

THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY

Minutes of Special Meeting, March 22, 1971

ATTENDANCE

Present: Abrams, Alston, Asgar, Barnes, Bassett, Bertolaet, Birch, Bole, Bowditch, Bowman, Brown, Castor, Coon, Crawford, DeKornfeld, Dowson, Eggertsen, Frye, Gilbert, Graebel, Handler, Hinerman, Hooper, Huntington, Iglehart, Jensen, Kahn, Kish, Lind, Lloyd, Rhodes, Magee, Meyer, Michelsen, Mills, Morgan, Nelson, Norman, Overseth, Hazlett, Porter, Price, Richards, Rigan, Rucknagel, Hildebrand, Sandalow, Scherer, Dunn, Schuman, Sears, Shappirio, Cooperrider, Sonntag, Votaw, Wilkes, Yagle, Youngdahl, Yablonky, Weinberg

Absent: Bett, Bishop, Carter, Cornish, Galler, Goodman, Hauenstein, Schaefer, Marsden

Guests: Members, Classified Research Committee

CALL TO
ORDER

Chairman Weinberg called the special meeting to order at 3:15 p.m. in the Rackham Amphitheatre.

ANNOUNCE-
MENT

Chairman Weinberg reported that the Regents did not take action on the Judiciary at their monthly meeting last week. He said a statement was to be released later this week and a document is expected to be voted on at the April Regents' meeting. He said the Assembly if it is to look at it again must do so almost immediately. Therefore, he said, SACUA has set another special meeting of the Assembly for Thursday, April 1, at 7:30 p.m. in Rackham Amphitheatre.

Also on the Regents' agenda, he said, is a housing proposal which also will be on the Assembly's agenda for its special meeting.

He also called attention to the scheduled Senate meeting on April 5 and the regular April meeting of the Assembly on April 19.

Chairman Weinberg said he assumed we would adjourn today's meeting at the normal time of 5:30 p.m. He then suggested we go into the Committee of the Whole to take up the sole matter on the agenda--the report of the Classified Research Committee.

COMMITTEE
OF THE
WHOLE

On a motion which was moved and seconded, the Assembly convened as a Committee of the Whole, starting at 3:20 p.m.

Chairman Weinberg referred to a new Rucknagel-Lind motion which had been distributed to replace an earlier motion dated March 15, 1971.

During the time the Assembly sat as a Committee of the Whole, a number of members spoke in favor, or in opposition to the various proposals submitted.

COMMITTEE
OF THE
WHOLE RISES

At 4:30 p.m. on a motion which was made and seconded, the Committee of the Whole rose and the Assembly resumed its normal procedures.

DISCUSSION
OF REPORT
ON
CLASSIFIED
RESEARCH

Professor Gilbert moved for approval of his proposal with the substitution of the word "could" for "will" in the fifth line of his proposal. Professor Asgar seconded the motion.

Professor Rucknagel, with Professor Lind seconding, offered the Rucknagel-Lind proposal as an alternate.

Professor Porter moved, and it was seconded, to delete the term "federal government" in the third and fourth lines of the Rucknagel-Lind motion.

Professor Bole said we're faced with a broader issue beyond classification. Even as modified, Professor Bole asked who at the University will judge this. If we wish to legislate out of existence any particular research, we could affect research, for example, on therapeutic abortion. He said he sees the necessity for setting up some kind of judgmental body to assess what kind of research we should have at the University.

In the vote on Porter's motion to delete the term, "federal government", from the Rucknagel-Lind proposal, the motion was defeated.

Professor Kish said if the Rucknagel-Lind motion is passed, it would require an amending motion.

Professor Barnes moved, with Professor Gilbert seconding, an amendment to insert a section from the Political Science proposal to be added after the first sentence of the Gilbert motion, as follows: "This should include the publication and distribution of summaries of approved projects so that the University community may be able to form an accurate assessment of their intent."

Professor Gilbert said it would be appropriate for the Classified Research Committee to examine whether their current procedures are adequate.

In the vote on the Barnes proposal, the motion was carried.

Professor Sandalow said he shares with Professor Gilbert the need for further study by the Committee but he said he believes that the review should be done by another body.

Professor Sandalow moved, and it was seconded, that in the Gilbert motion that an ad hoc committee instead of the Research Policies Committee review current procedures on classified research.

Professor Gilbert said the Sandalow proposal goes against the general intent of his motion. He said it was his view that the main job is one to be done by the Research Policies Committee.

Professor Rucknagel moved to amend the Sandalow proposal to include students as well as faculty on the ad hoc committee. His motion was seconded.

Professor Gilbert pointed out that both existing committees have student membership.

On the Rucknagel amendment, the motion was carried, 25-24.

On the Sandalow amendment as now changed, the amendment was defeated, 31-23.

Professor Scherer urged that the Assembly vote to substitute the Rucknagel-Lind motion for the Gilbert motion so that members could address themselves to the substantive issue.

In a vote to substitute the Rucknagel-Lind motion for the Gilbert motion, the motion was defeated 31-26.

Professor Schuman moved approval of his motion as distributed. His motion was seconded by Professor Bowman.

Chairman Weinberg said the Schuman motion should be considered as a separate motion, with perfecting amendments.

Professor Schuman said the University in general should not enter into contracts that limit open contracts in research but we recognize exceptions. These exceptions should clearly place the burden of proof upon the faculty member who proposes such limitations, he said. In the case of the Vietnam war, he said, this is not a suitable case for exemption but there may be research going on necessary to survival of our country.

Professor Scherer said that while there are many good points in the Schuman proposal, he said it would be extremely difficult to address ourselves to it at this time. He said he would like to propose an amendment to the Gilbert proposal.

Professor Norman spoke in favor of the Schuman proposal for placing the burden upon the faculty member who seeks exemptions.

Professor Kahn asked why Policy I was eliminated from the Elderfield Report.

Professor Schuman said it was uninterpretable.

Professor Jensen said in reading minutes of the Classified Research Committee he got the impression that the Committee had only one expert testify for them.

Chairman Weinberg said he would rule that the issue of open publication as raised in Section I of Professor Schuman's proposal has already been decided.

In a vote to substitute the Schuman proposal, the motion was defeated, 27-30.

In returning to a discussion of the Gilbert proposal, Professor Scherer offered the following amendment, with Professor Eggertsen seconding:

"Though we do not wish to pre-judge specific policies, the Assembly instructs the Committee to work out means of barring classified military research whose clearly foreseeable purpose is to destroy human life or to incapacitate human beings. By this instruction we show our desire to extend the criterion well beyond the 'specific purpose' wording adopted in 1968."

Chairman Weinberg explained that, if adopted, the Scherer amendment would become Section 3) of the operating section of the Gilbert proposal.

In a vote on the Scherer amendment, the motion was carried.

Professor Votaw moved, with Professor Gilbert seconding, that the word "classified" be changed to "secret" in Section 2) of the Gilbert proposal.

In response to a point made that the word, "secret" could be misinterpreted, Professor Votaw said his meaning of the word would be that no one should receive any money from any sponsor which would bar him from making public his research.

In the vote on the Votaw amendment, the motion was carried.

In the vote on the main Gilbert motion as amended, the proposal was adopted. The text follows:

"The Senate Assembly accepts the report of the Classified Research Committee. Critical questions have been raised concerning the interpretation of the policies under which the Classified Research Committee is presently operating and concerning the policies themselves. Significant changes in either the policies or their interpretation could have major effects on the research capabilities of the University and on many members of the University community who are engaged in research. Because of these effects and the complexity of the issues involved, a careful and complete review of classified and proprietary research at The University of Michigan should be made before the Assembly considers further action. Therefore the Senate Assembly:

- 1) asks the Classified Research Committee to review its procedures and criteria for implementing the present policies on classified research and to examine possible changes in both the policies and the means for their implementation. This should include procedures for the publication and distribution of summaries of approved projects so that the University community may be able to form an accurate assessment of their intent. The results of its investigation should be reported to the Senate Assembly by May 15, 1971.
- 2) asks the Research Policies Committee to examine the question of classified and proprietary research at The University of Michigan and to make recommendations for action to Senate Assembly. The recommendations should be ready for the June meeting of Senate Assembly.
- 3) Though we do not wish to prejudge specific policies, the Assembly instructs the committees to work out means of barring classified military research whose clearly foreseeable purpose is to destroy human life or to incapacitate human beings. By this instruction we show our desire to extend the criterion well beyond the 'specific purpose' wording adopted in 1968."

Professor Sandalow moved that the Assembly express its confidence in the performance by Mr. Michael Knox for his

responsibilities as a member of the Classified Research Committee. The motion was seconded by Professor Dunn.

Professor Rucknagel objected to the Committee being sworn to secrecy.

Chairman Weinberg responded to Professor Rucknagel by noting that the rules were drawn by the Assembly, that it's not fair to attack members of an Assembly committee operating under rules set by Assembly regulations.

Professor Rucknagel suggested that this policy in the future be re-examined.

Professor Charbeneau praised members of the Classified Research Committee and noted the guidelines set up by the Senate Assembly.

Professor Sandalow said he was aware of the need for secrecy in classified research. He said Mr. Knox did not release any classified research material.

In the vote on the Sandalow motion, the motion was carried.

Professor Kish moved that, "The Assembly asks the Vice-President for Research that no new proposals contrary to the sense of the Assembly March 22 resolution be approved until the Assembly considers the requested report and acts upon it." The motion was seconded by Professor Schuman.

In a vote on the Kish proposal, the motion was defeated 25-27.

The meeting was adjourned at 6:10 p.m.

ADJOURN-
MENT

Ben Yablonky
Secretary