

FROM CIA OPS CENTER

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ST. 18:52 NO. 370000816 F

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2003 JUN -9 PM 3:53

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SITE 3
CIA
MESSAGE NUMBER
324

MONDAY
6-9-2003



TIME TRANSMITTED

15:47

TIME RECEIVED

FROM:



Office/Desk:

Phone:

SUBJECT:

IRAQ - NIGER URANIUM (CONGRESSIONAL NOTIFICATION)

DELIVERY INSTRUCTIONS:

Pages: 10
(Including Cover)

NOTE: FURNISH AFTER-DUTY-HOURS CONTACT TELEPHONE NUMBER FOR EACH ADDRESSEE REQUIRING AFTER DUTY HOURS DELIVERY.

- IMMEDIATE/URGENT
- HOLD FOR NORMAL DUTY HOURS

* SIT ROOM *
CALL 6900
FOR PICKUP

TRANSMITTED TO

AGENCY	RECIPIENT	OFFICE / ROOM NUMBER	PHONE NUMBER / SECURE FAX
W.H.	JENNY MAYFIELD	V.P.'S OFFICE	
(VIA)		ROOM 276	
(SIT)			
(ROOM)	PLEASE PASS TO		
	MR. HAYMAH		
	+ MR. LIBBY		
	A.S.A.P.		
Remarks:			001472

WASHFAX COVER SHEET

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EXHIBIT
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Central Intelligence Agency
Washington, D.C. 20505

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OCA 2003-1146
3 April 2003

Mr. Tim Sample
Staff Director
Permanent Select Committee
on Intelligence
House of Representatives
Washington, D.C. 20515

Dear Tim:

SUBJECT: Notification

COUNTRY: Niger

ISSUE: [REDACTED] Purported Iraqi Attempt to get Uranium from Niger

(U) Enclosed is a background paper regarding the subject mentioned above.

(U) Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

~~Stanley M. Moskowitz~~
Director of Congressional Affairs

Enclosure

[REDACTED]

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FROM: CIA QRS CENTER

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SUBJECT: [REDACTED] Purported Iraqi attempt to get Uranium from Niger

1. [REDACTED] Most agencies in the Intelligence Community (IC) assess that multiple intelligence reports over the last few years on Saddam's aggressive pursuit of aluminum tubes for centrifuges, magnets for centrifuge bearings, high-speed balancing machines, and computer-controlled machine tools as well as the reconsolidation of his cadre of nuclear technicians point to ongoing reconstitution of his nuclear weapons program. In addition to these reports, the IC received a number of reports alleging that Iraq attempted to get uranium from several countries. The reports on attempted uranium procurement were not the essential elements underpinning our judgment that reconstitution had begun. This point is underscored by the fact that in more than a dozen briefings to Congress by senior officials last fall, the uranium acquisition attempts were not briefed. Because this issue has gained so much public attention, especially after the IAEA's public announcement that the Niger documents were forgeries, the chronology below lays out the key events starting with the dissemination of the initial [REDACTED] report on the topic in October 2001.

2. [REDACTED] On 15 October 2001, the CIA's Directorate of Operations issued a report [REDACTED] that indicated as of early 2001, Niger planned to send several tons of uranium to Iraq. The agreement for the sale of uranium to Iraq reportedly was approved by the state court of Niger in 2000.

3. [REDACTED] On 5 February 2002, the Directorate of Operations issued a second report [REDACTED] indicating Niger and Iraq had signed an agreement regarding the sale of uranium in July 2000.

4. [REDACTED] In response to the Directorate of Operations' report noted in paragraph three, CIA published a Senior Power Executive Intelligence Brief (SPEIB) on 14 February 2002 that concluded, "Information on the alleged uranium contract between Iraq and Niger comes exclusively from a foreign government service report that lacks crucial details, and we are working to clarify the information and to determine whether it can be corroborated."

[REDACTED] The 14 February 2002 assessment erroneously stated the IAEA said Iraq already has some 350 tons of yellowcake—200 tons of which were purchased in 1978 from Niger. The correct figures are 199.9 tonnes of [REDACTED]

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5. [REDACTED] In early March 2002, the Directorate of Intelligence prepared an analytic update that reported on a meeting between the U.S. Ambassador to Niger, the Deputy Commander-in-Chief of the US European Command, and President Tandja of Niger. The update noted that in this late February 2002 meeting, President Tandja indicated that Niger was making all efforts to ensure that its uranium would be used only for peaceful purposes. We also reported that President Tandja had asked the US for unspecified assistance to ensure Niger's uranium did not fall into the wrong hands. Our analytic update also stated that we had requested additional information from the [REDACTED] service that provided the original reporting on this topic and that the service currently was unable to provide new information.

6. [REDACTED] On 8 March 2002, the Directorate of Operations disseminated information--obtained independently from a sensitive source--that indicated a former Nigerian government official claimed that since 1997, there had been no contracts signed between Niger and any rogue states for the sale of uranium in the form of yellowcake. While also asserting there had been no transfers of yellowcake to rogue states, one subsource--a former senior Nigerian official we are confident would have known of uranium sales--also said that he believed Iraq was interested in discussing yellowcake purchases when it sent a delegation to Niamey in mid-1999. The Directorate of Operations collected this information in an attempt to verify or refute [REDACTED] reporting on an alleged Iraq-Niger uranium deal. The Directorate of Operations assesses their sensitive source to be highly reliable [REDACTED]

The [REDACTED] subsources, however, were described in the disseminated report as knowing their remarks could reach the US Government and noted these individuals may have intended their comments to influence as well as inform.

uranium contained in 276.8 tonnes of uranium yellowcake, which were imported in the early 1980s. The precise year of import of this material is in question as the IAEA indicates Iraq received 432 barrels of yellowcake (137,435 kgs total) from Niger in 1981. It also lists that in 1982, Iraq received another 426 barrels of the material (139,409 kgs total) from Niger, bringing the total to 276.8 tonnes. The Iraqi declaration from 7 December 2002, however, indicates that two shipments of yellowcake occurred on 8 February 1981 and 18 March 1981. These are the same dates noted by Iraq in one section of its 1998 "Full Final and Complete Declaration" on its nuclear program. These discrepancies in dates have been flagged to the Department of State.

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7. [REDACTED] On 25 March 2002, the Directorate of Operations released the third and final report on the Iraq-Niger uranium issue [REDACTED]

8. [REDACTED] On 24 September 2002, the British Government published a dossier titled "Iraq's Weapons of Mass Destruction," which stated that "there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa." CIA avoided making a similar reference in providing text for the U.S. White Paper entitled "Iraq's Weapons of Mass Destruction Programs" and expressed concerns about the credibility of the reporting to the British [REDACTED] prior to publication of their assessment.

[REDACTED] prior to publication of the dossier, the British countered CIA concerns regarding credibility of the reporting by claiming they had corroborating evidence that Iraq sought uranium from Africa. This alleged corroborating information, however, was not shared with us. [REDACTED]

9. [REDACTED]

[REDACTED] On 4 October 2002, while testifying before the Senate Select Committee on Intelligence, CIA officers were asked whether they agreed with the British dossier on Iraq's weapons programs. CIA's National Intelligence Officer for Strategic and Nuclear Programs referenced two points on which the US differed from the British: [REDACTED]

10. [REDACTED] On 1 October 2002, the National Intelligence Estimate on Iraq's WMD program was published. It stated: "Iraq has about 550 metric tons of yellowcake and low-enriched uranium at Tuwaitha, which is inspected annually by the IAEA. Iraq also began vigorously trying to procure uranium ore and yellowcake, acquiring either would shorten the time Baghdad needs to produce nuclear weapons. A foreign government service reported that as of early 2001, Niger planned to send several tons of 'pure uranium' (probably yellowcake) to Iraq. As of early 2001, Niger and Iraq reportedly were still working out arrangement for this deal, which could be for up to 500 tons of yellowcake. [REDACTED]"

[REDACTED] In an effort to include all information related to Iraq's nuclear-weapon program, reports of attempts to acquire uranium from abroad were included in the NIE, but not as one of the reasons that most agencies judged that

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Saddam was reconstituting his nuclear weapons program. In fact, State/INR noted later in the document that "the claims of Iraqi pursuit of natural uranium in Africa are, in INR's assessment, highly dubious."

11. [REDACTED] On 10 October 2002, Embassy Rome reported on a meeting from the previous day with a journalist from the Italian magazine *Panorama*. The journalist provided the Embassy with a copy of documents alleging Iraq and Niger had reached an agreement in July 2000 for the purchase of uranium. The journalist identified her source as an Italian male who had managed to obtain the documents in question and who was now seeking 15,000 Euro in return for their publication. Embassy Rome indicated that it had learned from CIA that the documents provided by the journalist were the subject of the CIA report issued on 5 February 2002, as described in paragraph three. Embassy Rome shared copies of the documents [REDACTED]

[REDACTED] the Embassy forwarded the documents through State Department channels to its Bureau of Non-Proliferation (State/NP). The Directorate of Intelligence did not request or place a high-priority on obtaining the actual documents, at this time, [REDACTED]

12. [REDACTED] On 15 October 2002, an Intelligence Community E-mail (ICE-mail) from the Bureau of Intelligence and Research at the Department of State (State/INR) to CIA acknowledges receiving the documents acquired by Embassy Rome and noted doubt about the alleged uranium deal. State/INR also offered to provide copies of the documents to CIA at a meeting of the interagency group assigned to review nuclear export matters, occurring the next day. The delivery did not occur, nor did CIA press State/INR for the documents, for the same reasons articulated in paragraph eleven.

13. [REDACTED] On 13 November 2002, as part of a larger briefing on the status of Iraq's nuclear weapons program, CIA briefed [REDACTED] reporting on Iraqi attempts to procure uranium from Africa are fragmentary, at best. We assess that none of the deals have gone through, but it shows that Iraq is probably trying to acquire uranium ore abroad. Two additional points were provided which pointed to attempted uranium procurement from the Democratic Republic of Congo (DROC).

14. [REDACTED] On 22 November 2002, during a meeting at the State Department (INR), French Ministry of Foreign Affairs Director for Nonproliferation, Francois Richier, indicated France had drawn no conclusion about Iraqi nuclear reconstitution, and with one exception, the evidence available to France thus far was "dual-use." However, there was one thing "nuclear," France had information on an Iraqi attempt to buy uranium from Niger. Richier said France had investigated and determined that no uranium had been shipped. In response to a question from the

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Department of State as to whether France had confirmed that Iraq indeed had made this procurement attempt. Richier did not provide a direct response, but indicated that French officials believed this reporting to be true.

15. [REDACTED] On 25 November 2002, the US Naval Criminal Investigation Service in Marseille, France reported information from two of its sources who claimed that a large quantity of uranium was currently stored in barrels at the Port of Cotonou, Benin and that Niger's President had sold this material to Iraq.

16. [REDACTED] On 19 December 2002, the State Department released a fact sheet illustrating omissions from the Iraqi declaration to the UN Security Council, prepared by State/INR. Under the nuclear weapons section it stated, "The declaration ignores efforts to procure uranium from Niger. Why is the Iraqi regime hiding their uranium procurement?" During coordination, CIA confirmed that of all the reported incidences of Iraqi efforts to acquire uranium from abroad since 1991, we had the most information concerning the alleged deal with Niger, yet still considered the overall reporting as fragmentary. That day, the Weapons Center for Intelligence, Non-Proliferation, and Arms Control (WINPAC) in the Directorate of Intelligence recommended that Niger not be mentioned, but according to the State officer who drafted the fact sheet, our comments were not obtained in time to correct the listing on the State Department web site. The information was acted on in time, however, to remove it from Ambassador Negroponte's statement.

17. [REDACTED] a 6 January 2003 [REDACTED] IAEA's Iraq Nuclear Verification Office (INVO), INVO Director Jacques Baute raised the issue of uranium procurement attempts from Niger and requested that the U.S. provide any additional details regarding this supposed transaction. Baute added that INVO had not been provided with any particular details and, as in the past, asked for whatever information we could provide, however limited. In response, [REDACTED] began to review the reporting and analysis concerning the suspect Iraq-Niger Agreement [REDACTED]

18. [REDACTED] State/INR sent CIA two ICE-mail messages—one on 12 January and another on 13 January 2003—that expressed concerns that the documents pertaining to the Iraq-Niger deal were forgeries. In response, the WINPAC officer conducting a review of this issue discovered that CIA did not have a copy of those documents. The officer took steps to obtain the original [REDACTED] documents from State/INR, which occurred within days.

[REDACTED] CIA received this information from the US Navy through standard military/attaché channels, i.e., IIR-series reporting.

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19. [REDACTED] A 17 January 2003 SPWR prepared in response to a request for additional evidence of Iraq's nuclear weapons program noted "Fragmentary reporting on Iraqi attempts to procure uranium from various countries in Africa in the past several years is another sign of reconstitution. Iraq has no legitimate use for uranium." Although CIA was re-examining this issue, this assessment reflected an extension of its previous analyses, because new data—such as a translation of the documents—had not yet arrived.

20. [REDACTED] In a 20 January 2003 [REDACTED] State/INR proposed adding points to the information [REDACTED] to be shared [REDACTED] on the Iraq-Niger uranium issue. The State/INR proposed talking points included details such as how the documents were acquired, but did not include any judgments concerning the authenticity of the documents. In the same message, State/INR also advocated that the actual documents obtained from Embassy Rome be passed to INVO. An exchange of [REDACTED] messages over the next few days shows [REDACTED] attempted to honor the State/INR requests. State/INR concurred in the final version of the talking points [REDACTED] which are described in more detail in paragraph twenty-five.

21. [REDACTED] January 2003, [REDACTED] issued a report [REDACTED] that noted that the presence of uranium is common in the port of Cotonou, Benin, as this is the terminus of the normal shipping route from Niger. [REDACTED] claimed [REDACTED] information related to discussions between Iraq and Niger dating from 1999 on a proposal to ship uranium.

22. [REDACTED]

23. [REDACTED] On 29 January 2003, the President noted in the State of the Union address that, "the British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa."

24. [REDACTED] On 4 February 2003, a note from CIA/WINPAC was sent to [REDACTED] at the US Mission to the IAEA in Vienna and the United Nations Monitoring, Verification, and Inspection Commission (UNMOVIC) office in New York. The note contained copies of the original language documents obtained by Embassy Rome. Instructions in that note indicated the

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information could be passed to IAEA/INVO's Baute, which was interpreted as permission to pass the original documents. As a result, the original documents were passed to UNMOVIC who passed them to INVO.

25. [REDACTED] On 4-5 February 2003, the U.S. briefed INVO in response to Baute's request from 6 January for information on the alleged Iraq-Niger uranium agreement. Members of the US Mission to the IAEA in Vienna presented the information and analyses as compiled by CIA. This Intelligence Community-cleared briefing indicated, "Two streams of reporting suggest Iraq has attempted to acquire uranium from Niger. We cannot confirm these reports and have questions regarding some specific claims. Nonetheless, we are concerned that these reports may indicate Baghdad has attempted to secure an unreported source of uranium yellowcake for a nuclear weapons program." The two streams of reporting referred to in this briefing came from the sensitive source described in paragraph six of this notification.

26. [REDACTED] During Secretary Powell's briefing to the UN Security Council on 5 February 2003, he did not mention attempted Iraqi procurement of uranium due to CIA concerns raised during coordination regarding the veracity of the information on the alleged Iraq-Niger Agreement.

27. [REDACTED] CIA/WINPAC received the translated documents from the State Department on 7 February 2003. A preliminary examination of the document confirmed the identities of a key Iraqi [REDACTED] but did not progress sufficiently to fully examine other claims in the document. Key forensic clues—errors in format and grammar contained in the original documents—were not conveyed in the translation process.

28. [REDACTED] On 10 February 2003, a US Defense Attaché Officer reported that he had examined the warehouses, as described by the reporting in paragraph fifteen, and found they contained cotton rather than barrels of uranium bound for Iraq.

29. [REDACTED] On 3 March 2003, IAEA/INVO [REDACTED] an analysis of the 17-page document that the U.S. provided on this issue. INVO's review concluded that these documents were forgeries and did not substantiate any assessment that Iraq sought to buy uranium from Niger. The IAEA noted their assessment was also based on interviews in Iraq and discussions with officials from Niger. Copies of the IAEA's assessment arrived at CIA Headquarters on 10 March 2003.

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30. [REDACTED] On 4 March 2003, the US Mission to the IAEA in Vienna reported that "Baute explained that the French based their initial assessment on the same documents that the US provided and that after further review by the French, they appeared to be "embarrassed" by their initial assessment."

31. (U) On 7 March 2003, IAEA Director General El Baradei stated in his report to the UN Security Council that day that documents provided by member states indicating that Iraq sought to buy uranium from Niger in recent years are "not authentic." The IAEA concluded that these specific allegations were unfounded and promised to follow up if additional evidence were provided by member states.

32. [REDACTED] An 11 March 2003 SPWR and memo concluded that "We do not dispute the IAEA Director General's conclusion last Friday before the UN Security Council that documents on Iraq's agreement to buy uranium from Niger are not authentic."

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