

Approved For Release 2004/12/17 : CIA-RDP96-00788R001100440080-5

SUBJECT <b>ARMY review(s) completed.</b>  Human Use Coordination for Project GRILL FLAME (U)	OFFICE SYMBOL DAMI-ISH	SUSPENSE
	DATE 12 Jan 82	

**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/NOFORN) BACKGROUND: The Army GRILL FLAME Project requires annual Secretary or Under Secretary of the Army review and approval.
2. (U) DISCUSSION:
  - a. (C/NOFORN) The Army General Counsel determined that Army participation in Project GRILL FLAME constitutes "human use" UP Procedure 18, DOD Regulation 5240.1-R (TAB B).
  - b. (U) Procedure 18 (TAB C) requires:
    - (1) (U) Certification that an important foreign intelligence or counterintelligence purpose is served.
    - (2) (U) Subjects execute written informed consent.
    - (3) (U) Experimentation is conducted IAW applicable HHS regulations and guidelines.
  - c. (U) Representatives from the Army Surgeon General's Office and the Office of the Army General Counsel provide medical and legal oversight of INSCOM GRILL FLAME activities.
  - d. (S/NOFORN) INSCOM contracts with the Stanford Research Institute (SRI) for GRILL FLAME support. SRI policy re human use is described in memo at TAB D.
  - e. (S/NOFORN) INSCOM's GRILL FLAME activities in FY 82 include:
    - (1) (S/NOFORN) Train two newly assigned personnel in remote viewing techniques.
    - (2) (S/NOFORN) Continue performing operational remote viewing in support of valid Army intelligence collection and counterintelligence requirements.

(Continue on plain bond) (Cont'd)

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"/>
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COORDINATIONS			APPROVALS		
OFFICE	NAME	PHONE	INITIALS	DATE	
Army GC	CPT Hatch saw draft & made comts. His comts are included in final product attached.		BR		
			DIV ISH		12 Jan 82
			DIR IS		13/15/82
			EX ZX		14 Jan 82
			ACSI RA		14 JAN 1982
			DISPATCHED (DTG)		

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

SHOW ADDITIONAL COORDINATION ON REVERSE SIDE OR CONTINUATION SHEET

**ACTION OFFICER** (Name, grade, phone and signature)  
*Dennis M. O'Keefe*  
 DENNIS M. O'KEEFE, MAJ, GS, 90114

CLASSIFIED BY DIAM 58-11  
 ENCL 3, 5 Dec 78  
 REVIEW ON: 12 JAN 2002  
 REAS: 2-310c DOD 5200.1-R(3)

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SUBJECT: Human Use Coordination for Project GRILL FLAME (U)

f. (C) The Army General Counsel maintained that GRILL FLAME activities involved human use and required Secretariat review and coordination UP Procedure 18, DOD Regulation 5240.1-R. The DOD General Counsel initially disagreed. The issue was decided on 17 Nov 81 with the DOD General Counsel accepting the Army position. A detailed review of this "human use" question is at TAB E.

g. (S/NOFORN) The future of the Army program has been complicated by the elimination of Army FY 82 GRILL FLAME O&M funds during the Congressional HAC - SAC conferees' hearing. However, it appears that the Army request for five permanent GRILL FLAME personnel positions for FY 82 remained in the program. DIA's GRILL FLAME effort for FY 82 was fully funded for \$330K. Army GRILL FLAME activities are contained in our FY 83 program submission and this will allow us to fully air the issue with Congress. In the interim, INSCOM plans to keep the effort alive by internal reprogramming until a final decision on future funding can be reached.

h. (U) The current Army Secretariat authority to conduct GRILL FLAME activities UP Procedure 18, DOD Regulation 5240.1-R requires renewal in Jan 82 (TAB F). Army GRILL FLAME activities will be continued subsequent to 14 Jan 82 pending resolution of the above described FY 82 funding issue. The ACSI memo at TAB A seeks this authority from the Secretary of the Army.

3. (U) RECOMMENDATION: That ZA sign memorandum at <sup>WRITE</sup> TAB A.



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT CHIEF OF STAFF FOR INTELLIGENCE  
WASHINGTON, DC 20310

REPLY TO  
ATTENTION OF

DAMI-ISH

14 JAN 1982

MEMORANDUM THRU VICE CHIEF OF STAFF, ARMY  
ARMY GENERAL COUNSEL

FOR SECRETARY OF THE ARMY

SUBJECT: GRILL FLAME (U)--DECISION MEMORANDUM

1. (S/NOFORN) The US Army Intelligence and Security Command's (INSCOM) Project GRILL FLAME investigates and applies remote viewing phenomena in support of important foreign intelligence and US counterintelligence requirements. INSCOM employs active duty military and Department of the Army civilians in the execution of the project. Both the Defense Intelligence Agency (DIA) and INSCOM purchase the services of private contract personnel in support of GRILL FLAME. During FY 82, INSCOM plans to train two newly assigned personnel in remote viewing techniques and continue to conduct operational sessions against important foreign intelligence and counterintelligence requirements.
2. (S/NOFORN) The Army General Counsel determined that GRILL FLAME activities constitute experimentation on human subjects under Procedure 18, DOD Regulation 5240.1-R. Section 4 of Procedure 18 requires approval of the Service Secretary or Under Secretary for intelligence components to engage in or contract for experimentation involving human subjects.
3. (S/NOFORN) The US Army INSCOM GRILL FLAME activities satisfy the human use standards of Section 3, Procedure 18. All Army GRILL FLAME participants are volunteers who have executed written statements of informed consent. Representatives from the Army General Counsel and the Office of the Army Surgeon General provide legal and medical oversight. All contracts entered into by INSCOM contain the written commitment that the provisions of Procedure 18, DOD Regulation 5240.1-R will be followed. The DIA contract monitor ensures the contracted party executes their Procedure 18 responsibilities. The Deputy Secretary of Defense authorized DIA participation in GRILL FLAME on 11 Dec 81 (Incl 1).

Classified by ACSI, DA  
Review 12 Jan 2002  
Reason 2-310c.3

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GRILL FLAME (U)  
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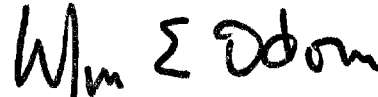
14 JAN 1982

DAMI-ISH

SUBJECT: GRILL FLAME (U)--DECISION MEMORANDUM

4. (C) Congress eliminated Army FY 82 funding for GRILL FLAME. At the same time, Congress approved the Army request for five permanent personnel positions for GRILL FLAME. With the Commander, US Army Intelligence and Security Command, I am exploring the various options for maintaining a GRILL FLAME effort in FY 82. I will, by separate correspondence, keep you informed on the future status of GRILL FLAME FY 82 funding. In the meantime, Army's authority to conduct GRILL FLAME operations under the provisions of Procedure 18, DOD Regulation 5240.1-R past 14 Jan 82 must be renewed.
5. (C) Request the Secretary of the Army approve our continued participation in GRILL FLAME activities within INSCOM and with the DIA and its contractor. Army participation will be in strict accordance with the provisions of Procedure 18, DOD Regulation 5240.1-R.

1 Incl  
as



WILLIAM E. ODOM  
Brigadier General, USA  
ACofS for Intelligence

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**SECRET**

DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20301



SG1J

*Approved*

11 DEC 1981

S-11,141/DT-1

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

SUBJECT: GRILL FLAME - ACTION MEMORANDUM (U)

(S/NOFORN) In FY 1981, a Memorandum of Understanding (enclosure 1) established a jointly funded Defense Intelligence Agency (DIA) and U.S. Army three-year contractual effort known as GRILL FLAME. This effort has been investigating for the last year certain parapsychological phenomena, such as remote viewing (the ability of individuals to mentally collect data at a distance), that have potential military applications. Emphasis in FY 1981 was on evaluating potential applications and limitations of such phenomena, and to evaluate the significance of foreign work, particularly as it may pose a threat to the United States.

(S/NOFORN) The U.S. Army has proposed that the FY 1982 joint contract with SRI International include the training of selected Army personnel who have had no prior experience in remote viewing. It has been determined by DoD General Counsel that this activity requires permission under Procedure 18 of DoD Directive 5240. 1-R. Accordingly, the Secretary of the Army has approved Army participation in the program. A copy of the approval is enclosure 2.

(S/NOFORN) In compliance with this determination, all contracts entered into and under the auspices of the DIA/Army GRILL FLAME program 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 and Human Services. These guidelines set conditions safeguarding the welfare of the subjects.

(S/NOFORN) The Defense Intelligence Agency, as joint participant and contracting agent of the GRILL FLAME program, requests permission to proceed with those portions of the joint DIA/Army GRILL FLAME program determined to constitute human experimentation pursuant to Procedure 18 of DoD Directive 5240. 1-R.

SG1J

*E. A. Burkhalter, Jr.*

E. A. BURKHALTER, JR.  
Rear Admiral, USN  
Acting Director

**SECRET**

Enclosures:  
GRILL FLAME MOU (S/NF), 1 Cy  
Memo for Sec of Army, 8 May 81,  
(S/NF), 1 Cy

DEC 14 1981  
DEP. SEC HAS SEEN

Coordination:

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OSD(GC)

*WHT*

Prepared by

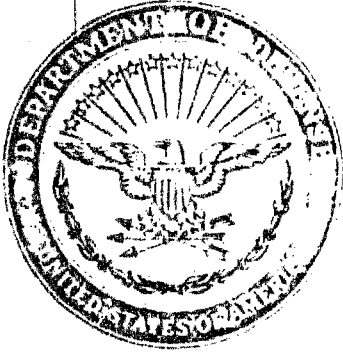
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# DEPARTMENT OF DEFENSE

## 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 that reads "W. Graham Claytor, Jr.".

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, develop-~~  
~~ment, 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 intelli-~~  
~~gence 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*

30 NOV 1979



MEMO

TO: File

DATE: 19 June 1978

LOCATION: 44

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 that intend 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, emotional injury, as a consequence of participation as a subject in any research, development, or related activity which departs from the application of these established and accepted methods necessary to pass his work, 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.

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

# CONFIDENTIAL

## INFORMATION PAPER

DAMI-ISH  
12 January 1982

SUBJECT: GRILL FLAME (U)

ISSUE: DOD - Army General Counsel debate re applicability of Procedure 18, DOD Reg 5240.1-R (Human Use) to GRILL FLAME (U)

### FACTS.

1. (U) Army obtained Secretary of the Army approval to conduct INSCOM GRILL FLAME operations 14 Jan 81. Army General Counsel advised ACSI that separate approval was required for joint Army - DIA GRILL FLAME activities.
2. (U) (U) From Feb - Apr 81, representatives from the Army and the DOD General Counsel's Offices were unable to agree that GRILL FLAME required their respective Secretariat level review and coordination.
3. (C) Faced with the need to commit FY 81 money, the Army General Counsel in May 81 advised ACSI to submit the necessary paperwork to seek Secretariat approval for Army contracting through the DIA for Stanford Research Institute (SRI) GRILL FLAME support. Secretariat approval was obtained on 14 May 81 for joint Army - DIA contracting activities. The SA emphasized to ACSI that GRILL FLAME activities be directed against "an important foreign intelligence or counterintelligence purpose". He also directed the ACSI "monitor the joint (DIA - Army) research program to assure that such purpose is served".
4. (U) From May - Nov 81, the Army General Counsel continued to seek DOD General Counsel agreement that GRILL FLAME involved human use and should be reviewed and coordinated with the DOD Secretariat.
5. (U) On 17 Nov 81, the DOD General Counsel finally agreed with the Army General Counsel. He directed DIA to seek DOD Secretariat review and coordination of GRILL FLAME activities UP Procedure 18, DOD Regulation 5240.1-R. The DepSecDef reviewed and coordinated the DIA/Army participation in GRILL FLAME on 11 Dec 81.

MAJ O'Keefe/50114

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GRILL FLAME (U)

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ENCL 3 5 Dec 78

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REAS: 2-310c DOD 5200.1-R(3)

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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 ~~\_\_\_\_\_~~ PATRICK M. HUGHES, <sup>24 Dec 80</sup> MAJ, GS  
FOR UNDER-SECRETARY OF THE ARMY *Approved RTH 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*

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

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24 DEC 2000

TAE 8