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WHO LIED TO WHOM?

by SEYMOUR M. HERSH

Why did the Administration endorse a forgery about Iraq's nuclear program?

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Last September 24th, as Congress prepared to vote on the resolution authorizing President George W. Bush to wage war in Iraq, a group of senior intelligence officials, including George Tenet, the Director of Central Intelligence, briefed the Senate Foreign Relations Committee on Iraq's weapons capability. It was an important presentation for the Bush Administration. Some Democrats were publicly questioning the President's claim that Iraq still possessed weapons of mass destruction which posed an immediate threat to the United States. Just the day before, former Vice-President Al Gore had sharply criticized the Administration's advocacy of preemptive war, calling it a doctrine that would replace "a world in which states consider themselves subject to law" with "the notion that there is no law but the discretion of the President of the United States." A few Democrats were also considering putting an alternative resolution before Congress.

According to two of those present at the briefing, which was highly classified and took place in the committee's secure hearing room, Tenet declared, as he had done before, that a shipment of high-strength aluminum tubes that was intercepted on its way to Iraq had been meant for the construction of centrifuges that could be used to produce enriched uranium. The suitability of the tubes for that purpose had been disputed, but this time the argument that Iraq had a nuclear program under way was buttressed by a new and striking fact: the C.I.A. had recently received intelligence showing that, between 1999 and 2001, Iraq had attempted to buy five hundred tons of uranium oxide from Niger, one of the world's largest producers. The uranium, known as "yellow cake," can be used to make fuel for nuclear reactors; if processed differently, it can also be enriched to



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make weapons. Five tons can produce enough weapon-grade uranium for a bomb. (When the C.I.A. spokesman William Harlow was asked for comment, he denied that Tenet had briefed the senators on Niger.)

On the same day, in London, Tony Blair's government made public a dossier containing much of the information that the Senate committee was being given in secret—that Iraq had sought to buy “significant quantities of uranium” from an unnamed African country, “despite having no active civil nuclear power programme that could require it.” The allegation attracted immediate attention; a headline in the London *Guardian* declared, “african gangs offer route to uranium.”

Two days later, Secretary of State Colin Powell, appearing before a closed hearing of the Senate Foreign Relations Committee, also cited Iraq's attempt to obtain uranium from Niger as evidence of its persistent nuclear ambitions. The testimony from Tenet and Powell helped to mollify the Democrats, and two weeks later the resolution passed overwhelmingly, giving the President a congressional mandate for a military assault on Iraq.

On December 19th, Washington, for the first time, publicly identified Niger as the alleged seller of the nuclear materials, in a State Department position paper that rhetorically asked, “Why is the Iraqi regime hiding their uranium procurement?” (The charge was denied by both Iraq and Niger.) A former high-level intelligence official told me that the information on Niger was judged serious enough to include in the President's Daily Brief, known as the P.D.B., one of the most sensitive intelligence documents in the American system. Its information is supposed to be carefully analyzed, or “scrubbed.” Distribution of the two- or three-page early-morning report, which is prepared by the C.I.A., is limited to the President and a few other senior officials. The P.D.B. is not made available, for example, to any members of the Senate or House Intelligence Committees. “I don't think anybody here sees that thing,” a State Department analyst told me. “You only know what's in the P.D.B. because it echoes—people talk about it.”

President Bush cited the uranium deal, along with the aluminum tubes, in his State of the Union Message, on January 28th, while crediting Britain as the source of the information: “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.” He commented, “Saddam Hussein has not credibly explained these activities. He clearly has much to hide.”

Then the story fell apart. On March 7th, Mohamed ElBaradei, the director-general of the International Atomic Energy Agency, in Vienna, told the U.N. Security Council that the documents involving the Niger-Iraq uranium sale were fakes. "The I.A.E.A. has concluded, with the concurrence of outside experts, that these documents . . . are in fact not authentic," ElBaradei said.

One senior I.A.E.A. official went further. He told me, "These documents are so bad that I cannot imagine that they came from a serious intelligence agency. It depresses me, given the low quality of the documents, that it was not stopped. At the level it reached, I would have expected more checking."

The I.A.E.A. had first sought the documents last fall, shortly after the British government released its dossier. After months of pleading by the I.A.E.A., the United States turned them over to Jacques Baute, who is the director of the agency's Iraq Nuclear Verification Office.

It took Baute's team only a few hours to determine that the documents were fake. The agency had been given about a half-dozen letters and other communications between officials in Niger and Iraq, many of them written on letterheads of the Niger government. The problems were glaring. One letter, dated October 10, 2000, was signed with the name of Allele Habibou, a Niger Minister of Foreign Affairs and Coöperation, who had been out of office since 1989. Another letter, allegedly from Tandja Mamadou, the President of Niger, had a signature that had obviously been faked and a text with inaccuracies so egregious, the senior I.A.E.A. official said, that "they could be spotted by someone using Google on the Internet."

The large quantity of uranium involved should have been another warning sign. Niger's "yellow cake" comes from two uranium mines controlled by a French company, with its entire output presold to nuclear power companies in France, Japan, and Spain. "Five hundred tons can't be siphoned off without anyone noticing," another I.A.E.A. official told me.

This official told me that the I.A.E.A. has not been able to determine who actually prepared the documents. "It could be someone who intercepted faxes in Israel, or someone at the headquarters of the Niger Foreign Ministry, in Niamey. We just don't know," the official said. "Somebody got old letterheads and signatures, and cut and pasted." Some I.A.E.A. investigators suspected that the inspiration for the documents was a trip that the Iraqi

Ambassador to Italy took to several African countries, including Niger, in February, 1999. They also speculated that MI6—the branch of British intelligence responsible for foreign operations—had become involved, perhaps through contacts in Italy, after the Ambassador’s return to Rome.

Baute, according to the I.A.E.A. official, “confronted the United States with the forgery: ‘What do you have to say?’ They had nothing to say.”

ElBaradei’s disclosure has not been disputed by any government or intelligence official in Washington or London. Colin Powell, asked about the forgery during a television interview two days after ElBaradei’s report, dismissed the subject by saying, “If that issue is resolved, that issue is resolved.” A few days later, at a House hearing, he denied that anyone in the United States government had anything to do with the forgery. “It came from other sources,” Powell testified. “It was provided in good faith to the inspectors.”

The forgery became the object of widespread, and bitter, questions in Europe about the credibility of the United States. But it initially provoked only a few news stories in America, and little sustained questioning about how the White House could endorse such an obvious fake. On March 8th, an American official who had reviewed the documents was quoted in the *Washington Post* as explaining, simply, “We fell for it.”

The Bush Administration’s reliance on the Niger documents may, however, have stemmed from more than bureaucratic carelessness or political overreaching. Forged documents and false accusations have been an element in U.S. and British policy toward Iraq at least since the fall of 1997, after an impasse over U.N. inspections. Then as now, the Security Council was divided, with the French, the Russians, and the Chinese telling the United States and the United Kingdom that they were being too tough on the Iraqis. President Bill Clinton, weakened by the impeachment proceedings, hinted of renewed bombing, but, then as now, the British and the Americans were losing the battle for international public opinion. A former Clinton Administration official told me that London had resorted to, among other things, spreading false information about Iraq. The British propaganda program—part of its Information Operations, or I/Ops—was known to a few senior officials in Washington. “I knew that was going on,” the former Clinton Administration official said of the British efforts. “We were getting ready for action in Iraq, and we wanted the Brits to prepare.”

Over the next year, a former American intelligence officer told me, at least one member of the U.N. inspection team who supported the American and British position arranged for dozens of unverified and unverifiable intelligence reports and tips—data known as inactionable intelligence—to be funnelled to MI6 operatives and quietly passed along to newspapers in London and elsewhere. “It was intelligence that was crap, and that we couldn’t move on, but the Brits wanted to plant stories in England and around the world,” the former officer said. There was a series of clandestine meetings with MI6, at which documents were provided, as well as quiet meetings, usually at safe houses in the Washington area. The British propaganda scheme eventually became known to some members of the U.N. inspection team. “I knew a bit,” one official still on duty at U.N. headquarters acknowledged last week, “but I was never officially told about it.”

None of the past and present officials I spoke with were able to categorically state that the fake Niger documents were created or instigated by the same propaganda office in MI6 that had been part of the anti-Iraq propaganda wars in the late nineteen-nineties. (An MI6 intelligence source declined to comment.) Press reports in the United States and elsewhere have suggested other possible sources: the Iraqi exile community, the Italians, the French. What is generally agreed upon, a congressional intelligence-committee staff member told me, is that the Niger documents were initially circulated by the British—President Bush said as much in his State of the Union speech—and that “the Brits placed more stock in them than we did.” It is also clear, as the former high-level intelligence official told me, that “something as bizarre as Niger raises suspicions everywhere.”

What went wrong? Did a poorly conceived propaganda effort by British intelligence, whose practices had been known for years to senior American officials, manage to move, without significant challenge, through the top layers of the American intelligence community and into the most sacrosanct of Presidential briefings? Who permitted it to go into the President’s State of the Union speech? Was the message—the threat posed by Iraq—more important than the integrity of the intelligence-vetting process? Was the Administration lying to itself? Or did it deliberately give Congress and the public what it knew to be bad information?

Asked to respond, Harlow, the C.I.A. spokesman, said that the agency had not obtained the actual documents until early this year, after the President’s State of the Union speech and after the congressional

briefings, and therefore had been unable to evaluate them in a timely manner. Harlow refused to respond to questions about the role of Britain's MI6. Harlow's statement does not, of course, explain why the agency left the job of exposing the embarrassing forgery to the I.A.E.A. It puts the C.I.A. in an unfortunate position: it is, essentially, copping a plea of incompetence.

The chance for American intelligence to challenge the documents came as the Administration debated whether to pass them on to ElBaradei. The former high-level intelligence official told me that some senior C.I.A. officials were aware that the documents weren't trustworthy. "It's not a question as to whether they were marginal. They can't be 'sort of' bad, or 'sort of' ambiguous. They knew it was a fraud—it was useless. Everybody bit their tongue and said, 'Wouldn't it be great if the Secretary of State said this?' The Secretary of State never saw the documents." He added, "He's absolutely apoplectic about it." (A State Department spokesman was unable to comment.) A former intelligence officer told me that some questions about the authenticity of the Niger documents were raised inside the government by analysts at the Department of Energy and the State Department's Bureau of Intelligence and Research. However, these warnings were not heeded.

"Somebody deliberately let something false get in there," the former high-level intelligence official added. "It could not have gotten into the system without the agency being involved. Therefore it was an internal intention. Someone set someone up." (The White House declined to comment.)

Washington's case that the Iraqi regime had failed to meet its obligation to give up weapons of mass destruction was, of course, based on much more than a few documents of questionable provenance from a small African nation. But George W. Bush's war against Iraq has created enormous anxiety throughout the world—in part because one side is a superpower and the other is not. It can't help the President's case, or his international standing, when his advisers brief him with falsehoods, whether by design or by mistake.

On March 14th, Senator Jay Rockefeller, of West Virginia, the senior Democrat on the Senate Intelligence Committee, formally asked Robert Mueller, the F.B.I. director, to investigate the forged documents. Rockefeller had voted for the resolution authorizing force last fall. Now he wrote to Mueller, "There is a possibility that the fabrication of these documents may be part of a larger deception campaign aimed at manipulating public opinion and foreign policy regarding Iraq." He urged the F.B.I. to

ascertain the source of the documents, the skill-level of the forgery, the motives of those responsible, and “why the intelligence community did not recognize the documents were fabricated.” A Rockefeller aide told me that the F.B.I. had promised to look into it. ♦

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