

SECRET

Approved For Release 2004/12/17 : CIA-RDP96-00788R001-00440056-2

SUBJECT <b>ARMY review(s) completed.</b>  Human Use Coordination for GRILL FLAME (U)	OFFICE SYMBOL DAMI-ISH	SUSPENSE
	DATE 7 May 81	

**ACTION REQUIRED**  
ACSI signature of memo at TAB A.

**MEMORANDUM FOR RECORD.** (Describe briefly the requirement, background and action taken or recommended. Must be sufficiently detailed to identify the action without recourse to other sources.)

1. (C) BACKGROUND: Army in-house INSCOM GRILL FLAME activities were coordinated UP Procedure 18, DOD Reg 5240.1-R by the Under Secretary of the Army on 14 Jan 81. According to Mr. Hatch, Office of the Army General Counsel, further Procedure 18 coordination is required for Army to participate in joint GRILL FLAME activities with DIA and civilian contractors. The Army in-house and Army/DIA joint program are distinct GRILL FLAME activities for the purpose of Procedure 18 coordination. The following reference documents are attached:
  - a. (U) DOD Reg 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect United States Persons (TAB B).
  - b. (U) An SRI memorandum dated 19 Jun 78 describing their policy on human use (TAB C).
  - c. (C) ACSI letter dated 24 Dec 80 seeking and obtaining USofA approval to continue Army in-house INSCOM GRILL FLAME activities (TAB D).
  - d. (U) Army General Counsel memo to the Acting DOD General Counsel dated 13 Feb 81 seeking resolution of the "human use" issue (TAB E).
  - e. (C) DOD General Counsel memo to DIA dated 20 Feb 81 stating that under very limited circumstances a separate DIA contract with SRI would not involve human use and would not require Procedure 18 coordination (TAB F). This memo did not address whether the joint program would require Procedure 18 coordination.
  - f. (U) Army General Counsel memo to ACSI dated 25 Feb 81 advising him that Army participation in the joint GRILL FLAME effort must be coordinated with the SA or the USofA (TAB G).

**GRILL FLAME (U)  
CLOSE HOLD/HAND CARRY**

(Continue on plain bond)

IMPLICATIONS	CINFO	YES <input type="checkbox"/>	NO <input type="checkbox"/>	PRIM PROGS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	BUDGET	YES <input type="checkbox"/>	NO <input type="checkbox"/>
COORDINATIONS						APPROVALS			
OFFICE	NAME			PHONE	INITIALS	DATE			
AGC	Hatch 7 May 81			53306	BR				
					DIV				
					DIR	7 May 81			
					EX	8 May 81			
					ACSI	ZA			
					DISPATCHED (DTG)				
SHOW ADDITIONAL COORDINATION ON REVERSE SIDE OR CONTINUATION SHEET						CLASSIFIED BY DIA DT REVIEW 7 May 81			
ACTION OFFICER (Name, grade, phone and signature) MAJ DENNIS M. OKEEFE/50114						REASON: 2-301c.3 DOD 5200.1-R			

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WHEN SEPARATED FROM CLASSIFIED DOCUMENT

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DAMI-ISH

SUBJECT: Human Use Coordination for GRILL FLAME (U)

g. (U) Army General Counsel memo to the DOD General Counsel dated 12 Mar 81 requesting that DOD concur with the AGC position that the joint GRILL FLAME program with DIA constitutes human use and requires Secretariat approval in DOD and DA (TAB H).

## 2. (U) DISCUSSION:

a. (C) DOD has not formally responded to the Army General Counsel request for concurrence (TAB H). DOD has informally agreed that the joint program consists of human experimentation and their formal concurrence is expected shortly.

b. (U) The following funding actions re GRILL FLAME are imminent:

(1) (S) The \$120,000 of FY 81 INSCOM money available for contracts through 30 Sep 81 must be contracted by DOD. The DOD contract office requires proposed FY 81 contracts arrive at their office NLT 5 June 1981. The DIA contract office requests that Army input reach them NLT 18 May 1981.

(2) (S) INSCOM has tentatively identified approximately \$140,000 for GRILL FLAME contracts during FY 82. Statements of Work, which form the basis of the contract, must be submitted to DIA NLT 1 Jun 81.

c. (C) In order to meet the above contract submission deadlines, it is necessary to seek Secretary of the Army approval to enter into an Army-DIA contract with SRI. This approval must be sought without the DOD General Counsel answer to the Army General Counsel letter of 12 Mar 81 (TAB H). The following are relevant to seeking SA approval:

(1) (U) Mr. Hatch, Office of the Army General Counsel, advises that regardless of the DOD reply, Army should seek SA approval. Army coordination of Procedure 18 DOD 5240.1-R does not require DOD concurrence.

(2) (S) Prior to his approval/disapproval of Army joint GRILL FLAME activities, the SA must be briefed in detail concerning the "human use" issue. The crux of the Army position is that SRI will be training and evaluating Army remote viewers who were not psychics prior to their voluntary affiliation with GRILL FLAME.

(3) (S) SRI follows the protocol of Procedure 18, DOD Reg 5240.1-R though it is their position that their psychic research does not constitute "human use" (TAB C).

(4) (S) All GRILL FLAME contracts to which Army is a party will require following Procedure 18, DOD Reg 5240.1-R.

(5) (S) Army already has approval to conduct GRILL FLAME activities within INSCOM (TAB D).

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**GRILL FLAME (U)  
CLOSE HOLD/HAND CARRY****SECRET****GRILL FLAME (U)  
CLOSE HOLD/HAND CARRY****SECRET**

SECRET



DEPARTMENT OF THE ARMY

OFFICE OF THE ASSISTANT CHIEF OF STAFF FOR INTELLIGENCE  
WASHINGTON, D.C. 20310

DAMI-TSH

8 MAY 1981

MEMORANDUM THRU VICE CHIEF OF STAFF, ARMY  
ARMY GENERAL COUNSEL

FOR SECRETARY OF THE ARMY

SUBJECT: GRILL FLAME (U)--DECISION MEMORANDUM

1. (S) The US Army Intelligence and Security Command (INSCOM) proposes to further refine its GRILL FLAME efforts by purchasing jointly with the Defense Intelligence Agency the professional services of selected contracted civilian organizations and individuals. The Army General Counsel determined that this proposed activity will constitute experimentation on human subjects under Procedure 18, DOD Directive 5240.1-R. Section 4 of Procedure 18 requires approval of the Under Secretary or Secretary of the Army in order for Army to engage in GRILL FLAME activities with civilian contractors.
2. (S/NOFORN) All contracts entered into by INSCOM will contain the written requirement that the provisions of Procedure 18, DOD Directive 5240.1-R will be followed. The contract monitor will ensure that the contracted party executes its Procedure 18 responsibilities. Informed consent of all subjects will be obtained in writing and only in accordance with the guidelines issued by the Department of Health, Education and Welfare. These guidelines set conditions safeguarding the welfare of the subjects.
3. (S) Request the Secretary of the Army approve our joint participation in GRILL FLAME activities with DIA and contracted civilian parties under the provisions of Procedure 18, DOD Regulation 5240.1-R.

A handwritten signature in black ink, appearing to read "E. R. Thompson".

E. R. THOMPSON  
Major General, USA  
ACofS for Intelligence

Classified by DIA DT  
Review 07 May 2001  
Reason: 2-30lc.3 DOD 5200.1-R

MAJ O'Keefe/50114

GRILL FLAME (U)  
CLOSE HOLD/HAND CARRY

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ABLE TO  
FOREIGN NATIONALS

TAB B



# DEPARTMENT OF DEFENSE

## PROCEDURES GOVERNING THE ACTIVITIES OF DOD INTELLIGENCE COMPONENTS THAT AFFECT UNITED STATES PERSONS

NOVEMBER 1979

UNDER SECRETARY OF DEFENSE FOR POLICY

DoD 5240.1-R



THE DEPUTY SECRETARY OF DEFENSE  
WASHINGTON, D. C. 20301

November 30, 1979

FOREWORD

This DoD regulation sets forth procedures governing the activities of DoD intelligence components that affect United States persons. It is issued to implement DoD Directive 5240.1. It is applicable to all intelligence components of the Department of Defense.

Executive Order 12036, "United States Intelligence Activities," stipulates that certain activities of intelligence components that affect U.S. persons be governed by procedures issued by the agency head and approved by the Attorney General. Procedures 1 through 16 satisfy this requirement. Procedures 17 through 21, while not requiring approval by the Attorney General, are issued as further guidance to DoD Components in implementing Executive Order 12036.

Heads of DoD Components may issue supplementary guidance necessary to provide for the internal administration of these procedures within their respective components; such supplementary guidance must be consistent with the procedures set forth herein.

This regulation is effective immediately.

A handwritten signature in cursive script, reading "W. Graham Claytor, Jr.", is positioned above the printed name.

W. Graham Claytor, Jr.

PROCEDURE 18  
EXPERIMENTATION ON HUMAN SUBJECTS

Sec. 1. Applicability and Scope

This procedure implements Section 2-302 of Executive Order 12036, ref. (f), and applies to experimentation on human subjects if such experimentation is conducted by or on behalf of a DoD intelligence component. This procedure does not apply to experimentation on animal subjects.

Sec. 2. Definitions

The definitions of the following terms, set out in Appendix A, are applicable to these procedures:

- . consent
- . counterintelligence
- . DoD intelligence components
- . foreign intelligence
- . United States person

Experimentation in this context means a research, development, or related activity that may expose an individual to the possibility of injury (including physical, psychological, or social injury) that increases the ordinary risks of daily life for the subject (including the recognized risks inherent in a chosen occupation or field of service), or that temporarily adversely affects a person's mental or physical condition.

Experimentation is conducted "on behalf of" a DoD intelligence component if it is conducted under contract to that component or to another DoD component for the benefit of the intelligence component or at the request of such a component regardless of the existence of a contractual relationship.

Human subjects in this context includes any person regardless of whether the person qualifies as a United States person.

Sec. 3. Policy

DoD intelligence components conduct experimentation on human subjects only when an important foreign intelligence or counterintelligence purpose is to be served, only after the informed consent of the subject has been obtained in writing, and only in accordance with guidelines issued by the Department of Health, Education & Welfare setting out conditions that safeguard the welfare of the subjects, and other applicable regulation.

Sec. 4. Procedure

DoD intelligence components may not engage in or contract for experimentation on human subjects without approval of the Secretary or Deputy Secretary of Defense, or the Secretary or Under Secretary of the Military Department.

Date of Secretary of Defense approval:

W. Graham Clayton Jr.

30 NOV 1979



MEMO

TO: File

DATE: 19 June 1978

FROM: H. E. Puthoff, Ph.D. *HP*

LOCATION: 44

SUBJECT: Policy Statement

CC:

In response to requests for information with regard to the psychic research program at SRI International, this memo is to state for the record that this program does not involve the use of hypnosis, drugs, or other psychopharmacological agents, or treatment of research subjects by subliminal technologies or other means of stimulation unknown to them.

This policy statement derives from a broader SRI policy statement concerning requirements governing activities with human subjects (SRI International Administration Manual, Topic 812, Complete Revision 2 May 1977). This policy statement applies to all uses of human subjects at or under the sponsorship of SRI International. It is intended to comply with Department of Health, Education and Welfare (DHEW) rules and regulations for the protection of human subjects, and is concerned with the protection of any individual who may be at risk as a consequence of participation as a subject in an experimental activity. An individual is considered to be at risk if he or she "may be exposed to the possibility of injury, including physical, psychological, or social injury, as a consequence of participation as a subject in any research, development, or related activity which departs from the application of those established and accepted methods necessary to meet his needs, or which increases the ordinary risks of daily life, including the recognized risks inherent in a chosen occupation or field of service."<sup>1</sup> A Human Subjects Committee appointed by the Vice President and Chairman, Office of Research Operations, SRI International, is responsible for the enforcement of this policy.

SRI adheres to the statement of principles issued by the World Medical Association, 10 Columbus Circle, New York, New York 10019, and known as the Declaration of Helsinki. Copies are available from the Chairman of the SRI Human Subjects Committee.

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<sup>1</sup>Title 45 Code of Federal Regulations, Part 46.

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RESPONSIBLE TO  
OFFICIALS



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT CHIEF OF STAFF FOR INTELLIGENCE  
WASHINGTON, D.C. 20310

DAMI-ISH

24 DEC 1980

MEMORANDUM THRU VICE CHIEF OF STAFF ARMY *PH* PATRICK M. HUGHES, MAJ, GS <sup>24 Dec 80</sup>  
FOR UNDER-SECRETARY OF THE ARMY *Approved*  
*RHS 1/14/81*  
SUBJECT: GRILL FLAME (U) -- DECISION MEMORANDUM

1. (S) Army General Counsel has determined that GRILL FLAME activities constitute experimentation on human subjects under Procedure 18, DOD Directive 5240.I-R. Section 4 of Procedure 18 requires the approval of Under Secretary of Army in order for Army Intelligence to continue its GRILL FLAME activities.
2. (S/NOFORN) Army INSCOM GRILL FLAME activities meet or exceed the requirements of Section 3 of Procedure 18. Important foreign intelligence and counterintelligence purposes are served by GRILL FLAME experimentation. Informed consent of all subjects is obtained in writing and only in accordance with guidelines issued by Department of Health Education and Welfare setting conditions that safeguard the welfare of the subjects.
3. (S) Request the Under Secretary approve our participation in GRILL FLAME activities under Procedure 18.

*E. R. Thompson*

E. R. THOMPSON  
Major General, USA  
ACofS for Intelligence

14 Jan 81  
APPROVED - Under Secretary of  
the Army

*Patrick M. Hughes*

RESPONSIBLE TO  
OFFICIALS  
PATRICK M. HUGHES  
LTC, GS  
Asst to the Director  
of the Army Staff

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WASHINGTON, D.C. 20301

20 FEB 1981

MEMORANDUM FOR THE DIRECTOR, DEFENSE INTELLIGENCE AGENCY

SUBJECT: Procedure 18, DoD Regulation 5240.1-R (U)

(S) This is in response to an inquiry from the DIA, General Counsel\*/ as to whether a proposed contract with Stanford Research Institute (SRI) to analyze the capabilities of psychics requires prior approval of the Secretary of Defense pursuant to Procedure 18 of DoD Regulation 5240.1-R.

(U) Procedure 18 is applicable if the activity to be undertaken constitutes "experimentation" on human subjects. Experimentation is defined to mean:

research, development, or related activity that may expose an individual to the possibility of injury (including physical, psychological or social injury) that increases the ordinary risks of daily life for the subject (including the recognized risks inherent in a chosen occupation or field of service), or that temporarily adversely affects a person's mental or physical condition.

While this definition is quite broad in scope, it stops short of potentially stressful situations created and within the control of the subject, not the analyst. It is concluded for this reason that the limited activity described herein does not fall within the definition of "experimentation."\*\*/

(S) SRI will assist persons with psychic ability to use and improve that skill for remote viewing of targets, including some with practical intelligence value to DIA. The analyst will attempt to define the mental process of the psychic. The procedure will be strictly limited to a dialogue between the analyst and the psychic. It will take place in a quiet setting such as a

\*/ (S) This request was made following Army advise that its participation with DIA in a project (codename GRILL FLAME) described in your 2 Feb 1981 memorandum to the Secretary of Defense would have to await further review.

\*\*/ (U) This opinion does not address other activities discussed in your 2 Feb 1981 memorandum. For example, no opinion is expressed as to whether involvement of persons with no history of psychic experiences would constitute human experimentation.

Classified by DIA

room with limited access and noise levels. The analyst will provide the psychic with map coordinates or other data identifying a remote geographic location. He will then ask the psychic to mentally visit the location and describe events or things on the scene in the past, present or future. The psychic will be advised in advance that the scene encountered could be an explosion or other event that would be extremely unpleasant or dangerous if a person were physically present. The analyst will ask the psychic questions about his remote viewing experience and provide the psychic with encouragement and suggestions for improvement of the process. The psychic will be provided with no internal or external assistance such as drugs or electrical shock. Nor will any physical devices be used in the process. The psychic will not be deprived of sleep, food, or an opportunity to exercise normal body functions. Also, the activity will be strictly limited to volunteers who have previously used their psychic ability to have remote viewing experiences on behalf of others without adverse effect, either temporary or permanent, on his or her mental or physical condition.

(S) There is no medical evidence that the activity described above would be harmful to the psychics involved. To the contrary, we are advised by DIA representatives that there were no reports of ill effects during the course of SRI's prior encouragement of psychics to have remote viewing experiences. While a successful remote viewing experience could be unpleasant, it appears that the stress would be within the control of the psychic, particularly since the subjects have previously had remote viewing experiences without any adverse effect.

(S) In essence, the voluntary activity of analysts working with practicing psychics to have and improve the clarity of remote viewing experiences is analogous to a coach prompting an athlete to voluntarily perform feats of increasing difficulty and to explain in the process how he is able to achieve the concentration necessary for positive results. While this type of effort may be stressful, the stress is created and controlled by the psychic, not the analyst. Hence, the activity described above is not experimentation on human subjects within the meaning of Procedure 18.



L. Niederlehner  
Acting General Counsel

Concurrence:



ASD/HA

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