

Unresolved Questions Regarding US Government Attribution of a Mobile Biological Production Capacity by Iraq

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On November 20, 2005, on April 11, 2006, and on June 25, 2006, three long stories appeared in the US press regarding the Iraqi informant codenamed “Curveball” and the information which contributed to the allegation of a mobile biological production capacity by Iraq.¹ However, the largest and most detailed compendium of material regarding Curveball, the information that he provided, and its handling and interpretation by US intelligence officials appears in the Silberman-Robb Commission Report, *The Report to the President of the United States by the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction*.² A second lengthy official source, the US Senate Select Committee on Intelligence Report, is unfortunately marred by numerous and lengthy deletions.³

During 2002, the very limited number of individuals in the US intelligence community who were privy to information about Curveball and his testimony were divided as to its credibility. Expressions of doubt about his personal credibility were repeatedly prevented from reaching senior intelligence officials, and they were never disclosed to Secretary of State Powell. Some officials doubted Curveball’s stories, some believed them, and a critical few championed them with passion. Eventually the question became a policy dispute rather than one of intelligence: would reference to the supposed existence of an Iraqi mobile BW production capability be included in President Bush’s State of the Union address early in January 2003, and then in Secretary of State Powell’s presentation to the United Nations Security Council on February 4, 2003. Some officials such as the CIA’s European Operations Chief advised deletion, but the entry would nevertheless subsequently reappear,

indication of either incredible incompetence or suggestive of the likelihood of the influence and channelling of raw intelligence through Vice President Cheney's office. The June 20, 2006 PBS TV documentary, "The Dark Side," alleged that I. Lewis (Scooter) Libby, US Vice President Cheney's chief-of-staff drafted Powell's presentation to the United Nations. If correct, this may explain the nature of much of its contents.⁴

In the extensive discussion of "Curveball" in the Silberman-Robb Commission Report, one finds a very brief and cryptic reference to the supposed vehicles on page 98: "Confirmation/replication of the described design by U.S. contractors (it works)." The reference for this entry reads "Electronic mail from EA/DDCI from DO (Proofread) (Dec. 20, 2002)." [EA refers to Executive Assistant, DDCI to Deputy Director Central Intelligence, and DO to Director of Operations.]⁵

John E. McLaughlin, former Deputy Director of Central Intelligence, has now publicly released the information that "the processes he [Curveball] described had been assessed by an independent laboratory as workable engineering designs."⁶ It is plausible that this comment parallels the sentence in the Commission's report written by the EA/DDCI. Since one does not know what the words "it works" in the CIA email entail, this sentence could imply less, the same, or more, but that is unknowable from the few words alone. Several questions are immediately apparent:

- What was the "independent laboratory" that carried out this work?
- What does "workable engineering designs" mean? Was it no more than a computer simulation of equipment and process, or was it a hardware mockup? And if it was a hardware mockup, was an attempt made to produce an actual agent or simulant using the mockup to literally demonstrate that "it works," as the two words imply?

It is possible that information from a separate group of press reports may be relevant but that is not immediately clear or certain. In July 2003, there were three

press reports about a truck platform that Dr. Steven Hatfill arranged to have constructed towards the end of 2001 under government contract at A.F.W. Fabrication, a metalworking plant in Frederick, Maryland.⁷ These reports describe this project as a contract to SAIC, the Science Applications International Corporation, by the Defense Threat Reduction Agency, US Department of Defense, for the US Special Forces Command at Fort Bragg, North Carolina. It was supposedly intended for use in training members of the Delta Force. The *New York Times* reported that

Three years ago the United States began a secret project to train Special Operations units to detect and disarm mobile germ factories of the sort that Iraq and some other countries were suspected of building... the heart of the effort was a covert plan to construct a mobile germ plant, real in all its parts, but never actually 'plugged in' to make weapons. In the months before the war against Iraq, American commandos trained on this factory. ...The secret trainer is similar to the mobile units that the Bush administration has accused Iraq of building to produce biological weapons.

The *Washington Post* report also described the platform as a “replica of the mobile biological weapons production laboratories that the Pentagon believed troops might encounter in Iraq.” The *New York Times* reporters quote “experts” that they had interviewed as saying that “The trainer’s equipment includes a fermenter, a centrifuge, and a mill for grinding clumps of anthrax into the best size for penetrating human lungs.”

The SAIC/Hatfill vehicle was built on an “18-wheel trailer” truck. It was reportedly under construction beginning in September 2001. Dr. Hatfill reportedly was provided with information by William Patrick on US designs for mobile anthrax production that had been prepared in the early 1950s. Patrick is a well-known researcher who had worked in the US offensive biological weapons program that existed prior to 1969. The *New York Times* reporters wrote, rather remarkably, that “Mr. Patrick described [to Dr. Hatfill] the old American plans in detail.... The collaboration, experts said, produced a novel design that demonstrated a number of

ways to multiply viruses and bacteria, including the use of fermentation, chicken eggs, and tissue culture. It was not meant to replicate Iraqi threats or American designs but instead to illustrate a range of mobile biological threats.”⁸ There are no publicly available photographs of the vehicle that was being constructed under the SAIC contract, but the inclusion of a capability for virus production, egg culture and tissue culture seems very improbable. Military officers at Fort Bragg and at the headquarters of the US Special Operations Command interviewed for the three press reports as well as Mr. Patrick all claimed that the truck platform and the equipment that it carried was “nonfunctional,” that piping was not connected. Can this truck-trailer platform also have served for what the CIA refers to as the “Confirmation/replication of the described design by U.S. contractors (it works)”?

One would not think that the truck platform would be referred to as “an independent laboratory,” but the possibility cannot be excluded that these words refer to the SAIC contractor.

Curveball claimed that Iraq began production of BW agents in one of several mobile production units as early as 1997⁹, although the Silberman-Robb report states that he had been released from his position at Iraq’s Chemical Engineering and Design Center, the CEDC, in 1995. This is explained in further detail below. CIA/WINPAC reporting became progressively wildly extravagant, stating that Iraq had a “broad range of lethal and incapacitating agents,” that the “BW program is more robust than it was prior to the Gulf War,” that Iraq “maintains a wide range of...biological agents and delivery systems,” that use might even take place against the continental US, and that Iraq might employ as many as 21 different biological agents, a list in all likelihood composed of a sizable portion of the US CDC Select Agent list.¹⁰ All these internal US intelligence reports would prove to be total fantasy.

Information obtained in interviews connects some of these questions, but alters the context of the vehicle's construction in an important way. It suggests that:

- The SAIC/Hatfill truck platform was constructed using Curveball's drawings. (As will be explained in a moment, the public depiction of these was actually *not* Curveball's.) This may or may not be consistent with the information provided to the press that the vehicle's design was more general, and/or based on old US conceptions dating from the 1950s.
- That the US government contractor may have been the CIA's WINPAC division. Whether this contradicts the earlier press description, whether it is consistent with them, or whether it implies two different efforts is one of the central questions.
- And that the truck also served as a "concept design" to support Secretary of State Powell's presentation to the United Nations on February 5, 2003.

If construction of the SAIC/Hatfill vehicle began in September 2001, the genesis, planning and arrangements for the contract would have taken place in the spring or summer of 2001. That is before any notion of invading Iraq was an active consideration by the administration, as it became in the days immediately following September 2001.¹¹ And of course it was also long before anyone could envision that Secretary of State Powell would be making a presentation to the UN Security Council and what the content of that presentation might include. It is, however, consistent with the timeline of the information provided by Curveball, which was essentially in US hands by 2000. This would suggest that the original purpose of the platform was to test or to replicate Curveball's designs, but that as the deployment of US Special Forces to Iraq became imminent, it may also have served the function of their training.¹² Finally, once Secretary Powell's UN presentation and the special CIA intelligence report were produced, the vehicle platform *may* have served as the "concept design" also.

Where did the notion of the possibility of an Iraqi mobile BW production capability come from? In 1995, Lt. General Amir al-Sa'adi told UNSCOM officials that in 1988 he had suggested that perhaps Iraq should develop its BW production

on mobile platforms. The suggestion was rejected as not being feasible, and some fixed facilities were converted from other uses, while others were constructed.

During the war against Iran, General Sa'adi had been the head of the Iraq government's Special Office for Technical Industry (SOTI) and he later became the deputy to General Hussein Kammel, the head of all of Iraq's WMD programs, in the Ministry of Industry and Military Industrialization (MIMI). General Sa'adi proposed only "a concept." He produced no specific drawings or plans. Curveball could therefore not have seen any prior set of drawings.

However, Curveball's drawings were reported to be very crude. They bore no relation to General Sa'adi's "concept," and they probably also bore little relation to the illustrations which eventually appeared in Secretary Powell's UN presentation on February 4, 2003,¹³ or to the US CIA/DIA report released on May 28, 2003 describing what would prove to be imaginary Iraqi BW production vehicles.¹⁴ These illustrations of a three-platform set of vehicles and the components mounted on them were obviously substantially elaborated by CIA draughtsman. Secretary Powell clearly indicates this in his UN presentation by saying that "these drawings [are] based on their description," and by the preceding sentence that "The description our sources gave us of the technical features *required* by such facilities are highly detailed and extremely accurate...we know what the fermenters look like, we know what the tanks, pumps, compressors and other parts look like." It is important to note that in the days preceding Secretary Powell's UN presentation, he was never informed of doubts at the CIA and DIA concerning the credibility of information provided by Curveball.¹⁵ Not only was Secretary Powell's claim for the most part false, it indicated at the same time the "value added" input of the US intelligence agencies. It should also be pointed out that a British government report also alleged the existence of such Iraqi vehicles, although it included no drawings.¹⁶

The most exhaustive, detailed and authoritative compendium of information on the two single vehicle platforms that Iraq did possess, and that US forces found in Iraq in April and May 2003, exists in the report of the Iraq Survey Group. They were the *Mobile Hydrogen Field Production System*, "...two trailers to produce hydrogen gas for meteorological station purposes."¹⁷ They produced hydrogen in a chemical reactor to fill balloons to test wind direction for artillery fire.

But it was the ISG report Annex immediately preceding the one which describes the two hydrogen-producing trailers that is of even greater value for understanding the information provided by Curveball. It discusses a Seed Purification Project to produce "agricultural seed sorting and fungicide treatment systems," presumably primarily for feed grains.¹⁸

...The seed project began in 1994. ...The seed purification units were designed, fabricated, and installed by the CEDC. *The designer considered producing a mobile system*, but decided on fixed plants in buildings. The final plant design was based on the reverse engineering of a German-manufactured seed purification plant in Tikrit.¹⁹

The CEDC was responsible not only for the seed purification project but also the "single cell protein project" that was, together with the insecticide BT, one of the two "covers" for Iraq's dedicated Al Hakam BW production facility for biological weapons. Curveball was a chemical engineer working at the CEDC until 1995, when he lost his position. This may serve to explain two things. It may explain why Curveball could describe some sort of mobile platform, and perhaps also how he could have offered the technical details that so impressed, and as is acutely described in the Silberman-Robb report, fooled the CIA/WINPAC analyst. Alternatively, as discussed below, Curveball's CEDC position may simply have provided the bona fide for his credibility, even if his narrative about mobile BW production vehicles was not based on his own CEDC experience with a proposed

mobile seed purification vehicle.

After Curveball lost his position at the CEDC in 1995 he apparently traveled in North Africa before reaching Germany. No one knows exactly where he was between 1997 and 1999. During the period from the end of 1999 on, during which Curveball was providing information to the German intelligence service (BND), he disappeared on several occasions. Curveball's brother served as a low-level bodyguard for Ahmad Chalabi, the head of the Iraqi National Congress (INC). The organization had been funded by the CIA and the DIA at different times, and it maintained an office in London at which Chalabi was often located. If one looks at both Secretary Powell's UN presentation and the subsequent CIA/DIA report concerning the mobile vehicles, both refer to second, third and fourth sources that are described as corroborating Curveball's information. If one reads the relevant lines carefully, the supposed "corroborations" are tenuous. Secretary Powell's descriptions are by far the loosest and extended. Two of these subsequent informants were supplied to US intelligence agencies by the INC. The third approached the UK government, and apparently could only report hearsay. It is conceivable that word of what Curveball was telling the BND reached INC headquarters, possibly via meetings with his brother, enabling INC officials to prompt the two informants that they subsequently supplied at least as to the general framework of what they should say. There are other ways in which interactions between the INC, Chalabi, and Curveball could have taken place, or in which relevant information could have reached Chalabi.

Curveball's information was provided to the German intelligence services from late-1999 through 2001, and much of it had reached US intelligence agencies during 2000. (The Silberman-Robb report states that "Curveball began reporting in January

2000”; this however is apparently when the first reports reached US intelligence services.) Construction of the SAIC Hatfill-contracted vehicle reportedly began in September 2001. The date on the EA/DDCI email message quoted in the Silberman- Robb report is dated December 20, 2002, more than a full year later. This suggests the likelihood that the claim that “it works,” and the assessment “by an independent laboratory as workable engineering designs” was a separate endeavor. Where that took place, by which contractor it was carried out, and how far the evaluation of “workable” went, all remain unknown.

Taken together the information provided here suggests two possibilities, perhaps all or in part contradictory, perhaps with overlapping particulars. First, that the SAIC/Hatfill truck platform was based as much or more on the abstract conceptions of necessary components for such a vehicle, together with the CIA’s elaborated illustrations, as it was on Curveball’s possible drawings. And that this platform is what is being referred to in the Silberman-Robb report, as well as in DDCI John McLaughlin’s comment. Additionally, that in some way it was used by the CIA to validate the information provided for President Bush’s State-of-the-Union remarks as well as Secretary Powell’s presentation to the United Nations. Alternatively, it suggests that the quoted line in the Silberman-Robb Commission Report refers to a separate and as yet publicly unidentified effort. All of these questions remain questions and they remain unresolved.

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¹ Bob Drogin and John Goetz, “The Curveball Saga: US Ignored Warnings over Informant,” *Los Angeles Times*, November 20, 2005; Joby Warrick, “Lacking Biolabs, Trailers Carried the Case for War. Administration Pushed Notion of Banned Iraqi Weapons Despite Evidence to Contrary,”

Washington Post, April 12, 2006; and Joby Warrick, "Warnings on WMD 'Fabricator' Were Ignored, Ex-CIA Aide Says," *Washington Post*, June 25, 2006. See also David Barstow, "Doubts on Source for Key Piece of Data Were Suppressed, Report Says," *New York Times*, April 1, 2005.

A sizable number of shorter press reports concerned with the same subject matter appeared in 2003, 2004 and 2005. Bob Drogin and Greg Miller, "Iraqi Defector's Tales Bolstered U.S. Case for War; Colin Powell presented the U.N. with details on mobile germ factories, which came from a now-discredited source known as 'Curveball'," *Los Angeles Times*, March 28, 2004; Glenn Kessler, "Powell Expresses Doubts About Basis for Iraqi Weapons Claim," *Washington Post*, April 3, 2004; Christopher Marquis, "Powell Blames C.I.A. for Error on Iraq Mobile Labs," *New York Times*, April 3, 2004; Douglas Jehl, "Agency Disputes View of Trailers as Labs," *New York Times*, June 26, 2003; Dafna Linzer and Barton Gellman, "Doubts on Weapons Were Dismissed," *Washington Post*, April 1, 2005; Bob Drogin and Greg Miller, "'Curveball' Debacle Reignites CIA Feud; The former agency chief and his top deputy deny reports that they were told a key source for Iraqi intelligence was deemed unreliable," *Los Angeles Times*, April 2, 2005; and Evelyn Pringle, "About Iraq – Not So Fast Colin Powell," *opednews.com*, April 30, 2006.

² Released on March 31, 2005. Chapter One, Biological Warfare, pp. 80-111; 214-225.

³ United States Senate, Select Committee on Intelligence, *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*, Washington, DC, July 7, 2004, pp. 148-162.

⁴ PBS/Frontline, *The Dark Side*, 2006, <http://www.obs.org/wgbh/pages/frontline/darkside/>.

⁵ The endnote for the line quoted appears on page 221 of the report, #340.

⁶ "Statement of John E. McLaughlin, Former Deputy Director of Central Intelligence, Sunday, June 25, 2006; Delivered April 1, 2005 in Response to Final Report of the Silberman-Robb > Commission," <http://www.washingtonpost.com/wp-dyn/content/article/2006/06/24/AR2006062401194.html?referrer=email>.

The author has had a copy of this statement since April 2005. The hope had been that several members of the press who also had the statement, or the critical line in it, for various periods of time in 2005 and 2006, might be able to get to the bottom of the unanswered questions reviewed here. But that has not happened.

⁷ William J. Broad, David Johnston, and Judith Miller, "After The War: Biological Warfare. Subject of Anthrax Inquiry Tied to Anti-Germ Training," *New York Times*, July 2, 2003; Scott Shane, "Hatfill's Biowar Classes May Have Led to Scrutiny. Training work that won commendation helped attract attention of FBI," *Baltimore Sun*, July 3, 2003; Maryland W. Thompson, "Anthrax Suspect Trained U.S. Team on Bioweapons: Hatfill Had Lost his Security Clearance," *Washington Post*, July 3, 2003.

The SAIC contract was reported as being in the name of "Dr. Joseph Soukup, a vice president for biomedical science," and Dr. Steven Hatfill.

⁸ Broad, Johnston and Miller, "After the War," July 2, 2003.

⁹ Silberman-Robb, p. 83.

¹⁰ Silberman-Robb, p. 85.

¹¹ PBS/Frontline, *The Dark Side*, 2006, <http://www.obs.org/wgbh/pages/frontline/darkside/>; Steven Coll. *Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, from the Soviet Invasion to September 10, 2001*, New York: Penguin Books, 2004; and Ronald Suskind, *The One Percent Doctrine: Deep Inside America's Pursuit of Its Enemies Since 9/11*, New York: Simon & Schuster, 2006. See also, James Mann, *Rise of the Vulcans: the History of Bush's War Cabinet*, New York: Viking, 2004 and James Bamford, *A Pretext for War: 9/11, Iraq, and the Abuse of America's Intelligence Agencies*, New York: Doubleday, 2004.

¹² There is always the outside possibility that the Special Forces training purpose may be spurious, a "cover story," but that seems unlikely.

¹³ US Secretary of State Colin Powell Addresses the UN Security Council, <http://www.whitehouse.gov/news/releases/2003/02/20030205-1.html>.

¹⁴ US Central Intelligence Agency and US Defense Intelligence Agency, *Iraqi Mobile Biological Warfare Production Plants*, May 28, 2003, http://www.cia.gov/cia/reports/iraqi_moabile_plants/index.html.

¹⁵ See in particular, Silberman-Robb, and Warrick, "Warnings on WMD 'Fabricator'," June 25, 2006.

¹⁶ "Iraq's Weapons of Mass Destruction: The Assessment of the British Government," September 24, 2002.

Informally known as the "Iraq Dossier," on page 22 it states "UNSCOM established that Iraq considered the use of mobile biological agent production facilities. In the past two years evidence from defectors has indicated the existence of such facilities. Recent intelligence confirms that the Iraqi military have developed mobile facilities. These would help Iraq conceal and protect biological agent production from military attack or UN inspection," published in *Comparative Strategy*, 22 (2003), pp. 63-108.

¹⁷ *The Comprehensive Report of the Special Adviser to the DCI on Iraqi WMD*, September 30, 2004, Annex D. Trailers Suspected of Being Mobile BW Agent Production Units, pp. 79-98.

¹⁸ *The Comprehensive Report of the Special Adviser to the DCI on Iraqi WMD*, September 30, 2004, Annex C. ISG Investigation of Iraq's Reported Mobile Biological Warfare Agent Production Capability, pp. 73-78.

¹⁹ *Ibid.*, pp. 73-75.