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DEPARTMENT OF THE ARMY

OFFICE OF THE GENERAL COUNSEL

WASHINGTON, D.C. 20310

17 July 1981

REPLY TO
ATTENTION OF

MEMORANDUM FOR THE ASSISTANT CHIEF OF STAFF FOR INTELLIGENCE

SUBJECT: Grill Flame

(S) The purpose of this memorandum is to inform you as to both the present status of the joint Army/DIA Grill Flame program and to provide guidance for future Army Grill Flame activities. Earlier this week I met with BG Rapmund, Chairperson of the Human Use Review Committee, to resolve whether or not the joint program is within Procedure 18, "Experimentation on Human Subjects" of DOD 5240.1-R. Our discussions were most informative and I learned a great deal about the program beyond the human use issue.

(S) To resolve the most time sensitive issue - what to do with the Army money already committed to the FY 1981 portion of the joint program - I have decided that, since it is at least arguable that none of the FY 1981 taskings targeted by either the Army or DIA involve human experimentation, and in light of Secretary Marsh's approval of the Army's involvement in the program, the money committed for FY 1981 may be released to SRI. From both a legal and policy perspective, I would feel much more comfortable calling all Grill Flame activity human experimentation. However, based upon BG Rapmund's representations I believe that the Army may participate in the FY 1981 portion of the joint program without insisting on DOD Secretariat review and approval of DIA's involvement. The substance of the Rapmund representations provide: (1) the Army's FY 1981 taskings involve only the theoretical refinement of remote viewing techniques; and (2) Army personnel will not be involved for the remainder of the fiscal year.

(S) The second purpose of this memorandum is to provide advice on how in the future the Army can participate in Grill Flame activities without becoming entangled in similar problems. Since any Army involvement in Grill Flame activities will have to be reviewed and approved by the Secretary or Under Secretary of the Army on an annual basis, I strongly recommend that, starting with FY 1982, all Army Grill Flame activity be consolidated under your supervision and coordinated with BG Rapmund on human use issues. Our legal obligations in this area coupled with the current state of the science lead me to believe that the operational aspects of parapsychology, by their very nature cannot be divorced from medical and scientific research. In my opinion this is exactly what has happened both in our in-house program and the SRI contract. This must be corrected. Therefore, at the beginning of each year I recommend that you submit for Secretariat level review and approval, an inventory of all

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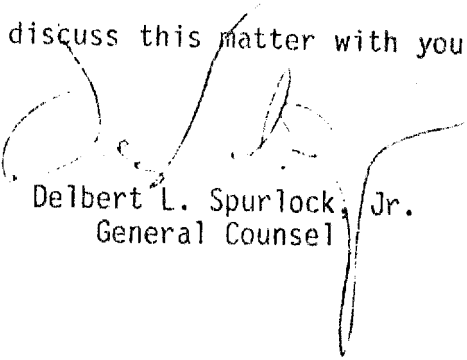
GRILL FLAME

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planned Army Grill Flame involvement for the coming year (i.e., in-house operational, in-house research, outside contracting, etc.). Such an approach will not only be of great assistance to the Secretary and the Under Secretary but I believe it will also improve the overall effectiveness of the Army's Grill Flame efforts by enabling all Army elements to support knowledgeable the effort.

(S) I recognize that an integral aspect of a consolidated Army program will continue to be contracting with outside organizations, such as SRI. I do not discourage such contracting. I anticipate, however, that the Army's likely continued interests in using military personnel and in understanding more about the physiological aspects of parapsychology, any future joint programs, such as the present Army/DIA program, will be viewed as including both research and human experimentation. Accordingly, such programs as a general rule should be designed to require that all participants comply with all aspects of Procedure 18 before the Army enters into any contract. I recommend that the easiest way to avoid potential problems in this area would be to contract independently rather than as a participant in a joint program.

(U) I would be pleased to discuss this matter with you if you so desire.


Delbert L. Spurlock, Jr.
General Counsel

CF: Secretary of the Army
Mr. Taft, OSD/GC
BG Rapmund

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