

The Executive Committee of the Northern California Branch of the American Society for Microbiology presents the following resolution to the Branch membership for consideration.

Alvin J. Clark, President
Robert J. Heckley, Vice-President
Herman J. Phaff, Councillor
William G. Wu, Secretary-Treasurer

BALLOT

Ballot may be removed by tearing along the dotted line. Mark your vote and seal the ballot in the unmarked brown envelope. Enclose the brown envelope in the white stamped addressed envelope. Sign your name in the upper left hand corner of the white envelope. Ballots enclosed in unsigned white envelopes will be discarded unopened. To be counted ballots must be returned on or before January 19, 1968.

RESOLUTION

- I. It is the sense of the Northern California Branch of the ASM
 - A. that any microbiological research may be applied to the preparations for biological warfare through the development of biological weapons and defenses against such weapons,
 - B. that development of defenses against biological weapons may lead to advances in public health techniques,
 - C. that the manufacture, deployment, stockpiling, and use of biological weapons represent an unpredictable but significant hazard to human and other species;
- II. Furthermore it is the sense of the Northern California Branch of the ASM that the ASM because of the microbiological skills, knowledge, and contributions, both intentional and unwitting, of its members to the biological warfare effort should maintain an active scientific involvement in this area for the following ends:
 - A. to foster and stimulate open discussion in the scientific community of biological warfare policy, techniques, and developments in conformity with the ASM's Constitutional objective "to promote scientific knowledge of microbiology and related subjects through discussions, reports, and publications,"
 - B. to initiate efforts or to support efforts toward reaching international acceptance of the principle that no microbiological research, carried on for purposes of national defense, should be carried on in secret,
 - C. to initiate efforts or to support efforts concerned with the scientific problems involved in obtaining international controls on the development, manufacture, and use of biological weapons;

III. Furthermore it is the sense of the Northern California Branch of the ASM that in the light of the international and private nature of the ASM any ASM committee or other instrument of involvement in the question of biological warfare should conform to the following commonly accepted pattern for the construction of ASM committees:

- A. all scientifically qualified ASM members should be eligible for membership on any committee or other instrument depending only on their willingness to serve and should be chosen only by responsible ASM officers
- B. the conclusions of the deliberations of all committees or other instruments should be published for the perusal of the entire ASM membership.

IV. The Northern California Branch of the ASM urges the Council Policy Committee and the Council of the ASM to take the following actions:

- A. Establish a properly constructed committee or other instrument of ASM involvement with the question of biological warfare for the purposes stated in paragraph II.
- B. Dissolve the present Committee Advisory to the US Army Biological Laboratories because its construction does not conform to the commonly accepted pattern and because its purposes are not those stated above as befitting an ASM involvement in the question of biological warfare.

V. The Northern California Branch of the ASM instructs its Councillor to transmit this resolution to the Council and to the Council Policy Committee together with the numbers of members voting for and against this resolution and the total membership to which the resolution was addressed.

ARGUMENTS AGAINST RESOLUTION RECOMMENDING DISSOLUTION
OF ASM ADVISORY COMMITTEE TO USA BIOLOGICAL LABORATORIES

Before you decide to cast your vote, you are respectfully urged to consider some factors involved in the history and potential implications of this "sense" resolution that are not immediately apparent after only a hasty reading. These arguments are directed principally toward asking that you consider this matter in more than just a superficial way.

HISTORY

As those of you who read your NCB-ASM Newsletters are aware, the NCB-ASM president, Dr. A. J. Clark, has chosen to involve the NCB in a politically disruptive debate on Biological Warfare. The March Newsletter brought the matter to our attention. A resolution was passed at the March meeting asking for clarification by Nat. ASM of our possible role in B.W. The October Newsletter called for a special meeting on Nov. 11th to consider the ASM's involvement in preparations for biological warfare. The meeting was addressed by Brig.Gen. J.H. Rothschild, U.S.A. (act.) by Prof. Joshua Lederberg and Dr. J. W. Moulder, the latter being the recently appointed Chairman of the ASM Committee Advisory to the U.S. Army Biological Laboratories. In another Newsletter (1 November), Dr. Clark summarized certain of the remarks of Dr. Moulder as providing a "clear appeal for our recommendations not only concerning the Advisory Committee but also concerning the kind of involvement with biological warfare we expect of our society". (Others who heard Dr. Moulder would question this interpretation of his remarks). Apparently on this basis, "consideration of the ASM's Advisory Committee to the U.S. Army Bio.Labs." was listed on the Agenda for the business meeting of the Branch, held on 9 Dec. The only other item of business listed was a proposal to increase dues.

Approximately 50 people were present at the 9 Dec. meeting (total NCB-ASM membership is ca. 250). The proposal to increase dues from \$1.00 to \$2.00 was approved with little opposition, after it was reported the Branch had currently exhausted its funds.

Questions from the floor revealed that the Branch was currently bankrupt and that the Sec.-Treas. did not have with him the necessary records to answer precisely what extra costs the Branch had undergone for the Special meeting, but he thought it cost more for the special meeting than for others.

Dr. Clark relinquished the Chair to introduce his Resolution, together with lengthy supporting remarks. A motion made from the floor to refer the Resolution to a special committee for study (with representative members of both "sides") resulted in a debate as follows:

PROPOSERS ARGUED

1. Certain members (un-named) of the national ASM were anxious to receive guidance from local branches on this subject.
2. Referral to a study committee was only a device to "stall" action.
3. Dr. Clark would consider referral to committee as a personal attack on competency and integrity of the Executive Committee.
4. No questions of politics or of ethics re Biological Warfare were involved in this resolution (as opponents had suggested).

OPPONENTS ARGUED

1. Referral to a study committee was, in effect, a device to postpone action because such was needed to avoid a hasty and ill-judged decision.
2. The Resolution was poorly drafted, confusing and contradictory.
3. The Resolution would involve the Branch by simple majority vote of a fraction of its members in a highly controversial area with political and ethical implications, inappropriate for a professional society.
4. Constitutional and ethical questions were involved in the way the resolution had been handled.

The motion to refer to Committee was:

1. Passed on a tie vote (19 to 19), later broken in favor of the motion by the Acting Chairman.
2. Reversed (20 to 19) when the Secretary-Treasurer announced he had failed to vote the first time since he was "counting hands"

Motions were then made from the floor (and passed with minor opposition) to:

1. Amend Section V of the resolution to require the Councillor, if the Resolution was passed, to inform the National Association of the total membership of NCB and the number of members voting for and against the resolution.
2. Refer the Resolution to the membership for mail ballot, together with arguments in favor by Dr. Clarke and against by Dr. Dimmick, in conjunction with other members with whom they wish to be associated in preparation of arguments.

ARGUMENTS AGAINST THE RESOLUTION

(R. L. Dimmick)

It is ironic that I, who am principally a pacifist should argue against a resolution so humanitarian, so apparently well-meaning, and so seemingly innocuous. To oppose this seems to put one in the position of being against the essential goodness of humanity. The resolution contains points with which I heartily concur, but it is a Resolution, nevertheless that, in its poorly written state, contains implications that I would have to oppose even if otherwise the contents were totally acceptable. As it stands, the Resolution is vague, contradictory, commits our members by a majority vote to an implied ethical and moral position which has no place in a professional society, and, by the conditions it imposes, ensures that there be no chance that its purpose can be carried out.

The Resolution commits NCB-ASM members to implied ethical, moral and/or policy positions not suitable to a professional scientific society.

You are asked to agree:

That any microbiological research may be applied to preparations for B.S. Section (IA) of the resolution.

That (only) defense against B.W. leads to public health advances. (IB)

That we, as members, may contribute to the BW effort. (II)

That a discussion of BW policy is in conformity with an ASM objective to promote scientific discussion. (IIA)

That research for National defense should not be secret. (IIB)

That international controls are required and feasible. (IIC)

Whether you agree with these or not, all are debatable on an ethical basis and may be proper subjects for consideration by a study committee to which we wished to refer this Resolution. From that Committee, conclusions would have been in the form of reports, not commitments of the Society--yet you are asked to commit your fellow members on these positions now, take it or leave it, without amendment.

As an individual, I generally agree with many of these concepts--as a professional scientist, I worry about setting a precedent that ought not to be a part of the Resolutions of any scientific body, especially as those resolutions might be interpreted by a public all too eager to read emotionally biased press releases.

If the ASM Advisory Committee is unproductive, incompetent (in the sense of not being representative), not utilized, or constitutionally illegal (all suggested in verbal arguments at our meetings) then we should say so; these are valid reasons for dissolving the Committee. We should not give the impression, as this Resolution seems to say, that by maintaining this Committee we are giving ethical backing to the U.S.A. Biol. Labs. Dr. Moulder, Chairman of the present Committee, clearly stated (November special meeting) that the advisement of the Committee was of a scientific nature--just that and nothing more. Hence, that is the only basis on which we should disband the Committee. To test your feeling on this matter, ask whether you would refute a similarly constituted committee advising the Department of the Interior, or H.E.W. for reasons parallel to those in the Resolution.

A danger here is that, because it is so easy to disguise personal ethical and moral concepts with scientific justification, we scientists can bait traps for ourselves. Suppose we publicize that any microbiological research may contribute to B.W. In the minds of the public, this becomes "all microbiological research is unethical because B.W. is unethical". Consider the reputation some atomic scientists had (and still have in some circles) for being unprincipled persons. Consider the problem some of us now face with respect to animal experimentation. If we abandon the Advisory Committee for any but hard-headed, rational reasons, then our reasons were, in fact, ethical or moral--and if that is not the real reason behind the Resolution, then why include all the preliminary statements.

The Resolution destroys its own purpose.

We are asked to concur with what will be conceived by the Department of Defense as a definitely hostile act (whether the committee is important to them or not) and then we are going to have to ask for DOD cooperation if the second committee (IV A) is to be anything but a propaganda platform. It is true, as Dr. Lederberg said, that a definite danger to mankind exists in the nature of the material employed in applied BW experimentation. It is possible that a gradual, voluntary removal of the cloak of secrecy by this nation would encourage other nations to do likewise-- and might lead to international cooperation in other areas. The first hurdle is to obtain DOD cooperation. Initially, a new Committee would have to be trustworthy from the viewpoint of DOD--that certainly excludes most foreign nationals at the present time. If we do not have enough basic knowledge of human nature to get over this first hurdle, then we are sure to fail on any international scale.

THE RESOLUTION IS CONTRADICTORY

First the resolution says we should maintain an involvement (I)--then it asks to abolish the only involvement we have (IV).

First the Resolution implies an "active scientific involvement (II, line 4) (II C, line 2)--then suggests, after all, it really means involvement in policy (II A, line 2) and control (II C, line 2).

First the Resolution points out the international nature of ASM--then suggests any scientifically qualified member should be appointed to any Committee. The contradiction here is one of feasibility.

THE RESOLUTION IS VAGUE AND POORLY WRITTEN

- (I A) Is "through the development" the only way research may be applied in this instance? Why not just research rather than microbiological research?
- (I C) "...unpredictable but significant.."; how can that be?
- (II) "...the ASM because of.. skills, knowledge and contributions...of its members to the biological warfare effort.." is a debatable question: Certainly all members do not fall in this category whereas some non-members do. Microbiology is not the only science involved in B.W.
- (II B) "...no microbiological research, carried on for purposes of national defense, should be ... secret." What about research not for national defense--but for offence, for instance?
- (II C) "...scientific problems involved in obtaining international controls.." This is not just a scientific problem.
- (III A) What is meant, or implied, in the term "scientifically qualified ASM member" with respect to B.W. involvement. If you were a responsible officer" could you make this decision? How does it fit in with "depending only on their willingness to serve.."? Is not the latter a redundancy?
- (III B) Note, "... all committees.." One has to re-read Section III carefully to see that, in truth, the reference is with respect to "the ...commonly accepted pattern ..." which is actually a commonly accepted pattern having no legal obligation and is not applicable to all committees.

Taken altogether, one has to read and re-read this resolution to make certain he understands it. No resolution should place this burden on either the member who votes on the question or, especially, on the National Council Members who might have to act on it.

Joint Statement

The following undersigned, who feel this resolution should be reconsidered, are in general agreement with the above and urge you to vote no on this resolution.

s/

R. J. Heckly
H.M.S. Watkins
Jack E. Campbell

Independent Statement

December 13, 1967

The Executive Committee of the Northern California Branch of the American Society for Microbiology took unusual liberties when it compiled the resolution pertaining to the present Advisory Committee to the U. S. Army Biological Laboratory. I want to challenge the sensibility of this resolution.

The total tone of this resolution is "off key". I believe there are moral and political overtones to it. As I stated loud and clear at the business meeting of Dec. 9, 1967, the purpose of this organization is to bring individuals interested in similar fields together in order to exchange scientific ideas. I do not think it advisable or necessary to shroud the organization with moral or political views. Each individual must search his own soul for these answers. And whether the Executive Committee likes it or not, I think it used very poor judgment. One could look to the treasurer's report and the statement of membership for proof. Where are all the Microbiologists in Northern California? They certainly are not supporting this organization.

I feel the only point in question is the validity of the existing Advisory Committee to the U. S. Army. I realize the delicate situation in which the A.S.M. is placed. My suggestion is to have a resolution presented to our parent organization stating clearly- in simple, readable English- that the Northern California Branch of the A.S.M. would like to have the Advisory Committee dissolved.

s/

Bessie D. May

Independent Statement

December 19, 1967

I oppose this resolution chiefly because I have not heard convincing reasons for passing it. Some of the arguments in favor were:

1. Research on B.W. may constitute a hazard to the species. Perhaps, but abolition of the Committee will not lessen this hazard.
2. There are ASM members who are not U.S.A. citizens, therefore we are an international organization and it is improper for us to give particular aid to the military needs of any one country. This is a specious argument! There are relatively few extra-nationals in our organization, and they have joined primarily to receive the journal. I cannot conceive that these people would consider it improper for our Society to give advice to our own D.O.D.
3. We ASM members are being exploited because the existence of the committee implies endorsement of B.W. by the A.S.M. Well, the D.O.D. must be doing a very poor job of exploitation -- many A.S.M. members confessed that they did not know of the existence of this Committee until the recent debate.

s/

Larry Sacks

BACKGROUND STATEMENT

The enclosed proposal is an attempt by the Executive Committee of the Northern California Branch of the ASM to formulate a response to the Council Policy Committee of the ASM on a topic of current Society concern. The Local Branch became concerned with this topic when the members present at the spring meeting in Davis voted unanimously to request information on the Society's Committee Advisory to the US Army Biological Laboratories and expressed a desire for a special meeting to learn more about the Committee. Failing in its object to have the special meeting in June, the Executive Committee decided last summer to plan the meeting for the fall. Finally the special meeting was held on November 11 unfortunately conflicting with a meeting of the Bay Area Biological Society whose date of meeting was changed from November 18 after the participants in the special meeting had accepted their invitations.

At the special meeting Dr. Joshua Lederberg and Dr. James Moulder, Chairman of the Advisory Committee, were participants among others. Dr. Moulder commended the Branch for its holding of the meeting and appealed for ideas concerning an involvement for the ASM in the question of biological warfare. The Executive Committee then met to consider a statement on behalf of the Local Branch indicating the ideas which had appeared to meet with general approval at the meeting. The wording of the statement was approved by the Executive Committee for presentation at the regular business meeting December 9. At the business meeting strong differences of opinion on the substance were expressed but only one amendment was offered. This amendment to Section V of the resolution and the motion to offer the resolution for ratification by a mail ballot were supported by both opponents and proponents of the substance of the resolution.

Alvin J. Clark, President
Robert J. Heckley, Vice President
Herman J. Phaff, Councillor
William G. Wu, Secretary Treasurer

STATEMENT IN FAVOR OF ENCLOSED RESOLUTION

The undersigned urge you to vote affirmatively on the resolution to provide the Society's Council Policy Committee with some guidelines for any action they may choose to take on Society involvement in the question of biological warfare. We urge that you overlook problems of grammar or syntax because this is a sense motion only and is not binding legislation. Keep in mind the need to provide the ASM Council Policy Committee with guidelines; it is the Council Policy Committee which will act.

By far the most important aspect of the enclosed resolution is its call for a committee to be set up for the purposes set forth in Paragraph II. This represents a direct answer to Dr. James Moulder's appeal to the Local Branch for ideas on the implementation of the ASM's involvement with the question of biological warfare. At the special meeting Dr. Moulder suggested that one goal to be achieved through an appropriate committee would be the fostering of open discussion of biological warfare. Dr. Lederberg suggested that another goal would be the removal of the policy of secrecy which envelopes research on biological warfare. Dr. Lederberg's idea, which seemed to win general approval at the special meeting, was that the policy governing research should be one of nonsecrecy with permission for secrecy granted only upon proof of particular need. It is this idea which is stated in Paragraph IIB together with the clarification that research involving commercial trade secrets is not included. Another goal was suggested by the review article in *Ann. Rev. Microbiol.* 21:639(1967). This article indicates that there are scientific problems involved in obtaining international agreements on biological warfare and the Council Policy Committee may wish the ASM to contribute to the solution of these problems.

Another important matter in the resolution is the recommendation regarding the present Committee Advisory to the US Army Biological Laboratories. It has come to light that the Advisory Committee is most irregular and represents a source of possible embarrassment to the Society. In the first place the Advisory Committee is irregularly constituted in that its members are restricted to those who can obtain security clearance and their clearance and their selection can be vetoed by the Scientific Director of the US Army Biological Laboratories. Secondly the conclusions the Committee reaches on matters concerning biological warfare are secret and hence not available to the ASM membership. No other ASM Committee restricts or chooses its members in this fashion or withholds its conclusions from the Society. Thirdly the existence of a special link between the ASM and the agency of any nation's defense effort is a source of possible embarrassment to the ASM because the ASM is an international society with numerous members overseas and contains Local Branches in both Mexico and Brazil. What would the Society's legal status be if the Society were to advise the Mexican and Brazilian Armies on biological warfare? It might be possible to condone an irregular and potentially embarrassing Society Committee were that committee effective and important but at the special meeting we learned that the Advisory Committee was neither. According to the statements of the Chairman and a member of the Committee and a former Commandant of the US Army Chemical Corps, the Advisory Committee meets once a year, learns piecemeal about the total research effort, offers advice which is at least read but may not be followed and is accessory to the important civilian advisory committees who meet more often, receive full disclosure, and are thus more involved in guiding the research effort of the Biological Laboratories. The contrast leads some ASM members to believe that the Society is being exploited. Dissolving the irregular and potentially embarrassing Advisory Committee would in no way affect the biological warfare effort, we believe.

In conclusion we urge you to vote affirmatively on this resolution in order to provide the ASM's Council and Council Policy Committee with constructive guidelines for any action they may contemplate on the involvement of the Society in the question of biological warfare.

Herbert Boyer, U.C. Med. Center, S.F.
Alvin J. Clark, U.C. Berkeley
Michael Doudoroff, U.C. Berkeley
George Hegeman, U.C. Berkeley
Ernest Jawetz, U.C. Med. Center, S.F.

Joshua Lederberg, Stanford U. Med. Sch.
Leon Levintow, U.C. Med. Center, S.F.
Allen G. Marr, U.C. Davis
Herman Phaff, U.C. Davis
W.G. Wu, S.F. State College