

**The Commission on the
Intelligence Capabilities
of the
United States
Regarding
Weapons of
Mass Destruction**

Report to the President of the United States
March 31, 2005

to rely on it as an alternative piece of evidence confirming Iraq's interest in reconstitution.

Nuclear Weapons Finding 4

The Intelligence Community failed to authenticate in a timely fashion transparently forged documents purporting to show that Iraq had attempted to procure uranium from Niger.

Intelligence Community agencies did not effectively authenticate the documents regarding an alleged agreement for the sale of uranium yellowcake from Niger to Iraq. The President referred to this alleged agreement in his State of the Union address on January 28, 2003—evidence for which the Intelligence Community later concluded was based on forged documents.¹⁹⁰

To illustrate the failures involved in vetting this information, some details about its collection require elaboration. The October 2002 NIE included the statement that Iraq was “trying to procure uranium ore and yellowcake” and that “a foreign government service” had reported that “Niger planned to send several tons” of yellowcake to Iraq.¹⁹¹ The statement about Niger was based primarily on three reports provided by a liaison intelligence service to CIA in late 2001 and early 2002.¹⁹² One of these reports explained that, as of early 1999, the Iraqi Ambassador to the Vatican planned to visit Niger on an official mission. The report noted that subsequently, during meetings on July 5-6, 2000, Niger and Iraq had signed an agreement for the sale of 500 tons of uranium.¹⁹³ This report stated that it was providing the “verbatim text” of the agreement.¹⁹⁴ The information was consistent with reporting from 1999 showing that a visit to Niger was being arranged for the Iraqi Ambassador to the Vatican.¹⁹⁵

Subsequently, Vice President Cheney requested follow-up information from CIA on this alleged deal.¹⁹⁶ CIA decided to contact the former U.S. ambassador to Gabon, Ambassador Joseph Wilson, who had been posted to Niger early in his career and maintained contacts there, to see if he would be amenable to traveling to Niger. Ambassador Wilson agreed to do so and, armed with CIA talking points, traveled to Niger in late February 2002 and met with former Nigerien officials.¹⁹⁷

Following the trip, CIA disseminated an intelligence report in March 2002 based on its debriefing of Ambassador Wilson.¹⁹⁸ The report carried the caveat that the individuals from whom the Ambassador obtained the information were aware that their remarks could reach the U.S. government and “may have intended to influence as well as to inform.”¹⁹⁹ According to this report, the former Prime Minister of Niger said that he was not aware of any contracts for uranium that had been signed between Niger and any rogue states. He noted that if there had been such an agreement, he would have been aware of it.²⁰⁰ He said, however, that in June 1999 he met with an Iraqi delegation to discuss “expanding commercial relations” between Niger and Iraq, which the Prime Minister interpreted as meaning the delegation wanted to discuss yellowcake sales. The Prime Minister let the matter drop, however, because of the United Nations sanctions on Iraq.²⁰¹

The British Government weighed in officially on the Niger subject on September 24, 2002, when it disseminated a white paper on Iraq’s WMD programs stating that “there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa.”²⁰²

The story grew more complicated when, on October 9, 2002, several days after the NIE was published, an Italian journalist provided a package of documents to the U.S. Embassy in Rome, including documents related to the alleged agreement for the sale of uranium from Niger to Iraq.²⁰³ The State Department passed these documents on to elements of the CIA. Although the documents provided to the Embassy by the Italian journalist related to the purported agreement, these elements of the CIA did not retain copies of the documents or forward them to CIA Headquarters because they had been forwarded through Embassy channels to the State Department.²⁰⁴

WINPAC analysts, for their part, only requested and obtained copies of the documents several months later—after State’s INR had alerted the Intelligence Community in October 2002 that it had serious doubts about the authenticity of the documents.²⁰⁵ And, even after this point, CIA continued to respond to policymakers’ requests for follow-up on the uranium deal with its established line of analysis, without attempting to authenticate the documents and without noting INR’s doubts about the authenticity of the information—despite not having looked at the documents with a critical eye.

For example, in mid-January 2003, the Chairman of the Joint Chiefs of Staff requested information—other than information about the aluminum tubes—about why analysts thought Iraq was reconstituting its nuclear program. In response, WINPAC published a current intelligence paper pointing to Iraqi attempts to procure uranium from several African countries, citing “fragmentary reporting,” and making no reference to questions about the authenticity of the source documents.²⁰⁶ Shortly thereafter, the National Security Council and Office of the Secretary of Defense requested information from the NIO for Strategic and Nuclear Programs and from DIA, respectively, on the uranium deal. The responses included information based on the original reporting, without any mention of the questions about the authenticity of the information.²⁰⁷

The CIA had still not evaluated the authenticity of the documents when it coordinated on the State of the Union address, in which the President noted that the “British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.”²⁰⁸ Although there is some disagreement about the details of the coordination process, no one in the Intelligence Community had asked that the line be removed.²⁰⁹ At the time of the State of the Union speech, CIA analysts continued to believe that Iraq probably was seeking uranium from Africa, although there was growing concern among some CIA analysts that there were problems with the reporting.²¹⁰

The IAEA, after receiving copies of the documents from the United States, reviewed them and immediately concluded that they were forgeries.²¹¹ As the IAEA found, the documents contained numerous indications of forgery—flaws in the letterhead, forged signatures, misspelled words, incorrect titles for individuals and government entities, and anomalies in the documents’ stamps.²¹² The documents also contained serious errors in content. For example, the document describing the agreement made reference to the legal authority for the agreement, but referenced an out-of-date statutory provision. The document also referred to a meeting that took place on “Wednesday, July 7, 2000” even though July 7, 2000 was a Friday.²¹³

When it finally got around to reviewing the documents during the same time period, the CIA agreed that they were not authentic. Moreover, the CIA concluded that the original reporting was based on the forged documents and was thus itself unreliable.²¹⁴ CIA subsequently issued a recall notice at the beginning of April, 2003 for the three original reports, noting that “the foreign gov-

ernment service may have been provided with fraudulent reporting.”²¹⁵ On June 17, 2003, CIA produced a memorandum for the Director of Central Intelligence (DCI) stating that “since learning that the Iraq-Niger uranium deal was based on false documents earlier this spring we no longer believe that there is sufficient other reporting to conclude that Iraq pursued uranium from abroad.”²¹⁶ The NIO for Strategic and Nuclear Programs also briefed the Senate and House Intelligence Committees, on June 18 and 19, respectively, on the CIA’s conclusions in this regard.²¹⁷

Given that there were already doubts about the reliability of the reporting on the uranium deal, the Intelligence Community should have reviewed the documents to evaluate their authenticity as soon as they were made available in early October 2002, rather than waiting over six months to do so. The failure to review these documents caused the Intelligence Community to rely on dubious information when providing highly important assessments to policymakers about the likelihood that Iraq was reconstituting its nuclear program. The Community’s failure to undertake a real review of the documents—even though their validity was the subject of serious doubts—was a major failure of the intelligence system.²¹⁸