

**MINUTES
UNIVERSITY OF HAWAI'I BOARD OF REGENTS
INFORMATIONAL MEETING ON
THE PROPOSED UNIVERSITY AFFILIATED RESEARCH CENTER
January 20, 2006**

I. CALL TO ORDER

The meeting was called to order by Chairperson Kitty Lagareta on Friday, January 20, 2006, at 1:03 p.m. at the Campus Center Ballroom, University of Hawai'i at Mānoa.

Attendance

Present were Regents Andres Albano, Jr., Byron W. Bender, Michael A. Dahilig, Ramón S. de la Peña, James J. C. Haynes II, Allan R. Landon, Ronald K. Migita, Jane B. Tatibouet, and Myron A. Yamasato; Interim President David McClain; Executive Administrator and Secretary of the Board David Iha; and Executive Assistant Carl H. Makino. Regent Alvin A. Tanaka was excused.

Also present were Mr. Walter Kirimitsu, University General Counsel; Mr. Sam Callejo, Vice President for Administration; Dr. James Gaines, Interim Vice President for Research; Dr. Denise Konan, Interim Chancellor, University of Hawai'i at Mānoa; Mr. Presley Pang, Associate General Counsel; and others.

Proposed University Affiliated Research Center

President McClain explained that over a year ago, the Board had granted provisional approval to the establishment of a University Affiliated Research Center (UARC) for the U.S. Navy at the University of Hawai'i at Mānoa campus. Before granting final approval, the Board required the campus to complete work on a contract for the proposed center and complete the consultation process. He affirmed that both conditions have since been met. He had promised to have the Board hold a meeting on this at which the campus and community could share their perspectives on the proposed UARC. He would be recommending a course of action to the Board at its February meeting

Chancellor Konan said that the UARC proposal has been a divisive and contentious issue at the University of Hawai'i. She asked the campus community to conduct this open meeting with civility and respect. She said that an open forum has to be maintained where people can have a deliberative dialogue around difficult issues. With academic freedom comes responsibility. She thanked and commended the Board of Regents for wanting to personally hear from the campus community and others.

On November 18, 2004, Chancellor Englert requested that the Board of Regents approve the establishment of an applied research laboratory and the designation of the University of Hawai'i at Mānoa as a University Affiliated Research

Center. At that time, the Board of Regents approved the UARC, provisional on the successful negotiation of a contract and completion of consultation with key stakeholders including the Mānoa Faculty Senate.

The University of Hawai'i at Mānoa has negotiated a draft UARC contract with the U.S. Naval Sea Systems Command. In its present form, the proposal would establish an applied research laboratory that is integrated into the research infrastructure at the UH-Mānoa campus.

This contract defines scope of work in terms of four core competencies:

- Ocean environment
- Astronomy
- Advanced electro-optical systems, detection systems, arrays and instrumentation
- Fundamental research and applied engineering

The UH-Mānoa administration has also engaged in extensive consultation with multiple stakeholders. The draft contract has been made available for review and discussion by anyone who wishes to see it including countless individuals both on and off-campus who have offered their opinions about the UARC and, of course, also including:

- UH-Mānoa faculty as represented by the Mānoa Faculty Senate
- UH-Mānoa students as represented by the Associated Students of the University of Hawai'i (ASUH) and Graduate Student Organization (GSO)
- Native Hawaiians as represented by the Kualii Council
- University's research community, deans and directors

Universities are places that thrive on debate. Knowledge and the advancement of society are based on the free exchange of ideas. Such has been the campus discussion over the UARC.

Those opposed to the UARC view it as an institutional relationship with the U.S. Navy that would promote military research on campus. Publication restrictions and the potential for research to become classified were of concern. The debate also involved the level of start-up investment required to implement the UARC, campus oversight and administration, Native Hawaiian values, and so forth.

Others back the UARC, arguing for the academic freedom of faculty to seek research funding. The expansion of funded research has supported the University even as tuition revenues and state funding remained stagnant. These faculty are an important part of the University's campus community. She added that of the top one hundred faculty attracting extramural funding, a large share support the UARC proposal.

There is a concern about a slippery slope if barriers are put up on faculty research that may be controversial or unpopular. While most of the UARC supporters will not use it as a funding instrument, they realize how difficult it is to maintain a stream of competitive funding to support research programs, equipment, and staff.

Few faculty have expressed an interest in actively participating in UARC-funded research. She spoke with a couple of potential researchers and for them, the UARC could provide bridge funding among other more competitive sources of funding. Additional staff, equipment, and facilities would need to be secured to support UARC research. Should projects become classified, they would be moved off campus following policy.

The proposed UARC is unique as it integrates projects into existing facilities and permits dual use of UARC-funded personnel and equipment. The Naval UARCs at other universities are located in self-contained laboratories and facilities at some distance from the core academic corridor.

As this UARC proposed a new model for the relationship between the U.S. government and a university, negotiations were time-consuming. Were a UARC to be established, a management structure would need to be put into place to assure necessary safeguards for national security interests within the context of an open academic campus environment.

The Mānoa Faculty Senate conducted an exhaustive review of the proposed UARC. An ad hoc committee compiled input from across campus. The review included a detailed legal analysis of the particular conditions of the proposed contract. At the core of the debate was an examination of Mānoa's mission and how to promote the future of the university as a research university.

While the Faculty Senate's 31-18 decision reflects divisions on this issue, the collective wisdom clearly does not support the advancement of the contract that is being proposed.

Faculty input is advisory and not binding. However, to advance the UARC when the faculty, undergraduate student body (ASUH), Kualii Council, and others are opposed would undermine the governance of the campus.

Chancellor Konan said that she is firmly committed to the ability of individual faculty members to pursue defense-related research and funding. Academic freedom is a cornerstone of the university. She added that it is her obligation, and the imperative of the university, to maintain a collegial environment that is free from threat and intimidation. Faculty will continue to engage in naval research at the university.

The UARC was negotiated in good faith and she said that she is grateful to Vice Chancellors Ostrander and Cutshaw for the work they have put into this project.

Chancellor Konan said that she wanted to let the Board know that this was a difficult decision for her to make. She weighed in the balance of the multitude of interests and opinions. There are merits in the efforts that were set forth. She considered the costs and the benefits to the University of Hawai'i carefully. In the end, she concluded that the proposed UARC with the U.S. Navy is not in the best overall interest of the UH-Manoa campus.

- The center is not supported by our governance groups.
- It would be difficult to implement a UARC which is integrated into the

- existing campus facilities.
- There are a limited number of faculty researchers who have made a clear commitment to participate in the Center.
- Dual-use of our laboratories and facilities is problematic.

Advancing the proposed UARC is not in the best interest of the University of Hawai'i at Mānoa. She recommended to the Board of Regents and to President McClain that the contract that has been proposed is not pursued further.

The leadership from key UH-Mānoa governance groups asked to make statements on behalf of their organization before public testimony commenced.

1. Robert Bley-Vroman, Mānoa Faculty Senate Chair, said that there is a concern for maintaining the integrity of the consultative process. The fabric of governance begins to break down when the Board asks for consultation and if it should act against this advice or if the President should recommend a course of action which could be perceived as being in opposition to the Chancellor.
2. Jonathan Osorio, Associate Professor and Director of the Center for Hawaiian Studies, said that he strenuously protests the creation of a UARC at the University of Hawai'i, especially in the face of opposition by Native Hawaiian leaders, the Faculty Senate, the faculty and the Chancellor of Mānoa.
3. Katie Berry, ASUH, said that the ASUH, since May 2005 after consultation and extensive research, has decided to considerably oppose the proposed UARC.

Regent Dahilig asked Ms. Berry what steps ASUH took to come to the decision of opposition back in May 2005 and whether the current Senate that is in place now has taken any kind of vote on this proposal. Ms. Berry responded that the current Senate has not taken any kind of vote. There have been discussions and no opposing resolution was introduced by any of those who may have felt differently from the prior Senate. She said that the current Senate felt that the prior Senate was consulted vastly, including consultations with then Chancellor Englert and Vice Chancellor Ostrander and the resolution went through several committees as well as different student constituents who were all invited. It took over 500 signatures in order for that resolution to pass.

4. Carl Takamura, Executive Director, Hawai'i Business Roundtable, which is an organization composed of about 50 CEO's of leading companies in Hawai'i, said that members of the roundtable believe that it would be in the best interest of the University and the State of Hawai'i as a whole for the Board of Regents to conduct a thorough analysis of the potential benefits and risks to the establishment of a University Affiliated Research Center within the University of Hawai'i system. The Hawai'i Business Roundtable suggests that the Board consider alternative organizational models that will mitigate the concerns of some within the academic community.

5. Noel Kent, Professor, Department of Ethnic Studies, said that the Mānoa faculty, Chancellor, students and native Hawaiian communities have spoken clearly and decisively that this University should not pursue a UARC designation. The University lacks the capacity to effectively manage the project, that the upfront costs might only be recouped after years, if ever, that classified research violates longstanding policy and would corrupt research in general and that further militarizing this University is a betrayal of its mission and strategic plan.
6. Jim Tollefson, President, Chamber of Commerce of Hawai'i, which is an organization of about 1,100 businesses employing approximately 200,000 employees across the State, said that the Chamber of Commerce of Hawai'i supports the establishment of a UARC within the University of Hawai'i system to enhance the work force and economic development in the State of Hawai'i and to support the military, a major contributor to the economy of Hawai'i.
7. June Shimokawa, Church and Society Division of United Methodist Church, Hawai'i District, said that the Church and Society Division was in opposition to the designation of the University of Hawai'i as a UARC with an applied research laboratory for the purpose of entering into a contract with the U.S. Naval Sea Systems Command.
8. Tony Castanha, Matsunaga Institute for Peace and the Save UH, Stop UH Coalition, said that he is an active opponent of the establishment of the UARC since the beginning of last year. He strongly urged the Board of Regents to reject the proposal should it be placed before them.
9. Kyle Kajihiro, Program Director, American Friends Service Committee, said that there was an article in the UH-Manoa's newspaper, *Ka Leo*, on March 2, 2005, regarding a possible mismanagement of classified military contracts at the Research Corporation of the University of Hawai'i (RCUH) and the University of Hawai'i. He said that it is now known that at least three contracts are under investigation, two are Navy research contracts to the University of Hawai'i and one is a direct contract to RCUH. He added that the UARC "core competencies" include the same research programs and technologies that are subjects of the Navy criminal investigation. The irregularities and questionable elements of the Navy's UARC procurement cast doubt over the legality of the UARC and urged the Board of Regents to reject the UARC and cancel all plans and negotiations.
10. Marti Townsend, former University of Hawai'i student, said that she is in opposition to the UARC.
11. Luciano Minerbi, Professor, Department of Urban and Regional Planning, said that he is opposed to the UARC and requested that the Matsunaga Institute for Peace be restored.
12. Jon Van Dyke, Professor, School of Law, testified that this proposed relationship between the University of Hawai'i and UARC will violate Section 378-2 of the Hawai'i Revised Statutes.

13. Eric Szarmes, Associate Professor, Department of Physics and Astronomy, said that this proposed UARC differs from all others in being integrated with the other research enterprise of the University, limiting access to other sources of government funding and requested that the Board respect the decision of the Mānoa Faculty Senate and the Chancellor's office to oppose UARC.
14. Ruth Dawson, Professor, said that the University of Hawai'i should not be in the business of developing weapons or weapon system and should not have an institutional commitment to destruction and killing. The University of Hawai'i is an educational institute and a place of research. She asked that the Board "google" the MIT Lincoln Laboratories fraud, which gives an update on the struggles that they continue to have in trying to investigate very serious fraud allegations at their own military-sponsored laboratory.
15. John Madey, UH faculty, said that when one looks at the draft contract for UARC, one finds either explicitly or implicitly in the text of that agreement in the overlying management documentation within the Department of Defense (DoD), constraints that would restrict the University's ability to cooperate with private sector contractors and competition for DoD procurement in the areas of core competency to secure funding or donations from those contractors to place UH staff members or students on the payrolls of those organizations and to provide to private sector subcontractors or donors the unrestricted patent rights that would be available to them if they were working with the University under the ground rules of conventional DoD contracts. He said that he hoped that the Board would faithfully and diligently execute its responsibilities as fiduciaries for the University of Hawai'i to read, understand, and contemplate the consequences of this contract for the University of Hawai'i.
16. Lisa Gibson, President, Hawai'i Science and Technology Council, provided testimony in strong support of UARC. She said that the Council's mission is to accelerate the growth of Hawai'i's science and technology industry to create living wage jobs and diversify the economy as well as produce health outcomes for the citizens and provide solutions for the environment.
17. Rick Zelenka, Boeing senior executive for Hawai'i and site executive for Maui, said that they absolutely support the proposed UARC, which Boeing feels will boost employee retention and recruitment in the State of Hawai'i.
18. Joel Fisher, UH faculty member of School of Social Work, said that he is in opposition to UARC only and not to bash the military or the Department of Defense. He asked that the Board re-read the contract regarding the financial commitment of the Navy and said that there is not a single cent guaranteed to come to the University of Hawai'i from the Navy.
19. David Duffy, leader of the Pacific Cooperative Studies Unit, said that it would be very unlikely that he would benefit in any way from UARC but believes that UARC would offer significant research opportunities for UH researchers in some areas, especially in oceanography and astronomy. He said that while UH-Mānoa may no longer be the appropriate place for UARC, he

suggested a system-level UARC with a realistic way for Mānoa researchers to participate would be the best way to satisfy the concerns of all involved.

20. Beverly Keever, UH faculty, testified that it doesn't matter whether the UARC is at the system level or at the Mānoa level, the federal regulations insist that any of the work in the UARC is viewed as classified and must be cleared through Washington, D.C. Therefore, the very best research that the University does could be hidden; on the other hand, the research that is bad can also be hidden because it is not subjected to the traditional peer review and free discussions. She said that UARC would inhibit national security and economy development.
21. Ruth Hsu, Associate Professor of English, said that she would not reiterate the reasons why UARC is not a good idea for an institute for higher education. The best thing for an institute for higher education is it can contribute to building community by producing students who are responsible and responsive citizens who think about what is best in terms of health, in terms of sustainability, in terms of peacemaking, and in terms of peace work. The UARC will not contribute to that process.
22. Peter Britos, Department of English, said that he believed that he is the only faculty member at the University of Hawai'i, if not, one of the only faculty members who has actually worked at a UARC and that establishing a UARC at the University of Hawai'i would be a travesty. He added that a university needs its intellectual autonomy. Like its professors and students, the institution needs to be able to take the right path, not the path of least resistance, not the path greased by cold hard cash and calculated militarism.
23. Kathy Phillips, Department of English, said that it is inappropriate that a university will provide potentially lethal tools for aims over which the researchers themselves do not have control.
24. George Simson, Emeritus Professor of English, said that the one thing that is taught in freshman English all the time is to connect the premises with conclusions. Secret research of UARC will prohibit this. He added that if the University of Hawai'i were to become the U.S. university without secret research, then the UH would have a proud, intellectual, independence that would certainly attract clean and honorable outside assistance, much more than the paltry amount which the UH would probably end up with if it has a UARC.
25. Ah Quon McElrath, Emeritus Regent and former teacher at the School of Social Work, said that she is strongly opposed to agreeing to the U. S. Navy's office to create a UARC because the interim chancellor has not agreed to the proposal for a number of reasons and is in effect carrying out the stand of the Faculty Senate and because UARC will continue divisiveness of departments in the University.
26. Wai-Fah Chen, Dean, College of Engineering, said that the goal of the College of Engineering is to reach about \$10 million per year for research and UARC can help the College to sustain this vast growth. The proposed

UARC provides a very important contract vehicle which will ensure that the College remains competitive and dynamic for high quality engineering education and research in the K-12 outreach.

27. Bruce Leibert, Associate Professor and Chair of Mechanical Engineering, said that his faculty unanimously support the establishment of a UARC at the University of Hawai'i. He said that UARC can provide increased research funding that will allow his department to continue to attract the very best faculty and researchers, increasing the talent pool of graduate and undergraduate students and obtain funding to upgrade facilities and to provide state-of-the art laboratory equipment.
28. Ronald Riggs, Professor and Chair of Civil and Environmental Engineering, said that as a department, his faculty would likely not benefit from UARC but nevertheless they support UARC, which he believes will help attract good faculty and students to science and technology.
29. Galen Sasaki, Associate Professor and Chair of Electrical Engineering, said that UARC is important to his department and College because increased research funding in the science engineering technology fields means attracting faculty researchers, increasing the talent pool of graduate and undergraduate students, gathering funding to upgrade facilities and provide state-of-the-art laboratory equipment, and sustaining a dynamic technical environment.
30. Magdy Iskander, Professor and Director, Hawai'i Center for Advanced Communications, strongly supports the establishment of a UARC at the University of Hawai'i. He said that UARC provides research opportunities and advanced technology which is really a core objective in the University's mission and added that it is clear that UARC supports research.
31. Miriam Sharma, Professor, Asian Studies, opposes the UARC because it violates the strategic plan devoted to academic freedom and intellectual rigor and it violates the specific vision, commitments and core values of the strategic plan that seeks to create a Hawaiian place of learning; a UARC is not about economics or business and it is not about creating a kinder and gentler contract; secret research and weapons development have no place in the University of Hawai'i; there will be no confidence in the administration and morale will drop precipitously as the faculty loses faith.
32. Don Thomas, School of Ocean and Earth Science and Technology, said that he has been involved in research in one form or another for the past 35 years and that during his tenure at the University of Hawai'i, he has seen a great deal of research in the sciences as well as other fields that have been funded by the Department of Defense. He said that while he respects the rights of the faculty to express their opinions concerning the pursuit of the UARC contract, he disagreed with many of those opinions. However, their efforts to interfere with the University's entry into the UARC contract are an infringement on his academic freedom and that of his colleagues who are conducting research. He strongly supports the process and strongly supports the University entering into the UARC contract with the Navy.

33. Klaus Keil, interim Dean of the School of Ocean and Earth Science and Technology (SOEST), said that he has polled his faculty and the overwhelming response was in favor of UARC, depending on the department and institute, 75 percent in favor and 25 percent against. He personally was also in favor of UARC. He said that the Regents and President McClain will have to seriously consider how a UARC, if it were here, might develop in the future.
34. John Wendell, Professor, College of Business Administration, said that the Mānoa faculty did an extraordinary job of looking at the UARC contract and looking at the details. He said that he understood that the ultimate fiduciary responsibility rests with the Board but the faculty was charged with looking at this and did a detailed job into looking at this. He said if the Board decides to go ahead with the UARC and go against the faculty, it will need to justify the decision on extraordinary grounds.
35. Henry Curtis, Executive Director, Life of the Land, said that Hawai'i has a very unique environment, very unique ecosystems, and more endangered and threatened species than any other place on the planet. He said that most scientists are conscientious and care and do a lot of great research. Research can be very good but it can also be very harmful but to say to a scientist, we will give you a pot of money, there is no transparency, there is a lot of confidentiality, whatever goes wrong, nobody will know about it until the disaster strikes, is dangerous.
36. Kat Brady, Life of the Land, said that they were in strong opposition to the University partnering with the Navy. Life of the Land currently sits on the Hickam restoration advisory board, among other military restoration advisory boards, and had to push them to look at pollution - off-shore pollution and pollution in the stream and storm drains there. They also sit on the Air Force's Central O'ahu restoration advisory board - Millions of gallons of jet fuel are missing. Pearl Harbor also has one foot of oil sitting on the top of part of the aquifer it serves 60 percent of Oahu's drinking water. The community recently learned that there is ocean dumping of chemical weapons on the Waianae Coast. She asked that the UARC contract be looked at very closely because it says that the University may get \$10 million a year for five years but there are no guarantees. She said that Life of the Land asks that the Board look critically at the role of a public university and its responsibility and obligation to the community that supports it. Secret research has no place in a publicly-supported institution.
37. Guy Ontai, retired Army officer, said that he is a professional engineer and has taught physics at Kamehameha as well as MIT and therefore has seen both sides. The most important thing is to really focus on the issues here. This kind of research is not only weapons research - research can also save people's lives. Rather than hypothetically think how evil this is, he said research can be good. Secrecy can become a reward because something unique and advanced is being done, at least in the military, and it can save people's lives. He added that there are a lot of Hawaiians serving in the military that could benefit possibly from this research.

38. Laura Edmunds, law student, said that the University of Hawai'i may be locked into an ethical conflict by becoming a UARC. Classified research has been done in these islands for years and is being done currently even without UARC and asked the Board that they not lead the University into a binding contract with the Navy that will lock the University into classified research.
39. Renee Furuyama, alumnus, said this community does not want the UARC. Its potential for destruction is too great, not only of the UH, but of this land and its people. She said that sadly, almost every member of her large extended family on the Waianae Coast has some chronic disease or cancer or has died of cancer. She said that it is only months ago that the community learned about the secret dumping of chemical warfare munitions off the coast of Waianae. She asked the Board not to expose other families with their young children to the possible disastrous effects of more military research in Hawai'i.
40. Roy Wilkens, School of Ocean and Earth Science and Technology, said that there is a constituency that hadn't been addressed. He said that he served in Vietnam, was wounded twice, and knows what it is like to be in harm's way. He said that he has no doubt that if technology is developed to the point that could be used to defend the soldiers, it would probably become classified and would save lives.
41. Shirley Daniel, Professor, College of Business, testified in favor of UARC. She said that she is familiar with many of the challenges that UH researchers face when competing for an executing federal grants. She said that a properly negotiated UARC will provide a mechanism for non-bid contracts. The University of Hawai'i will also be recognized as a premier research institution since it will be part of an elite group. One of the things that she is very concerned about is that people who are most affected by this decision are not being represented fairly in the details. She recommended this issue be strongly considered with the advice and counsel of those researchers who are most likely to be impacted by it.
42. Iokona Baker, law student, said that he had 170 signatures of law students of the William S. Richardson School of Law in opposition to the UARC. These signatures reflect the beliefs of people who are trained and committed to advocate for people and to seek justice. The UARC conflicts with the values of the University; the Mānoa Faculty Senate and interim Chancellor Konan opposes the UARC; and the military has broken its promises repeatedly with the State and its people.
43. Larry Lieberman, Communications Director, Referentia Systems, said that he believed that opponents of the UARC or any other government-related activity play an important role in maintaining the checks and balances that are so important in this free society. He testified that Referentia Systems is a strong supporter of UARC. The UARC offers an opportunity to join the ranks of some of the most advanced research institutions in the world and will attract top-notch faculty, produce exceptional students, and provide significant partnership opportunities for local technology companies that can lead to innovations that have significant dual use commercial potential. He

urged the Board of Regents to consider the widespread benefits that UARC could bring to the University and to the community at large.

44. William Albritton, instructor at the Information and Computer Sciences Department at UH-Mānoa, said that he is a minority in the technology field because he opposes the UARC. He said that there is a lack of accountability and a potential for fraud with the UARC and spoke about a parallel example at MIT.
45. Jim Hino said that the University already has contracts with the Department of Defense. He said that he has been working in the area of defense and has done basic research and has published it. Even though the work was classified, all he needed to do was strip out the classified information, and publish the remaining. In fact, he has published in journals and in various symposiums around the United States. The government, in fact, tries to get companies and universities to generate intellectual property.
46. Kenn Yuen, alumnus, said that there is a small but vibrant and growing technology community here in Hawai'i and there is significant work done with military business. It has allowed him to stay in Hawai'i doing satisfying and challenging work. He said that the UARC is too important for the high tech industry for him to stand silently by and hoped that the Board does the right thing. He said that he sees the UARC as a barometer for the technology industry in Hawai'i.
47. Kelli Goodin, representing the Engineering Alumni Association, supports the proposed UARC at the University of Hawai'i. She said that she believes the University of Hawai'i is capable of becoming a first-rate institution for science and technology but to do this, it needs to attract and retain the best faculty and students, increase funding, improve facilities, and provide new and exciting research opportunities. The UARC will show immediate benefits to the State's economy and, particularly, to the local engineering economy. The UARC represents a rare and valuable opportunity which the University cannot afford to turn down.
48. Meiko Arai, student, opposes UARC. She said that ignoring campus-wide opposition to UARC is unacceptable and it needs to stop; as an educational institution, the University of Hawai'i has commitments and core values that it upholds and classified research that UARC will conduct goes against this value and therefore hinders the integrity of this institution. UARC will not help the University of Hawai'i that promotes free and open academic and intellectual exchanges. As an educational institution, the University of Hawai'i should be known for its non-military activities and research that will contribute to a less violent world and promote peace.
49. Kevin Kelly, Center for Marine Microbial Ecology and Diversity, said that when the UARC is talked about, the other public service should also be looked at and what these researchers are really bringing to the table. He summarized a testimony by Dr. Bidigare who was not able to attend the meeting because he was at a NOAA Science meeting. Dr. Bidigare has been working with the Navy in studying algae and bioluminescence. The issue is that he could go through regular Navy broad agency

announcements and competitive awards which would give him a few hundred thousands a year for a few years or through the UARC, he could get a few million dollars for five years to do the same research. He can get the research done in a shorter period of time through the UARC vehicle. He said that both he and Dr. Bidigare strongly support UARC.

50. Glenn Paige, Professor Emeritus, Political Science and the President of the Non-Profit Center for Global Nonviolence, said that in 2002, he published the first book in the English language with the word, Non-Killing, in its title which is "Non-Killing Global Political Science." He greatly empathized with the important decision that the Board of Regents is called upon to make. It will take independence and varying degrees of courage. The challenge is not simply to say no to the UARC contract but to say yes to mobilizing comparable talent and resources to make the University of Hawai'i a premier contributor to peaceful, non-violent conditions of life for the people of Hawai'i and the Asian Pacific regions over this century and beyond. He said that a government contract becomes virtually a substitute for intellectual curiosity. The prospect of domination of the nation's scholars by federal employment, project allocations and the power of money is ever present and gravely to be regarded.
51. Rick Holasek, UH alumni, said that he formed a company called Novasol which has become the largest locally-based defense company in the State. Novasol's research and development work for the Department of Defense is directly tied to and leveraged off of the University of Hawai'i and employs many University of Hawai'i graduates and interns who obtain their marketable skills through their education at the University of Hawai'i, often associated with Department of Defense research. The UARC is a critical growth opportunity for the University of Hawai'i, will develop significant research funding, and will attract top-notch personnel to UH and surrounding businesses.
52. Lorenz Magaard, Chair, Department of Oceanography, expressed his concurrence with Dr. Klaus Keil's testimony to support UARC. He polled the members of his department and the majority of them were in favor of supporting the UARC. They think that UARC has the potential for strong benefits for the State and the community.
53. Kealoha Pisciotta, President, Mauna Kea Anaina Hou, was not able to personally testify but her testimony was read by Ikaika Hussey. The Mauna Kea Anaina Hou concurs with the Stop UARC Coalition's position and recommendations and requested that the Board adopt them and wanted the official record to reflect that they have given Mr. Hussey of the Stop UARC Coalition authority and authorization to provide this testimony on behalf of Ms. Pisciotta and Alii Sir Paul Neves, who also wanted the official record to reflect that the testimony is provided by traditional Royal Order of Kamehameha I, created in 1865 by His Majesty, King Kamehameha V. Both Mauna Kea Anaina Hou and the Royal Order have been actively involved in protecting the traditional and customary native Hawaiian cultural, traditional, and religious use and access relating to Mauna Kea. The Mauna Kea Anaina Hou does not support classified research or military applied research in general because both contain a long litany of dubious

and dangerous resulting impacts and effects upon the innocent and unknown.

54. Liam Skilling said that he was in opposition to UARC. If the words of the University of Hawai'i, calling it a Hawaiian place of learning mean anything, then that means deference to the Hawaiian community on issues that matter to this aina and this community. UARC should not happen in this fragile, beautiful island environment.
55. Ikaika Hussey, DMZ Hawai'i Aloha Aina, said it has been 400 days since the time at which UARC first came to the table and to work past the differences that have been encountered. He said he applauds the many volunteers - faculty members, community members, and students - who have spent many hours and their own monies to educate the public about this issue. He said if not for their efforts, this meeting would not have been held - there would have been a UARC approved last November. He said that he had spoken to a couple of the people who were in favor of UARC and was disappointed to hear that they had not read the draft contract. He said that UARC is not the only way to generate money and said that the ethical and moral implications should be considered.
56. Hina Wong said that he is in opposition to such *hewa* like the UARC. He said that the native people continue to be ignored. The native people stand in opposition to any continued effort to put them and the land and the natural resources further to the discretion of foreigners who will come in for personal interests, for non-native-oriented interest, for gains that will never benefit the native people. He said that the Board has the responsibility to make decisions that are *pono* and prudent.
57. Terri Kekoolani, 'Ohana Koa Nuclear Free and Independent Pacific, introduced Kaleo Patterson who said that he appreciated the idea of everyone working together for the well being of the people of this land. Mr. Patterson said that the first two churches that he served was on the island of Kaua'i and was involved with the missile defense proposal, the Star War Program. He said that this was a very difficult time for the island. He said that what he learned in the whole process was that the Department of Defense is not that in touch with the community and the needs of the community and is very concerned that the UARC will lead to further escalation of programs that will be of detriment to the people, environment, and safety. He said the Hawai'i Ecumenical Coalition was formed and many of its churches were concerned about this and there were many policies and resolutions passed going up to the national level that expressed concern about programs like this
58. Cha Smith, Executive Director of Kahea, the Hawaiian Environmental Alliance, submitted testimony in strong opposition to UARC on behalf of the 3,000 members that it represents throughout the islands, the United States and throughout the world. Kahea is an alliance of native Hawaiian environmental activists and many others who are concerned about the preservation of native Hawaiian cultural rights and about the integrity of Hawai'i's natural resources. She said that if UARC is approved, UH would

no longer be considered an association striving to improve the quality of life or working to establish a Hawaiian sense of place.

59. Kiyoshi Ikeda, Emeritus Professor of Sociology, said that for the record, he was not speaking as convenor of the University of Hawai'i Commission on Diversity which promotes equal opportunity and treatment for a full range of parties assigned to the negative margins of the larger community. He said that given Professor Jon Van Dyke's representation to the Board under HRS 378-2 for aiding and abetting discriminatory employment practices, he urged the Board to consider carefully the impact of adopting the UARC proposal under academic and campus practices in a climate involving sexual orientation. The direct and indirect negative effects of adoption are in violation of State law, requires best legal counsel to the Board, and requires careful review. What is also at stake is academic freedom in the level of transparency and open dialogues based on peer-reviewed analyses of data and writing of basic and applied research within this land grant research university setting.
60. Carolyn Golojuch, PFLAG O'ahu, said that she is a military wife who saw what military research has done. The military has actually obliterated and destroyed and evaporated an atoll all in the name of research. She said that our military has to change and the Board has an opportunity to change the world and say no more research for war. She said that the U.S. constitution should be protected by rejecting the Navy program that condones, promotes, and protects discrimination. Peace has to be the mission.
61. Johannah, graduate student at Ethnic Studies, spoke on behalf of Jon Okamura. The faculty of the Department of Ethnic Studies opposes the establishment of a Navy-sponsored UARC at UH, which is based on origins and commitment to the native Hawaiians and other local communities, many of which are against military abuses of land and people. The establishment of UARC will augment the military's presence in the islands. They asked the Board of Regents and President McClain to listen to the voices of faculty and Chancellor and reject the UARC contract. She said that she is a doctoral student of American Studies Department and said that in the tradition of social justice and the University, she reminded the Board of Regents of the University's motto - "Above All Nations is Humanity."
62. Rosalind Morris, graduate student in Anthropology, said that she is very much against having UARC at the University of Hawai'i. This is a historical moment where it would be very bad to provide a spectacle of the political and economic forces on the Board and it should consider very carefully all the opposition to UARC which would commit Hawai'i's resources and the University's resources to a force that is actually attempting to lash out and make a show of itself at the expense of others.
63. Jennifer Yoshioka, UH Student Caucus, said that they oppose the proposed UARC after considerable debate and attention to diversity of its voices that have spoken against UARC. An important role of the University of Hawai'i is to promote the free exchange of ideas to generate and disseminate knowledge and to guarantee the right of faculty to freely publish their work.

The UARC debate among the leadership of the University has been limited to the narrow fiscal questions which are porous to criticism. This is a program which would certainly cost the University millions of dollars with only a dubious return if any. The location of this UARC in the historical and geographical area of Hawai'i is of particular concern to the student body. The historical record of the U.S. Navy presence in Hawai'i from the overthrow to the half century long bombing of Kaho'olawe indicates a complete disregard for the cultural heritage and self determination of the people of Hawai'i.

In response to Regent Dahilig, Ms. Yoshioka said that all of the entities within the UH Student Caucus bring their party issues which each campus has and remarkably UARC was one of the top priorities on the list. Most of the neighbor island delegates did not have a clue of what UARC was and the O'ahu delegates explained UARC to them. After thoughtful consideration, a vote was taken and the vote was unanimous to vote against UARC.

64. Manu Ka'iama, College of Business Administration, said that with the proposed UARC, it is not known whether the land, the ocean, and the skies will be protected and whether precious ancestors will be compromised. She said that her family comes from Makua and had to leave - her house was bombed and the burial site of her relatives was bombed for target practice. She said she was also representing several native Hawaiian organizations across the system and they all unanimously oppose the UARC. There is nothing in the contract that guarantees a rate of return. She added that the few people who are in favor of UARC are a small minority - the Faculty Senate and the Mānoa Chancellor have voted against UARC - and she said that she hoped that the Board would have the courage to go ahead and see this through.
65. Lilikala Kame'eleihiwa, Professor, Center for Hawaiian Studies, said this issue is a very important issue to the Hawaiian community. She said that she became a tenured professor without taking any military money and her family survives on this land without taking any military money. She said that the University already receives money from the Department of Defense and classified research is not necessary. It undercuts academic freedom. She said that all the people at the Center for Hawaiian Studies, are unanimously against UARC. The American military has desecrated more land, has made more toxic waste, has caused more cancer, and has caused more upset here in Hawai'i than any other entity.
66. Karen Murray, UH alumnus, said that the University has funding vehicles such as ORS and before the University brings any other funding vehicles to manage, it should make sure it can manage the one that it already has. The conflict of interest issues in the contract are the very issues that proponents do not seem to recognize. She said that there is depleted uranium and all the Sarin gas on the Big Island that may be contributing to the rise in cancer and other diseases. There has to be a way to come up with ways to deal with these problems.

67. Vincent Pollard, UH alumnus, said that he does not have the right to do any research that he wants to do just because he wants to do it. In his research classes, he teaches students that there is an Institutional Review Board, a Committee on Human Subjects, which came about because of horrible abuses throughout the United States. He has a concern about the creeping militarization of teaching and research and said that it is time to call a stop, to say no, and to look for other forms of funding. The UH played an important role in refining and developing the most insidious and nastiest weapon in the Vietnam War that harmed not only Vietnamese but Americans and other nations that were fighting there, which is the dioxin, Agent Orange. This is secret military research; this is part of the history of UH.
68. Keli'i Collier, graduate student, said that the University of Hawai'i is the only place in the world that one can learn Olelo Hawai'i, one of the few places in the world that has an indigenous political science, graduate and Ph.D. programs and has wonderful professors. He said that there is no reason why the University should not be the leader in sustainable resources. The *U. S. News and World Report's* 2005 listing of America's best colleges ranks the following colleges with a UARC as follows: Johns Hopkins University (14), University of Texas at Austin and the University of Washington (tied at 46), and Pennsylvania State University (50). Some of the prestigious universities above Johns Hopkins without UARC's include Stanford, Cal Tech, Harvard, Princeton, Yale, Columbia, Dartmouth, Cornell, Browning, and University of Chicago. There is no reason why the University of Hawai'i system cannot be the Stanford of the Pacific. The Baltimore Peace and Justice Community said that they have been resisting the applied research laboratory for years but it is far better to prevent it. It also said that a lot of monies come in through the UARC and most of it is actually directed toward Naval weapons research.
69. Danny Li, UH alumnus, said that he is against UARC. The University of Hawai'i is not just a technical institution. At its best, the University can offer intellectual and moral leadership to the community. He said that he is proud as an alumnus and as a taxpayer of Hawai'i to see the group of people named "Save UH, Stop UARC" because they represent the future of Hawai'i. These people put social justice and community concerns first. He added that the U.S. Air Force used laser-guided bombs to kill 18 innocent civilians in Pakistan. This is what laser is being used for – researchers do not know what their research would be ultimately used for.
70. Pete Doktor, public school educator, said that he was reared in the military and said that there isn't a war without casualties. As a veteran, on an economic argument, he said that it is an insult to everyone who has served or is serving or who has died to think that they served because it was good for the economy. UH is no different from the youths who are feeling compelled to join the military because they want the good things that all people who want to take care of their families need. He said that if money is needed for research and training in various areas, why can't this be funded directly instead of going to the military. If saving lives are a concern, don't go to war, invest in peacemaking. He said that UARC is a gamble

and said that it is too great a risk for the University to be a part of this military industrial complex.

Chairperson Lagareta said that on behalf of the Board of Regents, she thanked everyone for taking the time and effort to testify. She added that this was one of the most thoughtful discussions she had ever seen. More importantly, she thanked everyone for the environment in which this information was shared. She said that she was very proud that the University and the community could go through these very lengthy and complex testimonies in a manner that was so respectful and really demonstrated what the University is all about. She emphasized that it is important to understand that there is a process that the Board of Regents follows and that there is still a provisional approval on the table because last year, a recommendation was made to the Board of Regents by the previous Mānoa Chancellor to create an applied research laboratory on the Mānoa campus. The Board provisionally approved it at that time but said that it needed more discussion. The provisional approval allowed for input from faculty, students and staff from the University of Hawai'i and from interested individuals from across the community and State. Chairperson Lagareta said that this was an informational meeting and that no action will be taken without a new recommendation coming to the Board through the regular open process. She added that she and the Regents will take the time to read the written testimonies that they had received prior and during this informational meeting.

President McClain said that he had made a commitment in May of last year that there would be a meeting of the Board of Regents at which time all points would be aired. He said that he is on record as saying that he will weigh a lot on Chancellor Konan's decision as he goes forward but will consider all the written and oral testimonies provided. He will give a recommendation to the Board of Regents about how to proceed or what to do with this proposal during his executive report at its February meeting.

II. ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

David Iha, Executive Administrator
and Secretary of the Board