjudicator to discuss admissions made during pre-test and actual examinations. In addition to providing on-call adjudicative support to the polygraph examiners, in Fiscal Year 2017, PSD created a team of highly skilled adjudicators to perform triage on law enforcement officer applicant cases prior to them being scheduled for a polygraph examination. This team makes near instantaneous suitability determinations based on information known at that point. When there is sufficient information to remove a person from the hiring process, they are removed by this team at that time, unless additional testing is determined to be necessary.

Effective June 12, 2017, all polygraph examiners were notified that the use of the on-call adjudicator is mandatory. If potentially disqualifying information is received at any time during the polygraph examination process, an examiner must contact the on-call PSD adjudicator to seek guidance regarding whether testing should continue or be halted. If the adjudicator gives direction to discontinue the exam, the examiner must immediately discontinue the exam. Many of the negative cases cited by the OIG were adjudicated prior to the establishment and deployment of this triage team. It is also important to note that removing candidates from the process prior to conducting a polygraph examination may add time to the hiring process, which the OIG has expressed is too long. In addition, applicants removed from the hiring process due to suitability are allowed due process for any information not developed directly, first-hand, from the applicant, which can add weeks to the timeline. CBP must be sure to balance the need to remove unsuitable candidates as early as possible in the hiring process with doing so in a timely and fiscally responsible manner; this balance is key to the efficiency of the overall hiring process.

The draft report contained two recommendations, with which CBP concurs. Attached please find our detailed response to each recommendation.

Again, thank you for the opportunity to comment on this draft report. Technical comments were previously provided under separate cover. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Attachment



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**Attachment: Management Response to OIG “Management Alert: CBP Spends Millions Conducting Polygraph Examinations on Unsuitable Applicants” (Project Nr. 16-085-AUD-DHS)**

The Office of Inspector General (OIG) recommended that the Commissioner of CBP:

**Recommendation 1:** Establish an in-person pre-security interview well before the polygraph examination.

**Response:** Concur. CBP agrees that conducting the in-person pre-security interview prior to the polygraph examination is a best practice. CBP OPR will conduct a feasibility review to assess the impacts of implementing an in-person pre-security interview prior to conducting a polygraph examination on the hiring process. Due to the expedited hiring process - which includes hiring “hubs” and military base hiring “hubs” - during which multiple processes occur in a condensed time frame, the addition of the pre-security interview will force the restructuring of the hiring process and add further delays because processes will not be able to be run concurrently nor in a condensed time frame. Additionally, due to the volume of applicants that CBP receives, the feasibility review will need to identify resources that will need to be obtained to conduct this interview, as well as administrative support resources to integrate this step in the hiring process. Once the feasibility review is complete, CBP will determine the best course of action for incorporating the pre-security interview in the hiring process.

**Anticipated Milestones:**

- September 30, 2017: Identify an entity to conduct the feasibility review.
- April 30, 2018: Completion of the feasibility review.
- December 31, 2018: CBP will review recommendations and determine if, based on CBP’s current hiring process, it is feasible to implement the pre-security interview.

**Estimated Completion Date:** December 31, 2018

**Recommendation 2:** Amend the temporary (May 2017) polygraph policy and develop a permanent hiring policy and procedures that:

1. Apply to all polygraph screening methods;
2. Require polygraph examiners to contact on-call adjudicators after potentially disqualifying pre-test admissions; and
3. Ensure examiners immediately stop polygraph processes when applicants are deemed unsuitable.

**Response:** Concur. CBP implemented this recommendation by issuing a policy memorandum that became effective on June 12, 2017, requiring all polygraph examiners to contact an on-call adjudicator and obtain a suitability determination any time potentially disqualifying information is obtained during a pre-employment polygraph examination for a CBP law enforcement position.



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All polygraph managers and quality control personnel have been directed to review every polygraph examination to ensure compliance with this new policy. Additionally, changes have been made to CBP's polygraph database to allow for better oversight of examiner compliance with the policy. Through these database changes, managers can easily determine if any additional testing was performed following an unsuitable determination. On-call adjudicators also make notations in the Integrated Security Management System if an unfavorable suitability determination is made resulting from an admission(s) made during a polygraph examination. Since the new policy was issued, CBP is not aware of any policy violations that have occurred.

We request that the OIG consider this recommendation resolved and closed.

## ADDITIONAL INFORMATION AND COPIES

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