

From: Boyle, Francis
Sent: Thursday, April 25, 2002 2:19 PM
To: abolition-caucus@yahoogroups.com
Subject: Lecture:USA Bio/warfare/terrorism/weapons

Faculty Lecture on Bio/Warfare/Terrorism/Weapons ^[1]

Francis A. Boyle

Professor of International Law

18 April 2002, University of Illinois

VERBATIM TRANSCRIPT REVISED

Contents

- Introduction
- Origins of BWC
- Reagan
- U of I Contracts
- CRG Congressional Briefing
- Biological Weapons Anti-terrorism Act
- Bush Sr.
- Iraq
- Clinton
- Bush Jr.
- Anthrax Attacks
- FBI
- Cover-Up
- Anti-terrorism and Effective Death Penalty Act

Question And Answer

- Hijacker and Anthrax in Florida?
- Gulf War Syndrome v. Agent Orange?
- Iraq Today?
- Dr. Huett-Vaughn?
- Loophole in BWC?
- Bios v. Gas in WWI?
- Third World v. Pentagon and CIA?
- Federal Regulations?

Introduction

Last Fall we saw an anthrax attack on the United States government that obviously was designed to shut the government down at a very critical moment in our history as a republic, that is immediately after September 11 when Congress should have been in session, making very critical decisions on oversight of the executive branch of government. This did not occur because of these anthrax attacks. I am going to work up to what I think really happened then to the extent anything can be figured out at this point in time. But to do that I will have to go through some historical background on the law and policy and science of biological weapons here in the United States.

Origins of BWC

At least going back to World War II we had an extremely aggressive offensive biological warfare program. Finally, Nixon and Kissinger decided to get rid of this offensive biological warfare program on two grounds. One, it was counterproductive. Militarily these things cannot be controlled. Two, we had a massive superiority in nuclear weapons anyway. Biological weapons (Bios) were the poor man's atom bomb and we wanted to get rid of them to deprive anyone out there in the third world of a weapon of mass extermination. Nixon unilaterally ordered the termination of our biowarfare program for offensive purposes. Nevertheless the CIA continued its bios program despite the President's order.

Eventually we supported and became a party to the Biological Weapons Convention of 1972 that prohibits research, development, testing of biological weapons, agents, components, etc., except for prophylactic and defensive purposes. And at least after the treaty came into effect we wound down our offensive biological warfare program. There was still a Chemical Biological Weapons (CBW) unit lurking in the Pentagon that had been starved of funds, wanting to come back to life. I am not sure exactly what the CIA was doing.

Reagan

Then the Reagan administration came to power. And I point out that many of the same people in the Reagan administration dealing with these issues are now back under Bush Jr. The Reagan administration took the position that we were going to exploit our superior technology with respect to weapons across the board. Whether it was nuclear weapons, chemical weapons, biological weapons, space weapons, it did not matter. And they began to pour massive amounts of money, hundreds of millions of dollars, into researching and developing what they said were defensive biological agents.

What had happened in the meantime to the technology after Nixon was that DNA genetic engineering -- including gene splicing technologies -- had come to the forefront. And the Reagan administration decided to exploit it. They engaged in dual-use research and development of biological agents, that is research that could be put to both offensive uses and defensive uses at the same time. The technology is the same.

You need three things to have an operational biological weapon. First you need an agent. Second you need a delivery device. And third you need a vaccine to vaccinate your own troops and your own people. Using a biological agent you are going to send an army in there,

they are going to occupy the territory, they need a vaccine.

The way the Reagan administration did this was to say that we are going to go out and investigate every exotic disease you could possibly imagine for the purpose of developing vaccines to deal with them despite the fact that there was no real evidence that anyone else was investigating these things and therefore we fit within the loophole of the Biological Weapons Convention for prophylactic purposes. And of course the technology to get the vaccine, using the DNA gene splicing, is exactly the same technology to get the agent. Indeed you use the DNA gene splicing to get the agent first and then you develop the vaccine. After you have created the agent then you create the vaccine and then you come up with an aerosol delivery device. Then you have a bioweapon.

U of I Contracts

We had two of these contracts here on campus. I have read these contracts. They were clearly biological warfare contracts and the tip-off on any of these contracts is they call for the development in the contract of an aerosol delivery device. That is how biological warfare agents are delivered, by air. All of this type of research then was being farmed out around the country to large numbers of life-science researchers. Meanwhile, on other hand, the Reagan administration was cutting back funding for the National Science Foundation. So what we had was second and third -rate scientists who were no longer able to get money in the life-sciences from the NSF going to the Pentagon in order to get funding. The Council for Responsible Genetics responded to this by putting out a Pledge saying the signers would not accept any money from the Pentagon for any reason.

You can read these biowarfare contracts. It clearly says "military justification" for this contract. Indeed for the ones here on campus they were gassing pigs and sheep and rabbits over there at VetMed. And the contract said that we picked pigs because they have a circulatory system and respiratory system most akin to human beings. You can read it there in the contract.

CRG Congressional Briefing

The other activity the Council for Responsible Genetics did was to have a Congressional Briefing on Capitol Hill on September 13, 1985. They asked me to go in there and explain what was going on here, what the Reagan people really were up to and how dangerous this actually was. Notice we were deliberately proliferating this technology. We were encouraging these scientists to go out and develop this dual-use technology, we were funding it. It was going out all over the country and indeed around the world.

So I went to Washington and gave this briefing. I answered questions, went through the whole thing and said we really need domestic implementing legislation for the Biological Weapons Convention to make it a serious felony in order to stop this research because it is too dangerous. You have proliferation of biowarfare technology. Even the safety, if you analyze these contracts, the safety levels were atrocious. You have these dirty little agents out there that could easily escape into the environment.

Biological Weapons Anti-terrorism Act

So then I was requested by CRG to draft the legislation to deal with this problem and in particular the abuse of DNA genetic engineering technology for biowarfare purposes. I worked in conjunction with the CRG scientists and we also worked with the biotech industry. At that time the biotech industry had no desire to get into biowarfare technology -- Monsanto and the others. So they supported our legislation.

What happened? The Reagan administration fought it tooth and nail. They knew full well that my legislation was designed to stop what they were doing at the Pentagon. I made it very clear that research, development, testing of such biowarfare agents would be punished by life in prison. I do not believe in the death penalty for any reason so I did not put it in there. But it is in there now -- life in prison.

What we did not know at that time when the Reagan people were fighting us tooth and nail is that they had also authorized at least forty shipments of weapons-specific biological agents to Iraq from the American Type Culture Collection, which is a big scientific institute. It has cultures for scientific purposes of every type of exotic disease in the world. You name it, it is there. It was clear the Reagan administration was shipping all this to Iraq knowing full well Iraq was going to develop biological weapons and use them against Iran, and yet they did it anyway. Now at the time my legislation was coming through we did not know this. It came out later. So we got nowhere with the legislation.

Bush Sr.

Bush Sr. was elected and then the question was whether we should continue under Bush Sr. or just junk the legislation. I took the position: Look, the Reagan administration also developed a new generation of chemical weapons -- binaries. It was hotly contested and CRG opposed that too. It came down to a tie vote in the Senate and George Bush as Vice President broke the tie vote in favor of the binary chemical weapons. However, his mother then publicly stated she was very disappointed. I said my guess is that really indicates he is trying to send a message here and that really indicates where he stands. So I argued we should go forward with Bush Sr., maybe we will see a change in policy.

To the credit of Bush Sr., the moment they came into power, all opposition to our legislation was stopped by the Executive Branch. We were advised, however, that it would help on the Hill if we would repackage it as a piece of legislation designed to deal with biological warfare out there in the Third World. That there were the crazies out there in the Third World who were going to develop biological weapons and our legislation was designed to deal with that. So I said fine, I am concerned about the crazies in the Pentagon and the private sector working with them, but if that is the advice we get from the Hill then fine. So we redid it, we did not change the legislation just repackaged the way we presented it and finally it was adopted unanimously by both Houses of Congress, signed into law by President Bush Sr., and he to his credit, wound down this program.

Iraq

However to get back to the biological agents shipped to Iraq. As you know in the fall of 1990 as we were going to war against Iraq, Bush and Cheney ordered all U.S. armed forces to take experimental medical vaccines for anthrax and botulin. I had no idea why but the reason why was very simple. It came out later. Under Reagan they had shipped these biological agents to Iraq, Iraq had weaponized them, and we knew full well our troops would be vulnerable. So using some of the same technologies, we put these experimental medical vaccines into our own troops, 500,000 of them. Today they suffer from the Gulf War Syndrome. The Pentagon still denies it, but it is a lie.

Indeed, I worked over in Britain on an expose there, *The Dirty War*, a documentary film. Finally the British government admitted there is such a thing as the Gulf War Syndrome. I personally believe they go back to these vaccines. They were experimental medical vaccines in violation of the Nuremberg Code on medical experimentation. I argued this point in the court martial proceedings of Captain Doctor Yolanda Huett-Vaughn, who was court martialed in part for refusing to give these vaccines. And later Senator Jay Rockefeller held hearings in which he also accused Bush, Cheney and Powell of committing a Nuremberg crime on our own troops. Today approximately a minimum of 50,000 U.S. military personnel suffer from what is called the Gulf War Syndrome. The tip off here is that the French Army rejected the vaccines because they knew they were experimental. They had been burned once before in IndoChina. Of course, there were multiple agents that worked there -- depleted uranium, carcinogenic substances in the air, etc.

Clinton

Then what happened? For some reason, in the last two years of the Clinton administration, Clinton decided to get back into this dual-use biological warfare work. And again began putting hundreds of millions of dollars into the stuff, to again research and develop every known exotic disease one could think of, developing the components that then get turned over to the Pentagon where they could be assembled into weapons. This is going on as we speak now.

Finally, the *New York Times* broke the story. Yes, the United States government is violating the Biological Weapons Convention. The CIA operation Bacchus. We are developing an immune resistant strain of anthrax with DNA genetic engineering. We have developed super weapons-grade anthrax in quantities and strengths that have no legitimate defensive purpose at all. We had a bomb factory down there where we are simulating the production of biological agents. It is very clear that we are now back into the business of research and development of biological agents, in clearcut violation of the Biological Weapons Convention and my statute the Biological Weapons Anti-terrorism Act of 1989.

Bush Jr.

That then is why the Bush Jr. administration repudiated the verification protocol for the Biological Weapons Convention. These negotiations had been underway for quite some time. The Convention has no verification provisions. Finally, this fall all of a sudden out of nowhere, Bush Jr. repudiated the whole thing and tried to kill it. Why? Because it is clear we

are involved in this type of work. Whether through the Pentagon, the CIA, or their contractors, or all of them.

Anthrax Attacks

This brings us to the anthrax attacks on the United States government. Obviously it was not clear what was going on, at least to me, until the *New York Times* published the technology behind the Daschle letter. The technology behind the Daschle letter, and later the Leahy letter, was very sophisticated. Trillion spores per gram. That is super-weapons grade. Second, tied in there was a special treatment to eliminate electrostatic charges so it would float in the air. You have to have special equipment, special treatment, special everything.

The only people who would have the capability to do this would be individuals who either are currently employed by the Department of Defense or the CIA doing biowarfare work, or had been employed by the Department of Defense or the CIA doing biowarfare work. And would probably have access to one of the government's biowarfare labs. This stuff is so dangerous. You could not do it unless you were wearing one of these space suits. And there are only a handful of these labs in the country.

FBI

That very day I called up a senior official in the FBI who handles terrorism and counter-terrorism, he knows who I am because of the work I have done in this field, and discussed this matter with him. I said: Look there are very few people who have this capability. I have a list of them under the Reagan administration. That is where you have to start to look. I went down the list and said, This person worked with this government lab, that person worked with that government lab, etc., etc. He said, We are coordinating our efforts with Ft. Deitrick. I said, Ft. Deitrick could very well be the problem here. They are one of the few labs with the capability to do something like this. And you could have a Timothy McVeigh type situation where someone who was once on the reservation is now off the reservation. So you need to start looking at this list of these people who have worked with the Pentagon. I do not have a list of the CIA people, and my guess is you are going to find your person. He told me he would pass the information along to the right people.

This was just before I ran the CRG workshop at Harvard on Biowarfare the first weekend in November. There my colleague Jonathan King, Professor of Microbiology at MIT and the head of their electron-microscope lab, publicly stated the same exact conclusion independently of me. He had reached the exact same conclusion that I had. Likewise Dr. Barbara Rosenberg who is now with the Federation of American Scientists, independent of both King and me later reached the exact same conclusion: that whoever did this was working for the United States government now, in the Pentagon or the CIA or had in the immediate past, and must have had access to a U.S. biowarfare lab. I was interviewed on *FOX*, I was interviewed on *BBC World Service* and I was interviewed on *Pacific Network* in Washington DC.

Cover-Up

What happened? Soon thereafter the FBI authorized the destruction of the anthrax culture collection at Ames, Iowa. It had been determined that this was Ames-strain anthrax. The FBI authorized the destruction of that entire supply. It is obvious it was a cover-up. If you had access to that supply you could do a genetic reconstruction of the origins of the Daschle letter. If you had access to the Ames collection scientists would be able to do a genetic reconstruction of where the Daschle and Leahy agents originated.

I believe the FBI knows exactly who was behind this attack and they have probably concluded that yes, it was someone who was currently involved in illegal and criminal biological warfare research by the United States government. Either the Pentagon or the CIA or one of their private contractors. And for that reason they are not going to apprehend and they are not going to indict him because obviously he would spill the beans on the whole thing and implicate the Pentagon, CIA, whoever is behind this. So this is where we are today, where the FBI says we are working on it, but of course, that is ridiculous.

Anti-terrorism and Effective Death Penalty Act

As for my statute: when it came out that the Reagan administration had authorized the 40 or so shipments of weapons specific agents to Iraq, we never intended to impede legitimate scientific research let alone the biotech industry. So in the drafting of this I never assumed that American Type Culture Collection would be complicit in shipping weapons-specific biological agents to Iraq at the behest of the Reagan administration.

When all this came out my statute was amended by the Anti-terrorism and Effective Death Penalty Act to deal with this problem, that is to deal with legitimate scientific institutes like American Type Culture somehow getting involved in biological warfare. It was amended then and is currently being amended again to deal with the problem of there being so many people out there who are capable of doing this type of work, or at least work not as sophisticated as the Daschle and Leahy letters, but certainly capable of producing a weapon and killing people.

Why don't I take any questions that people might have.

Hijacker and Anthrax in Florida?

The Daschle and Leahy letters were simply to shut the government down, attack the government. There would be very few people who would have the scientific knowledge, capability, expertise and equipment to manufacture the super-grade weapons anthrax behind the Daschle and Leahy letters. Not this hijacker.

Gulf War Syndrome v. Agent Orange?

The Pentagon still lies about Agent Orange. It took them years to finally admit that Agent Orange produced cancer and to provide proper medical treatment to those veterans. They are doing the exact same thing here. One, it is the question of financial liability for these service people in making sure they have proper medical treatment. And two, it gets back to the point

that if you start getting into this how did Iraq get weapons-specific agents and why and who was shipping it over there? Clearly it was illegal, it violated the treaty and although not yet the statute. I do not think the Pentagon wants to get into any of that so the cover-up goes on. But as I said the big expose in the UK: UK troops did take the shots, like Americans, the French rejected it, no real Gulf War Syndrome there. And for years the UK also denied it. But the documentary called *The Dirty War* came out and I was a consultant on it, independent station TV 4, came out all over Britain and I was also in it. Finally as a result of that documentary getting front page headlines in Britain, a spokesperson for the British Ministry of Defense admitted that there was such a thing as the Gulf War Syndrome.

Now let me make one more point. The danger of the syndrome is in addition here in the United States it is microbial. In other words it is being conveyed to next of kin, and also to health care workers who treat it. So it can and is slowly spreading through the population. The upside is, there was a private doctor who was denied government funds -- it is a government cover-up here -- and nevertheless, with his own resources, investigated this stuff and concluded that there was a DNA genetically engineered mycoplasma at work and it could be treated by antibiotics. And he has been successfully treating some of these people. But as I said the last figure is about 50,000 Gulf War Vets suffer from the Gulf War Syndrome which the government still denies exists.

There are multiple symptoms because there was also the use of depleted uranium as well. And DU is radiological, toxic, and carcinogenic. The government still denies that too. So you have everyone getting these shots, and all these vaccines were experimental, none had been approved by the FDA for this purpose. It clearly violated the Nuremberg code on medical experimentation. When Dr. Huett-Vaughn refused to give them, she was court-martialed.

Bromide tablets for nerve gas attacks were also given out. They had never been tested either for nerve gas. What these tablets did was interfere with the firing of nerve synapses. The theory was that if you got hit with a nerve gas agent, you would take one of these tablets and it would interfere with shutting you down and you would be able to resume what you were doing. None of this had been tested or approved or anything by anyone. Of course in addition there was all the fire and the oil in the air. Put all this together and you have a lot of very sick people out there.

The last time I showed *The Dirty War* here I had Major Doug Rokke in who teaches on this campus and he handled the DU investigation for the Pentagon. He came in to talk about it. He can verify everything I am telling you. He himself suffers from the Gulf War Syndrome. So you have tens of thousands of Vets out there not getting proper medical treatment because of the government cover-up. Indeed, it used to be you could go to a Veteran's hospital with the symptoms and they were instructed to say that this was just stress, it's all in your mind.

Iraq Today?

I think Scott Ritter has put this out correctly and also Ray Zalinkas. Ray was a biowarfare guy, and an independent biowarfare expert. Part of the insidious nature now of the anthrax investigation is that the FBI is going out and saying to microbiologists, All right, we want

you involved in the investigation, we are going to give you something to analyze but you have got to sign a pledge of secrecy. So they are running around pledging everyone to secrecy so no one can talk about this and it is being done deliberately.

But to get back to your question, both Ritter and Zalinskas who were UNSCOM inspectors have publicly stated their position that Iraq's biological weapons capability is dismantled. So if we do go back to war against Iraq, which I certainly hope we do not, I would not think this is going to be a significant problem. A lot of the rest of this is just propaganda, just between you and me. Ritter was just here on campus by the way, saying the same thing. And Zalinskas after he came back, his UNSCOM service was over, he said it is all gone. So I would not anticipate that would be a big problem this time.

But the last time it was. I have reputable sources where generals say yes, we gave Iraq weapons-specific biological agents and we knew what we were doing, figuring they were going to use it against Iran. But then they were prepared to use it against us. Now when we blew up some of these factories to do this, it spewed all this stuff in the air and some of our people over there also inhaled this. So you have the vaccine, you have the particles of this stuff in the air, you have chemical weapons in the air, you have depleted uranium. And as I said today 50,000 people suffering from Gulf War Syndrome and it is slowly moving into the population. I have not seen any recent studies on it that there are cases of it being conveyed to immediate family relatives, and health care workers, which indicates a biological agent at work.

Dr. Huett-Vaughn?

As I said we were the first to raise this issue in the Huett-Vaughn court martial. She refused to go, she was a medical doctor, one of the reasons she said: I do not want to give these vaccines, they are clearly experimental, they violate the Nuremberg Code on medical experimentation, it would be a war crime, and it violates the Hippocratic oath. We defended her in the court martial, she was the highest ranking officer, refused to go, desertion, five years. It would have been the death penalty if it was a formally declared war by Congress. In the Article 32 hearings at Ft. Leonard Wood, there was satellite dish there. I first publicly accused these guys of inflicting a Nuremberg crime upon our own troops. That did go out. Later Senator Jay Rockefeller held hearings and at the end of the hearings, he publicly stated the same thing.

Dr. Huett-Vaughn was convicted after a total kangaroo court proceeding, taken away in chains, to Leavenworth, in medium security. We were able to get her out eight months later. Then they tried to strip her of her medical license. This is a woman who spent her whole life -- she first worked in the Bronx -- treating poor black people, community medical services. Then she moved down to Kansas City, and there doing the same thing and also she was one of the first doctors to treat AIDS patients. You know, at the beginning of the AIDS epidemic doctors were not even treating them. They tried to strip her of her medical license. I was not involved in that one but she is still practicing medicine in Kansas City. But at the formal court martial itself she was stripped of all of the witnesses but me and then I was shut down.

Loophole in BWC?

Two things. My legislation was intended to close that loophole. That is why I put life imprisonment in there. We publicized it to scare the hell out of any life science researcher that was going to get involved in this type of stuff. Second, internationally, the loophole was to be closed by means of the verification protocol. So that if a government said we are just doing legitimate defensive prophylactic research, you would have qualified experts able to come into that lab, and look at precisely what was going on. That is why Bush Jr. just rejected it in Geneva.

Bios v. Gas in WWI?

On the gas, in 1925 the Geneva Gas Protocol prohibited any use of any chemical weapons except in retaliation. By the way biological weapons too were added. That was generally observed in the European theater in the Second World War. The Nazis did not resort to it, we did develop anthrax, and the British did too. Indeed, a lot of our munitions are still left over here in Terre Haute, Indiana. Fortunately, they are downwind from us. And a lot of what was left over from World War II is still here. They do not know how to get rid of it. They are saying we are going to have a super-incinerator and we are going to burn it and again if you are living downwind, do not worry about it, that will take care of it. But you will have to burn everything and completely incinerate it for it to be safe. They do not know what to do with all this.

So the problem with the Biological Weapons Convention in 1972 then came with the technology thereafter -- the DNA genetic engineering technology that would give you the capability to develop a brand new agent using DNA genetic engineering as well as the vaccine because the technology is the same. Indeed, if you look at what they are doing now they will say: Oh yes there are all these exotic diseases out there and we have to develop vaccines against them. But if you look at how that happens, of course they develop the offensive agent and then they develop the vaccine and then all you would need is the aerosolization of the product and you have a weapon. We are doing this now.

The Pentagon just laid out a contract to Battelle to develop anthrax that will be resistant to any type of treatment. Right now fortunately what we are dealing with in Washington can be treated by conventional antibiotics. What we are now developing by the government at Battelle, it is a matter of public record, you can read about it in the *Wall Street Journal*, anthrax that would be antibiotic resistant.

This then led to the Statement that we released at the Council of Responsible Genetics Workshop at Harvard that was signed by Professor King, Dr. Susan Wright of the University of Michigan, the CRG Executive Director Dr. Martin Teitel and myself opposing this. And we are starting a campaign to try to stop this type of work. There is another organization called the Sunshine Institute that also works against this type of research. And the Federation of American Scientists, Dr. Rosenberg runs that program for them.

So this is very dangerous stuff. You have proliferation of technology and weapons capability that can be turned against the American people and the American government.

Third World v. Pentagon and CIA?

The real problem has always been what about the Pentagon and the CIA? And so far Congress has not been prepared to reign them in and to stop this very dangerous, lethal research. It is still going on as we speak today. In my opinion that is still the real problem and I believe that type of work is what is behind this recent anthrax attack on our government. It is not some crazy people in the third world, it was far too sophisticated for that. This was not the type of stuff you could put together in a university lab. That is why I do not believe the guys who hijacked the airplanes, had anything at all to do with it. The only people who had that capability, all worked for the government or have worked for the government in these biowarfare programs.

Federal Regulations?

They are dealing with the problem that the movement of these agents had been unregulated for the most part. As you know there is federal legislation on hazardous materials but this is super-hazardous and it needs very stringent regulation on all these agents for scientific purposes. Scientists say You cannot interfere with what we are doing. I never intended to interfere with legitimate science. But legitimate science can be perverted. So there will have to be more regulation not to stop the science but to regulate where is this agent and what is being done with this agent? And even if we hear from a legitimate lab and we send an agent out to the lab, where is the guarantee that someone out there at that scientific research institute is not going to turn this into weapons purposes? This is the problem they have to deal with now. It is a very big problem.

But we have to distinguish that from the anthrax attack on the government. Clearly this was a deliberate attack designed to shut down Congress, the House and the Senate, which they pretty much did, at a critical time. And it was by people affiliated with Pentagon, CIA. I do not believe that at all was any coincidence. Beyond that I cannot say, I can only go with the facts in the public record. And as I said, unfortunately, many of the microbiologists who have been given jobs to do by the FBI have now been sworn to secrecy. And the Daschle and the Leahy letters are all at Ft. Deitrick. Which is like putting the foxes in charge of the chicken coop.

Thank you.

1. Copyright © 2002 by Francis A. Boyle.
All rights reserved.
The viewpoints expressed here are solely my own.

Francis A. Boyle
Law Building
504 E. Pennsylvania Ave.
Champaign, IL 61820 USA
217-333-7954(voice)
217-244-1478(fax)
fboyle@law.uiuc.edu