

JOSEPH R. BIDEN, Jr., DELAWARE, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
HOWARD M. METZENBAUM, OHIO
DENNIS DECONCINI, ARIZONA
PATRICK J. LEAHY, VERMONT
HOWELL HEFLIN, ALABAMA
PAUL SIMON, ILLINOIS
HERBERT KOHL, WISCONSIN

STROM THURMOND, SOUTH CAROLINA
ORRIN G. HATCH, UTAH
ALAN K. SIMPSON, WYOMING
CHARLES E. GRASSLEY, IOWA
ARLEN SPECTER, PENNSYLVANIA
GORDON J. HUMPHREY, NEW HAMPSHIRE

MARK H. GITENSTEIN, CHIEF COUNSEL
DIANA HUFFMAN, STAFF DIRECTOR
TERRY L. WOOTEN, MINORITY CHIEF COUNSEL
R.J. DUKE SHORT, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

July 14, 1989

Dr. Joshua Lederberg, President
Rockefeller University
1230 York Avenue
New York, NY 10021-6399

Dear Dr. Lederberg:

I am writing to request your opinion on a piece of legislation that I have introduced. Senate Bill 993, the Biological Weapons Anti-Terrorism Act, would prohibit the development or manufacture of germ warfare devices and make it a crime to help a foreign nation acquire them. My bill is an effort to implement the 1972 Biological Weapons Convention (BWC)--to put its prohibitions into our domestic criminal code.

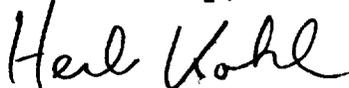
On July 26, the Senate Judiciary Committee will conduct a hearing on S. 993. My staff contacted your office to see if you might be available to testify at the hearing, which I am chairing. To my regret, we were told that you would be out of the country.

But I wanted to solicit your views, ideally for inclusion in the record of the hearing. Given your knowledge of the BWC and your role on the NAS committee examining biological weapons, I wonder if you think such legislation is a good idea. Should we have criminal penalties against the development of bio-weapons? Would it put the United States in a better position to demand that other countries fully comply with the BWC? (Article IV of the BWC requires signatories to "take any necessary measures" to combat bio-weapons, and the Second Review Conference in 1986 urged nations to strengthen the BWC by enacting domestic legislation.)

I look forward to hearing from you. If you or your staff have any questions, please call Keenen Peck on my staff at (202) 224-1555. Please call, too, if you would like me to reserve a spot for your observations in the hearing record on July 26. I apologize for giving such short notice, and I would certainly understand if you decided to "take a pass."

A copy of S. 993 is enclosed. Thank you for your consideration.

Sincerely,



Herb Kohl, U.S.S.



Handwritten notes:
Jensen
1 20 1989