

NUCLEAR NONPROLIFERATION

THE
NATIONAL
ACADEMY OF SCIENCES
OF THE UNITED STATES OF AMERICA
COMMISSION ON THE
PROLIFERATION OF
NUCLEAR WEAPONS
AND
MATERIALS

REPORT

Mr. Bliley.

Mr. Bliley. Thank you, Mr. Chairman.

Today, the subcommittee considers an interesting and timely topic, the capability of Iraq to produce nuclear weapons. The United States has had a consistent policy opposing the spread of nuclear weapons. That policy has been surprisingly effective.

Whereas commentators in the early 1960's estimated that there might be a dozen or even 20 members of the nuclear club by 1990, in fact, there are only five nations with explicit nuclear weapons programs.

The nonproliferation effort of the United States is two-pronged: First, it seeks to convince nations not to seek to develop nuclear weapons; second, it seeks to deny technology and materials to those nations that do pursue nuclear weapons, in spite of our best efforts to convince them not to. How that second prong of the nuclear non-proliferation effort was pursued in the case of Iraq is what we will consider today.

We are fortunate to have representatives of the Defense Intelligence Agency and Central Intelligence Agency to better inform us about the Iraqi nuclear weapons effort both as it existed in 1989, what happened to it during Operation Desert Storm, and what is its present state.

We would welcome our guests from the intelligence community, and look forward to their testimony.

Much of today's testimony will center on actions that took place within the Department of Energy in April and May 1989. Personnel within the Office of Classification and Technology Policy forwarded a recommendation to the Deputy Assistant Secretary for Defense Programs that Energy Secretary Watkins call James Baker and inform the National Security Council level working group to address the problem of the Iraqi nuclear weapons effort.

The Office of Intelligence, however, did not agree with the recommendation, and the Deputy Assistant Secretary and the Acting Assistant Secretary for Defense Programs decided against sending the recommendation to the Secretary.

We will consider the wisdom of that judgment today.

My only caution in approaching this topic is we not judge actions taken in 1989 by what we know now about Iraq. In April and May 1989, Iraq had not invaded Kuwait, and the threat posed by Iraq was not as clear as it became on August 2, 1990.

Nevertheless, we expect both the Intelligence Community and the Department of Energy to be alert to capabilities as well as to intentions, and today's hearing offers us an opportunity to assess how well that challenge was met.

Thank you, Mr. Chairman.

Mr. DINGELL. Dr. Rowland?

Mr. ROWLAND. No statement, Mr. Chairman.

Mr. DINGELL. Mr. Sikorski?

Mr. SIKORSKI. No, thank you, Mr. Chairman.

Mr. DINGELL. The Chair announces that the first panel is Dr. John T. Kriese, Chief, Nuclear Energy Division, Defense Intelligence Agency, and [deleted], Central Intelligence Agency.

has a few words to say here.

Obviously, gentlemen, you are aware that this is a closed hearing, and that the other persons present in the room, as well as the staff of the subcommittee have the necessary clearances.

You are aware of the fact that it is the practice that all testimony received in this subcommittee is received under oath, and it is, that being the case, your right to be advised by counsel should you so choose.

The first question is, do you desire to be advised by counsel during your appearance here?

Mr. KRIESE. No, Mr. Chairman.

[Deleted.] No, Mr. Chairman.

Mr. DINGELL. The second question is, do you have any objection to testifying under oath?

Mr. KRIESE. No, sir.

[Deleted.] No, sir.

Mr. DINGELL. Very well. Gentlemen, the Chair advises that copies of the rules of the committee and subcommittee are there at the witness table, to advise you of your rights and limitations on the power of the committee.

If you have no objection, then, to testifying under oath, if you would please rise and raise your right hand.

[Witnesses sworn.]

Mr. DINGELL. The Chair understands you are here to assist the committee in a number of ways, first by briefing us on the matters which we inquired on, and second, to respond to questions. So, we will recognize you at this time to conduct whatever activities you deem appropriate at this time.

TESTIMONY OF JOHN T. KRIESE, CHIEF, NUCLEAR ENERGY DIVISION, DEFENSE INTELLIGENCE AGENCY; AND [DELETED], CENTRAL INTELLIGENCE AGENCY

Mr. KRIESE. Good morning, Mr. Chairman, Congressmen. I am John Kriese, Chief of the Nuclear Energy Division at DIA, and with me is [deleted], at Central Intelligence Agency. [Deleted.]

Mr. DINGELL. We will respect that.

Mr. KRIESE. I should also mention that I wear a second hat as Chairman of the Joint Atomic Energy Intelligence Committee, or JAIEC. The JAIEC is an interagency body charged with advising the Director of Central Intelligence on the production of intelligence on all foreign atomic energy issues and promoting the effective use of Community resources. [Deleted] is my Chairman of the JAIEC's proliferation working group.

My intention is to describe our intelligence assessments of the Iraq nuclear program, focusing on two time periods, the 1989 to 1990 timeframe, and then on the Desert Storm/Desert Shield period.

My presentation will be at the Secret, NOFORN, WINTTEL level and I will not discuss compartmented intelligence information. This means I will not be able to provide certain details today, but I think the assessment at the Secret level is an accurate one and

gives you a picture of Intelligence Community views of the Iraqi program.

[Deleted.]
Before I start, I would like to generally characterize the nature of the intelligence we have on the Iraqi program.

[Deleted.]
Sir, that concludes my prepared briefing.

Mr. DINGELL. Thank you, Dr. Kriese.

[Deleted.] Do you have any comments to add?

[Deleted.] I have no prepared statement, Mr. Chairman.

Mr. DINGELL. Very well.
The Chair will recognize himself for questions. The Chair will recognize Members for 5 minutes each in accordance with the rules of the committee.

The Chair does advise that because of the character of the subject matter into which we are going today, matters which involve Secret and highly classified information, the microphones have been turned off in the committee room.

The Chair recognizes himself.

Gentlemen, Dr. Kriese, what is the National Intelligence Estimate or NIE?

Mr. KRIESE. Sir, the NIE, if I could characterize it, is a very formalized intelligence procedure, a document where topics are identified either within the Intelligence Community or by customers. The document is produced under the National Intelligence Council where there are National Intelligence Officers assigned to specific topics.

Some of these NIEs are regularly scheduled. For example, the National Intelligence Estimate on the Soviet strategic capabilities is published on a regular basis. Other documents are published on a one-time basis.

They are prepared by analysts, coordinated extensively throughout the Community, and then discussed by members of the National Foreign Intelligence Board chaired by the Director of Central Intelligence, and then published.

Mr. DINGELL. What agencies provided input to the NIE?

Mr. KRIESE. That depends on the topics when it comes to questions of who actually prepares the document. But all members of the National Foreign Intelligence Board comment on the document and have the chance to input their own views on a particular subject.

[Deleted.]

Mr. DINGELL. Very well.

The Chair thanks you very much for your assistance, gentlemen.

Mr. BILLEY recognizes the gentleman from Virginia, Mr. Billey.

[Deleted.]

Mr. KRIESE. Yes, sir, that is correct.

Mr. BILLEY. Is it common for the members of the Intelligence Community not to agree with the contents of an NIE and to express their disagreement with a footnote?

Mr. KRIESE. I am not sure I would be knowledgeable enough of

ones I am familiar with, footnotes are not unusual in assessments of the Soviet strategic program at least.

Mr. BILLEY. In general, what do the other members of the Intelligence Community, such as the DIA or CIA expect from DOE's Office of Intelligence given the relative size of DOE's Office of Intelligence versus CIA or DIA?

Mr. KRIESE. DOE is certainly a member of the National Foreign Intelligence Board and sits at the table with other Intelligence Community members. I think the contributions we look for from DOE focus mostly on the technical expertise that are resident in the laboratories of the DOE system.

[Deleted.]

Mr. BILLEY. Thank you, Dr. Kriese.

Thank you, Mr. Chairman.

Mr. DINGELL. The Chair thanks the gentleman.

The Chair recognizes now the gentleman from Georgia, Dr. Rowland.

Mr. ROWLAND. Thank you, Mr. Chairman.

[Deleted.]

Mr. ROWLAND. What was the significance of the U.S. and British Customs sting at Heathrow in March 1990 involving seizing of capacitors bound for Baghdad?

Mr. KRIESE. Sir, in my opinion [deleted].

Mr. ROWLAND. What do you mean when you tell the subcommittee staff that you were looking for parts that would have tight specifications?

Mr. KRIESE. [Deleted.]

Mr. ROWLAND. [Deleted.]

Mr. KRIESE. [Deleted.]

Mr. ROWLAND. [Deleted] "tight specifications" make it difficult to explain away?

Mr. KRIESE. [Deleted.]

Mr. ROWLAND. That is principally the purpose, [deleted].

Mr. KRIESE. Right.

Mr. ROWLAND. Thank you.

Mr. DINGELL. The time of the gentleman has expired.

The gentleman from Minnesota, Mr. Sikorski—sorry, the Chair apologizes. He has left.

The Chair recognizes then the gentleman from Kansas, Mr. Slattery.

Mr. SLATTERY. Thank you, Mr. Chairman.

Dr. Kriese, I am curious, has the Energy Department contacted the DIA since April 15 when we told the Department that you were going to be testifying here?

Mr. KRIESE. Yes, sir.

Mr. SLATTERY. Yes, sir.

Mr. KRIESE. Can you tell us who from the DOE contacted you?

Mr. TUCK —

Mr. SLATTERY. Walsh, Daniel and who?

Mr. KRIESE. Mr. Tuck.

Mr. SLATTERY. Okay.

Mr. KRIESE. Mr. Nelson. Mr. Martin. There have been several

Mr. SLATTERY. Have you or anyone at DIA briefed the folks over at DOE in the last week or so on what is going on in Iraq?

Mr. KRITSE. Yes, sir. I went over and spoke with Mr. Tuck about the presentation I was going to make today.

Mr. SLATTERY. And Tuck was the only one you talked to?

Mr. KRITSE. No, sir, there were several others in the room.

Mr. SLATTERY. What was Tuck's reaction to your briefing?

Mr. KRITSE. He appreciated knowing in advance what I intended to say to the committee.

Mr. DINGELL. He what?

Mr. KRITSE. He appreciated knowing in advance what I was going to brief to the committee.

Mr. SLATTERY. I would like for you to characterize if you can for the panel the kind of cooperation you have historically received from DOE and your own professional assessment of their competence in this whole area.

Mr. KRITSE. Sir, the JAEIC, Joint Atomic Energy Intelligence Committee, is set up by the DCI to ensure there is good communication within the Intelligence Community, so the JAEIC meets twice a month to discuss items relative to nuclear intelligence.

In addition, I have set up approximately eight working groups including the one that [deleted] addressing specific topics like proliferation, nuclear weapons logistics, et cetera. Those generally meet on a once-a-month basis providing analysts an opportunity to exchange views and to conduct peer review.

Mr. SLATTERY. Let me ask you a different way. In the past, do you believe that the folks involved with the DOE and others for that matter involving the joint committee, have they been vigorous in nonproliferation efforts, or is this an item that is low on the priority list?

Mr. KRITSE. I would say it is at the top of our priority list tied with several others, but, for example, the JAEIC has published several papers during the past year and I would say the majority of those are on proliferation topics because of the high degree of interest in proliferation.

Mr. SLATTERY. [Deleted.]

Mr. DINGELL. Would the gentleman yield?

Mr. SLATTERY. Be happy to.

Mr. DINGELL. Have you discerned any fight or change or reduction in the Iraqi determination to move toward a possession of a nuclear weapons system or systems?

[Deleted.] Since the war?

Mr. DINGELL. Since the war.

[Deleted.]

Mr. DINGELL. Common sense would dictate that their enthusiasm has increased if anything since the war, would it not?

[Deleted.]

Mr. DINGELL. Thank you.

Mr. SLATTERY. Some of us have become very concerned about the relationship between the Department of Defense and the Department of Commerce prior to August 1990 especially with regard to the sort of high technology, and I am just curious, from your vantage point has the Department of Commerce been aggressive in

judgment should not have been exported, and not only you, but I am curious what the Intelligence Community attitude was of the activities of the Commerce Department in trying to license for export various high-technology items?

Mr. KRITSE. That is a difficult question for me to answer for Defense. The Defense Intelligence Agency provides support to ISA and the Defense Technology Security Agency. I think I have those names right.

Mr. SLATTERY. You are both involved in the Intelligence Community. I can't help but think if you are as committed to nonproliferation issues as you say you are—and I have no reason to doubt your word—these kinds of discussions would come up in your meetings.

I am curious, have they or have they not?

Mr. KRITSE. No, in general, we do not discuss Administration policy, rather, we provide information for our customers, including in my case the Department of Defense, so they are aware of in this case proliferation programs.

We advise them on specific requests for licenses, for export, et cetera. But we have not been involved in discussions of what policy should be.

Mr. SLATTERY. Let me ask the question a different way. Has anyone ever at your meetings raised questions and concerns about the Department of Commerce's efforts to license for export high-technology items that someone at your meetings might have had concern about?

Mr. KRITSE. I can't recall any, no, sir.

Mr. SLATTERY. So, from your standpoint, then, the Department of Commerce's activities prior to August 1990, there were never any objections raised about what they were doing?

Mr. KRITSE. Not to my knowledge.

Mr. SLATTERY. Does the DIA, I assume, take an active role in your meetings?

Mr. KRITSE. Yes, sir.

Mr. SLATTERY. Would it not be likely, or would you not expect them to raise questions, if they had questions, about what the Department of Commerce was doing in their licensing activity to raise those questions at your meeting? Would that be a logical forum for them to raise questions about what Commerce was doing?

Mr. KRITSE. I think a more logical forum would be another inter-agency committee called the Technology Transfer Intelligence Committee, which again, whereas JAEIC focuses on nuclear technologies, Technology Transfer Intelligence Committee focuses on export of materials and attempts by other countries to acquire sensitive materials.

That would be the more logical place where the subject would come up.

Mr. SLATTERY. My time is up. Thank you, Mr. Chairman.

Mr. DINGELL. The gentleman from Oregon, Mr. Wyden.

Mr. WYDEN. Thank you, Mr. Chairman.

Just a couple questions, if I could, Dr. Kritse. I am under the impression that you told the subcommittee staff, when you briefed them, that the DIA, and in fact the Intelligence Community in general, listens very carefully to what the Energy Department has to

Could you elaborate a little bit on why this is the case?

Mr. KRITSE. The Nation's capability in nuclear weapons design resides within the national laboratories, so they are really the only ones in the Nation that are in an authoritative position to speak on nuclear weapons design issues.

Mr. WYDEN. They obviously have an important role to speak on, do they not?

Mr. KRITSE. They have an important role in assessing technologies, that complements, I think, the role of the Intelligence Community in acquiring and evaluating intelligence issues.

Mr. WYDEN. Do they have an important role then in nonproliferation?

Mr. KRITSE. Yes, sir.

Mr. WYDEN. Dr. Kritse, if the Department of Energy, back in 1989, had told the Intelligence Community that, based on DOE's analysis and judgment, [deleted].

Mr. KRITSE. Yes, I certainly would have asked them to explain the basis for their judgment, and that would have been a topic for extensive discussion within the community.

Mr. WYDEN. Okay.

[Deleted.]

Mr. KRITSE. I was not present during the NFIB deliberations for the National Intelligence Estimate, but in other cases where I have been present, people with alternative views present their evidence, and the rationale for their judgments, projecting alternative views, and have an opportunity to dissuade the principal text people to change their mind, [deleted].

Mr. WYDEN. So, it certainly is possible that DOE concerns could have resulted in [deleted].

Mr. KRITSE. I guess what I am trying to say is that I believe that in the deliberations about the National Intelligence Estimate [deleted] everyone at the table was aware of Department of Energy [deleted].

Mr. WYDEN. No, I understand that, I just want to know that DOE [deleted].

Mr. KRITSE. It certainly could have.

Mr. WYDEN. Okay. Thank you.

Thank you, Mr. Chairman.

Mr. DINGELL. The Chair thanks the gentleman.

The gentleman from New York, Mr. Lent.

Mr. LENT. Thank you, Mr. Chairman.

I apologize for getting in here kind of late. Dr. Kritse isn't it true that in February 1989, the Intelligence Community knew that [deleted].

On the bottom of the document, you will note a classified Defense Programs comment that states, in essence, [deleted].

Have you had a chance to look at that?

Mr. KRITSE. Yes, sir, to scan it, yes, sir.

Mr. LENT. [Deleted.]

Mr. KRITSE. Scanning this, certainly the first part about [deleted].

Mr. LENT. Now I am going to show you another document pre-

at the background and discussions section of this draft recommendation to Secretary Watkins.

Take a look at pages 1 and then also 2. When you have had a chance to look at that, give me the high sign. What I am going to ask you is, whether you agree or disagree with the characterization of the Iraqi nuclear weapons program contained in that draft recommendation?

If you don't agree, let us know why, and if you do agree, fine. Mr. KRITSE. In terms of the first bullet on the first page, where it says, "recent evidence" indicates, I am not sure what evidence they are referring to, but I would probably say [deleted].

The next bullet that talks about procurement specifications indicate knowledge of weapons design [deleted].

I would try to, if I were writing this, try to quantify it.

[Deleted.]

Mr. LENT. Are you saying that possibly you feel the draft recommendation [deleted].

Mr. KRITSE. Yes, sir, I think [deleted].

Mr. LENT. Now, will you go to the second page?

Mr. KRITSE. Again, [deleted] so I am not positive what they are referring to. I would make the same general comments [deleted] bullet under background discussion is.

Mr. LENT. Let's see, one component is the same as used in U.S. nuclear weapons. You don't know what that component would be?

Mr. KRITSE. Not specifically, no, sir.

Mr. LENT. Could it have been a capacitor?

Mr. KRITSE. It could have been a capacitor.

Mr. LENT. Referring now to the next bullet, "procurement specifications for nonnuclear components, indicate detailed knowledge of designs for weapons assembly."

My question is whether you agree with that statement.

Mr. KRITSE. No, I do not agree with that statement.

Mr. LENT. And looking at the next couple of bullets, do you have any feelings about either of those [deleted].

Mr. KRITSE. To dismiss the last one, certainly I think they were attempting to procure items wherever they might be available, including the United States and other places in the world. [Deleted].

Mr. LENT. Okay.

Does the CIA agree with Dr. Kritse?

[Deleted.]

Mr. LENT. Okay.

[The following information was supplied:]

March 31, 1989

IRAQ: NUCLEAR WEAPONS AND ISRAEL'S CONCERN

Today's Washington Post echoes a Jerusalem Post article this week saying that Saudi Arabia is offering to bankroll Iraqi nuclear efforts. Iraq's weaponization goals are cited in the Washington Post. Deleted

In recent reporting: Deleted

A former Israeli army chief said Tuesday the Jewish state should again destroy an Iraqi nuclear reactor it bombed in 1981 if the plant were rebuilt; LtG Eitan headed the Israeli Army when the plant was attacked in 1981. Deleted

Eitan, now a right-wing member of Parliament, told Israel Radio: "I think we must immediately...tell the United States and the Western world that such a process is unacceptable...and to prepare the other option...that is to repeat what we did then (in 1981). We have no choice". Deleted

Official Israeli sources said Saudi Arabia offered to fund reconstruction of the plant near Baghdad: last Sunday, Iraq's President said, during a visit by King Fahd, that Riyadh promised in 1981 to pay for the reconstruction of the plant.

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DP-32 (A. Bryan Siebert, Jr., 353-3521)

ACTION: Recommendations to Strengthen U.S. Nuclear Nonproliferation Policy

The Secretary

ISSUE

DELETED

BACKGROUND AND DISCUSSION

- o There is recent evidence of Iraq endeavoring to procure both non-nuclear components for weapons. Deleted One component is the same as used in U.S. nuclear weapons.
- o Procurement specifications for non-nuclear components indicate detailed knowledge of designs for weapons assembly.

- o Iraq is attempting to procure some of these items in the U.S.

SENSITIVITIES

- o Manufacture of Iraq nuclear weapons would further destabilize the Middle East and multiply the chances for a nuclear event when added to other factors.
- o Should Iraq successfully procure such items in the U.S. it would embarrass the U.S. Government, as well as injure U.S. nonproliferation objectives.

RECOMMENDATIONS

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Troy E. Wade II
Acting Assistant Secretary
for Defense Programs

DP-32.1:RKHussers:bjl:3-3526:4/17/89 (RH\1RAQ1)

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Mr. LENT. Now, the three national laboratories provided technical expertise in nuclear weapons matters. Could you comment, Doctor, on the Intelligence Community's relationship with those laboratories, and how technically capable you believe their services to be?

Mr. KRIESE. I think they are very technically capable. In terms of the relationships, they are occurring two ways: One is to their support to the Department of Energy, and backing up DOE's assessment within the Intelligence Community [deleted].

Mr. LENT. Now, DOE is a member of such intelligence organizations as the National Foreign Intelligence Board, and the Joint Atomic Energy Intelligence Committee. How do you view DOE's participation in those organizations as compared with the other members of the committees?

Mr. KRIESE. Everyone at the table has a vote in the final product. Within community forum, I guess I would characterize DOE as being one of the smaller agencies in terms of the resources they have available to them.

[Deleted.]
Mr. LENT. Is it fair to say that you viewed DOE's function as mainly analytical?

Mr. KRIESE. Yes.

Mr. DINGELL. Would the gentleman yield?

Mr. LENT. I would be happy to.
Mr. DINGELL. For one question. What is the number of personnel that DOE has around the world to review these same questions that Mr. Lent is discussing in his question with you? Do they have any significant number of personnel scattered around the world to engage in intelligence activities in the same way that CIA or DIA or any other agency has?

[Deleted] in the sense that DIA has [deleted] tasked to collect intelligence and CIA has individuals specifically tasked to collect intelligence. I don't believe DOE has the same kind of responsibility.

Mr. DINGELL. They do not have that responsibility?

Mr. KRIESE. In my view, yes, sir.

Mr. DINGELL. The Chair thanks the gentleman.

Mr. LENT. Between March and April 1989, in the customs capacity string that took place in March 1990, during that timeframe, did the Iraqis acquire any significant technology to aid their nuclear program?

Mr. KRIESE. I am trying to—

Mr. LENT. Was the Intelligence Community able to identify [deleted].

Mr. LENT. My time is up. I thank the Chairman.

Mr. DINGELL. The time of the gentleman has expired.

The gentleman from Colorado, Mr. Schaefer.
Mr. SCHAEFER. I thank the Chair.
Gentlemen, after the invasion of Kuwait on August 2 of last year, there was a lot of attention paid in the press to the nuclear capability of the Iraqis, and in November-December, the President stated that Iraq was capable of producing a nuclear weapon in 6 to 12 months.
[Deleted.]

[Deleted.]

Mr. SCHAEFER. The Iraqis had its reactors under international safeguards; is that correct?

Mr. KRITSE. Yes, sir.

Mr. SCHAEFER. [Deleted.]

Mr. KRITSE. Well—

Mr. SCHAEFER. It is difficult probably to get a precise time, but the gentleman from Michigan asks a good question. What are we looking at here?

Mr. KRITSE. It is a question, sir, that we have wrestled with quite a bit, because many have asked that question.

[Deleted.]

Mr. SCHAEFER. And that is considering

[Deleted.]

Mr. KRITSE. Yes, sir.

Mr. SCHAEFER. Thank you.

Mr. KRITSE. But they could make progress unexpectedly, and we could change that assessment as time evolved.

Mr. DINGELL. Would the gentleman yield?

Mr. SCHAEFER. Be happy to yield.

Mr. DINGELL. I apologize for intruding on the gentleman's time. You have been very, very helpful to us, Dr. Kritse.

[Deleted.]

Mr. KRITSE. May I comment?

Mr. DINGELL. You may comment on it, or [deleted] either of you may respond or both, if you choose.

Mr. KRITSE. The issue of concern, and as part of the postwar activities we are imposing on Iraq, one of them is that the IAEA will reclaim control of the highly enriched uranium that was within Iraq, so the possibility of them diverting it will not exist.

Mr. DINGELL. I apologize to the gentleman, but is it fair to say that you are also concerned, however, that Iraq is not cooperating fully in the efforts of the IAEA to recover that enriched uranium, and that there may be some game playing with regard to the different types of weapons, the nuclear, the biological, and the chemical weapons that they have reported just the other day?

Is that not a matter of concern?

Mr. KRITSE. I am not prepared to comment on the nonnuclear weapons, sir, but yes, the issue is a very difficult one. I was, in my answer, trying to agree with what I understood your statement to be, that the—

Mr. DINGELL. We don't think they are fair in declaring the amount of nuclear materials that they happen to have, and that they are not declaring either their presence or the amount of them in a way which leads us to believe that they are playing fair or declaring them at all, or making ready to cooperate with us and with the IAEA in terms of turning these materials over so that they lose the capacity to produce the bomb [deleted].

Mr. KRITSE. [Deleted.]

Mr. DINGELL. But they are not being cooperative?

Mr. KRITSE. Right.

Mr. DINGELL. If they are not being cooperative in one place we have small reason to assume that they are being cooperative in

Mr. KRITSE. That is a reasonable assumption, yes, sir.

Mr. DINGELL. Thank you.

Mr. SCHAEFER. Just to reclaim my time, what various difficulties do you see in assessing [deleted].

Mr. KRITSE. I could only answer in general terms at the secret level, but to characterize it more broadly, the [deleted].

Mr. SCHAEFER. Well, how long—final question—how long has our Intelligence Community been following the nuclear strategy and technology of Iraq?

How long have they been looking at this?

Mr. KRITSE. [Deleted.]

Mr. SCHAEFER. [Deleted.]

Mr. KRITSE. We have been following nuclear programs in Iraq since then, yes, sir.

Mr. SCHAEFER. I yield back, Mr. Chairman, the balance of my time.

Mr. DINGELL. The Chair thanks the gentleman.

Dr. Kritse, you are playing down just a bit the concerns that CIA has expressed to the staff of the subcommittee. [Deleted.]

Mr. KRITSE. Yes, sir.

Mr. DINGELL. What does that mean to you?

Mr. KRITSE. [Deleted.]

Mr. DINGELL. Would it be possible that DOE could have had information on Iraq's weapons development that DIA and CIA would not be aware of, Dr. Kritse?

Mr. KRITSE. I would say it would be very unlikely, sir.

Mr. DINGELL. Why would you say that that would be unlikely Iraqi proliferation issue, and because of the close working relationships that people in the nuclear Intelligence Community have through the JAFIC, and through personal contacts.

Mr. DINGELL. DOE was tracking Iraqi weapons procurement activities in early 1989?

Mr. KRITSE. Yes, sir.

Mr. DINGELL. Did they communicate that to you?

Mr. KRITSE. I think it was discussed within the proliferation working group, and analyst to analyst, but there was no formal communication.

Mr. DINGELL. Should there have been formal communication?

Mr. KRITSE. I think the analyst-to-analyst discussion is an effective way for members of the Community to keep each other informed.

Mr. DINGELL. Doesn't necessarily go higher up in the system agency if you just communicate analyst to analyst, right?

Mr. KRITSE. My analysts keep me very well informed of developments, sir.

Mr. DINGELL. Now, the Chair has no further questions at this time.

The gentleman from New York, Mr. Lent.

Mr. LENT. Thank you, Mr. Chairman.

The only question I wanted to ask was, without disclosing any specific source and method, by what mechanisms do you gather intelligence information about nuclear proliferation? How do you go

Mr. KRUESE. [Deleted.] I didn't mean to give that impression at all. It is a very formal process in terms of stating requirements, identifying what it is we need to know.

Mr. LENT. Okay, because certainly [deleted] was a formal communication.

Mr. KRUESE. That is correct.

Mr. LENT. And DOE participates in that formal process.

Mr. KRUESE. Yes, sir.

Mr. LENT. I have no further questions, Mr. Chairman.

Mr. DINGELL. The Chair thanks the gentleman.

The gentleman from Colorado?

Mr. SCHAEFER. No questions, Mr. Chairman.

Mr. DINGELL. [Deleted.] Dr. Kruese, the committee thanks you for your assistance to us. We excuse you with the thanks of the committee.

Our staffs will be in touch with you and with other witnesses today with regard to purging the transcript of material and information which should not be released. As we proceed about the business of the committee and as we proceed toward the opening up of the information on the hearings, we will consult with you and we will, of course, respect all the requirements of security as we proceed about this business.

Gentlemen, we thank you both for your assistance.

Mr. KRUESE. Thank you, Mr. Chairman.

[Deleted.]

Mr. DINGELL. The Chair announces that our next panel is composed of Mr. Bryan Siebert, Director, Office of Classification, U.S. Department of Energy; Roger K. Heusser, Deputy Director, Office of Classification, U.S. Department of Energy; and William A. Emel, Fellow Engineer, Westinghouse Savannah River Co., P.O. Box 616, Aiken, SC.

Gentlemen, we thank you for being here. If you will be seated at the committee table, we will proceed to qualify you for your testimony.

The Chair advises you that it is the practice of this subcommittee to receive all testimony under oath. The Chair asks, do any of you have any objection to testifying under oath?

If not, gentlemen, the Chair advises you that given the fact that you are testifying under oath, it is your right to be advised by counsel as you appear before this committee.

Do any of you desire to be advised by counsel as you appear before us today?

The record will indicate that the answer of all three was "no" in each case.

Gentlemen, the Chair advises you that copies of the rules of the subcommittee and rules of the House and rules of the full committee of which this subcommittee is a part, are available to you there at the witness table to inform you of your rights and limitations on the powers of this committee as you appear before us.

Gentlemen, if you have no objection then to testifying under oath, if you will please each rise and raise your right hand.

[The witnesses were sworn.]

Mr. DINGELL. You may each consider yourselves to be under

The Chair inquires, do you have prepared statements you would like to present to the committee?

Mr. HEUSSER. Yes, sir, I do.

Mr. DINGELL. Do you?

Mr. SIEBERT. Yes, I do.

Mr. EMEL. I do not, sir.

Mr. DINGELL. Very well. We will proceed. If some thought come to you that you would like to testify to, we would be glad to hear from you, otherwise we will ask you questions as circumstances require.

Very well, Mr. Heusser, we will recognize you first, then, Mr. Siebert, and then Mr. Emel.

We appreciate your being here. You may proceed as you wish

TESTIMONY OF ROGER K. HEUSSER, DEPUTY DIRECTOR, OFFICE OF CLASSIFICATION, DEPARTMENT OF ENERGY; A. BRYAN SIEBERT, JR., DIRECTOR, OFFICE OF CLASSIFICATION; AND WILLIAM A. EMEL, FELLOW ENGINEER, WESTINGHOUSE SAVANNAH RIVER CO.

Mr. HEUSSER. I would like to summarize my statement, if might.

Mr. DINGELL. Without objection, that will be appropriate, and you may proceed in that fashion. We will recognize you for a summary and then we will proceed to insert your full statement in the record.

Mr. HEUSSER. Mr. Chairman and Congressmen, I am pleased to appear before your subcommittee in accordance with your letter to Secretary Watkins dated April 10, 1991, to provide information regarding my nuclear nonproliferation responsibilities in my former position as Deputy Director, Office of Classification and Technology, Defense Programs, at the Department of Energy.

In addition, and in accordance with your letter to Secretary Watkins of April 17, 1991, I am providing information to your subcommittee regarding my role in preparing a report in early 1989 recommending strengthening of the U.S. nuclear nonproliferation policy with regard to Iraq.

Attached to my statement is a copy of my biography for the subcommittee's information.

Prior to the reorganization of April 1, 1991, in addition to my present responsibilities for the development and implementation of DOE-wide policy and procedures for the classification and control of sensitive information critical to the national security, I had responsibility for delineating nonproliferation policy and managing programs to control nuclear energy-related exports from the United States in coordination with our allies.

In addition, I previously directed the development of a program to promote the transfer of Defense Programs, funded technology to the U.S. private sector to enhance U.S. competitiveness.

I was very concerned regarding any possible nuclear weapon proliferation endeavors, particularly Iraq, since my former office had the nuclear nonproliferation responsibility. Some of the nation