



IRAN'S NUCLEAR PROGRAM: FLAWED HOUSE INTELLIGENCE COMMITTEE REPORT SHOULD BE AMENDED OR WITHDRAWN

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On August 23, 2006, the U.S. Representative Peter Hoekstra (R-Mich), Chairman of the House Permanent Select Committee on Intelligence, issued a report on Iran's nuclear program, **"Recognizing Iran as a Strategic Threat: An Intelligence Challenge for the United States."**

ISIS has prepared the following analysis to detail a number of inaccuracies in the section of the report addressing Iran's nuclear program. Our concern is that in seeking to substantiate legitimate concerns about the direction of Iran's nuclear efforts, the report makes a number of errors of fact and of inference. We are troubled that this report contains the same types of mistakes in assessing Iran's nuclear weapons program as the intelligence community made on Iraq's nuclear weapons program prior to the 2003 invasion. Such errors do little to advance the objective of curbing Iran's nuclear ambitions and serve poorly the larger objective of establishing an accurate public record of Iran's nuclear capabilities and intentions.

ISIS calls on members of the Intelligence Committee to consider strongly withdrawing this staff report and issuing a revised version that accurately reflects the status of Iran's nuclear program, or at minimum issuing an addendum with corrections.

- The first bullet on page 4 states that "Iran has conducted a clandestine uranium enrichment program for nearly two decades in violation of its International Atomic Energy Agency (IAEA) safeguards agreement, **and despite its claims to the contrary, Iran is seeking nuclear weapons.**" The categorical assertion that Iran is seeking nuclear weapons is not supported by either the IAEA or the U.S. intelligence community. There is circumstantial evidence to suggest that Iran seeks a nuclear weapons capability, but none to support the conclusion that it is currently seeking a nuclear weapon.
- A key provision of the European Union's diplomatic initiative toward Iran is misrepresented on page 8. The report states that policymakers must "carefully evaluate... Iranian intentions, and past behavior to make a judgment as to whether Tehran would abide by a new agreement curtailing its nuclear weapons program or would attempt to exploit a new agreement to advance its weapons program, by ...**continuing nuclear weapons research using the small uranium enrichment**

capability that EU-3 states are proposing to permit Iran to retain as part of an agreement.” In fact, the offer presented by the EU in June 2006 made explicitly clear that Iran would be entitled to **no enrichment** capability until all outstanding questions about its nuclear program has been resolved to the satisfaction of the IAEA Board.

- On Page 9, the caption to a satellite image of Natanz states that “**Iran is currently enriching uranium to weapons grade** using a 164-machine centrifuge cascade at this facility in Natanz.” This is not accurate. The IAEA has inspected the cascade at Natanz and reported on more than one occasion that Iran has only produced small quantities of low enriched uranium. ISIS understands that the Committee defends this error by noting that elsewhere the report accurately states that Iran has not produced any HEU. We would note that photo captions highlight and call attention to certain information. Making such an error in this context is manipulative, perhaps unintentionally, and is not mitigated simply because the misinformation is not repeated elsewhere.
- On page 10, the report cites Iran’s intention to install 3,000 centrifuges at Natanz by early 2007 as evidence that Iran would be capable of producing a bomb’s worth of HEU in one year. While technically accurate, the manner in which the information is presented implies that Iran is close to achieving this objective. A more balanced presentation would note that 1) Iran is not close to installing that number of centrifuges (in fact, it is not even established that Iran has all the necessary equipment to install all 3,000) and 2) enriching any quantity of uranium past the point of low enrichment would amount to a smoking gun and a major repudiation of Iran’s stated objectives. It would also lead to Iran’s speedy referral to the United Nations Security Council and resulting consequences.
- Another example of bias and inaccuracy can be found in the bullet at the top of page 11, which states that “spent fuel from the LWR that Russia is building for Iran in the city of Bushehr could produce enough weapons-grade plutonium for 30 weapons per year if the fuel rods were diverted and reprocessed.” In fact, the plutonium that would be typically discharged from a light water reactor in spent fuel rods would be far less than ideal for weapons purposes and under no circumstances should be labeled “weapons grade.” Under special circumstances involving non-routine unloading of the reactor, a time consuming process in any case, a far smaller amount of weapons-grade plutonium could be discharged from the reactor. Any attempt to divert plutonium from Iran’s LWR, however, would be detected by the IAEA long before any plutonium was reprocessed (the report acknowledges that “very strong international safeguards” would be applied to Bushehr’s spent fuel). Such a move would also effectively bring about a severe international reaction and the end of the reactor’s operation, a costly step given the reactor’s \$1 billion price tag and immense electricity production. The above scenario is also widely dismissed as improbable by many experts inside and outside governments, reflecting again the report’s selective use of information and its inadequate review.

- The report erroneously implies on page 13 that the Director General of the IAEA decided to “remove” Christian Charlier, a senior IAEA safeguards inspector, “for allegedly raising concerns about Iranian deception regarding its nuclear program and concluding that the purpose of Iran's nuclear program is to construct weapons.” This is not the case. While Iran has objected to the designation of Mr. Charlier as a safeguards inspector for Iran and decided not to permit him working in Iran as an inspector, which is deplorable, Mr. Charlier has remained continuously assigned by the IAEA to the analysis and evaluation of Iran’s nuclear program, and is still assigned today. It should also be noted, and the Committee and the report’s authors are surely aware, that each state with a safeguards agreement with the IAEA has the right to approve or reject, at any time, the designation of individual safeguards inspectors for that State.

ISIS is also concerned with matters of tone in the Committee’s report in two important respects. First, the report implies that Iran’s entire civil nuclear power program is a front for a covert effort to develop a nuclear weapon. Whether one agrees with Iran’s rationale or not, Iran is entitled to maintain a civil nuclear program. Many countries, including the United States, have at various times maintained poorly-justified nuclear power programs. The evidence supports Iran’s claims that it seeks a nuclear power program, though it may also seek a nuclear weapons capability. The report’s conflation of these separate objectives is a serious flaw. It indicates that the report did not receive adequate review and the authors are selecting information without weighing other available information about a particular issue.

Second, the report neglects to note that the IAEA—the sole institution with a sustained presence in Iran dedicated exclusively to monitoring and investigating Iran’s nuclear efforts—has not concluded that Iran maintains a weapons program. The IAEA has consistently stated in its reports that it continues to investigate a number of areas in which Iran has not been forthcoming. These inquiries may lead to concrete evidence that Iran maintains a hidden weapons program, but they have not as yet. The omission of such information further shades the report’s conclusions. We should note that ISIS has been at the forefront among NGOs monitoring Iran’s nuclear program to catalog its NPT safeguards violations and detail the many areas in which questions remain about Iran’s intentions and capabilities. These are important issues that deserve our attention; it is equally important, as the IAEA notes, that no one jump to conclusions before the facts are established.

The report’s chief conclusion—that better, more targeted intelligence on Iran is needed—is reasonable, if obvious. The case built for this conclusion, however, has the appearance of selectively highlighting the most damaging information and presenting it in such a way that a casual, reader might conclude that the United States is in imminent danger of being attacked by a nuclear-armed Iran. Given the recent experience with skewed, selectively-picked intelligence on Iraq’s WMD, such an approach here is especially troubling.

We believe strongly that the case of better Iran intelligence needs no embellishment, and that the facts speak clearly for themselves. We urge the Committee to consider the problems we have identified with this flawed report and undertake remedial action by either withdrawing the report entirely or issuing an addendum with the necessary corrections.