



USAF COUNTERPROLIFERATION CENTER
CPC OUTREACH JOURNAL
Maxwell AFB, Alabama

Issue No. 465, 18 November 2005

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New York Times
November 15, 2005

Sept. 11 Report Card Assails U.S. Progress Against Terror

By Philip Shenon

WASHINGTON, Nov. 14 - The members of the Sept. 11 commission charged Monday that the Bush administration had made "insufficient progress" in trying to prevent terrorists from acquiring nuclear weapons. They called on President Bush to make the issue "his top national security priority and ride herd on the bureaucracy to maintain a sense of urgency."

In the latest of a series of privately financed "report cards" on government antiterrorism efforts, the five Democrats and five Republicans on the commission also warned that reports of the government's abusive treatment of terror suspects abroad were eliciting "criticism from around the globe," and that the administration needed to adopt standards for treatment of detainees in line with international law.

Though the report did not explicitly endorse legislation overwhelmingly adopted by the Senate and opposed by the White House that would bar abuse of any terror suspect in American custody, some commission members said widespread reports of abuse and even torture of Muslim suspects by American captors had served as a recruiting tool for Al Qaeda.

"The flames of extremism undoubtedly burn more brightly when we are the ones who deliver the gasoline," said Richard Ben-Veniste, a former Watergate prosecutor and a Democratic member of the Sept. 11 commission.

The report, released by a private lobbying group created by the commissioners when their panel disbanded last year, focused on nuclear proliferation and foreign policy issues. It was the latest effort by the group to grade the government's response to the recommendations made in the commission's final, official report 16 months ago. While the report praised some of the government's efforts, finding that there had been "good progress" over the last year in cracking down on terrorist financing and in promoting economic policies to advance Arab and Muslim nations, it found "minimal" or "insufficient progress" in 7 of the 13 areas it surveyed.

Asked about the report, Dana Perino, a White House spokeswoman, said the Bush administration "appreciated all the hard work of the commissioners, and our focus is on building upon the steps already taken." Ms. Perino said that by the White House count, President Bush had acted on 37 of the panel's 39 major recommendations.

"The administration holds prevention of a potential nuclear terrorism attack as an extremely high priority," she said, "and we are implementing an aggressive and comprehensive strategy against such a possibility." She added that the administration had called for \$316 million over the next year for a new Domestic Nuclear Detection Office.

In its report last year, the commission warned that the Sept. 11 attacks would not be the last major terrorist strike on American soil, noting that Al Qaeda had tried for at least 10 years to acquire weapons of mass destruction. The panel said that control of worldwide nuclear stockpiles required a "maximum effort" by the government to prevent them from falling into terrorists' hands.

In the report card on Monday, the commissioners said they were alarmed that so little had been done on the issue, even in light of what the Bush administration described as a landmark agreement this year with Russia to expand the number of nuclear sites there available for inspection and security improvements.

Proliferation specialists say that nuclear sites in Russia and other nations of the former Soviet Union are so poorly secured that weapons-grade material may be easily acquired by terrorists.

"The most striking thing to us is that the size of the problem still totally dwarfs the policy response," said Thomas H. Kean, the former Republican governor of New Jersey and the chairman of the Sept. 11 commission. "We have no greater fear than a terrorist who is inside the United States with a nuclear weapon. The consequences of such an attack would be catastrophic for our people, for our economy, for our liberties."

Mr. Kean said the agreement with Russia was among the "good steps" taken by the Bush administration to deal with nuclear threats, "but they're not nearly enough."

The report said that accounts of abuse of terror suspects by American military and intelligence agencies had stirred controversy that "only makes it harder to build the diplomatic, political and military alliances necessary to fight the war on terror effectively."

<http://www.nytimes.com/2005/11/15/national/15panel.html>

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Washington Post
November 16, 2005
Pg. 15

N. Korea Gains Aid Despite Arms Standoff

By Anthony Faiola, Washington Post Foreign Service

SEOUL -- The latest round of six-party negotiations on North Korea's nuclear weapons program achieved no breakthrough last week, but the Communist country is already benefiting from a series of economic and diplomatic rewards from its closest neighbors, especially South Korea.

Increased commercial and diplomatic ties were intended as an incentive for North Korea to drop its nuclear program. But the North Korean government is receiving benefits although it has not fulfilled a disarmament agreement that it signed at six-party talks in September. In fact, the North has said it will move forward with a 50-megawatt reactor capable of boosting its avowed nuclear arsenal.

A three-day round of six-nation talks on North Korea ended Friday in Beijing without even an agreement on the schedule for new meetings. But South Korea's National Assembly last week approved \$2.6 billion in economic and humanitarian aid to North Korea -- an amount that is more than double the 2005 allotment and so large that it may require the South to issue bonds to finance part of it.

South Korea also opened an official liaison office this month in the North for the first time since the 1950-53 Korean War. The two Koreas, meanwhile, inaugurated a new \$10 million joint venture textile company last month in Pyongyang, the North Korean capital.

Plans are being mapped out to more than double the size next year of a South Korean-funded industrial park built just across the border in the North Korean city of Kaesong, where 15 South Korean companies now employ 5,000 North Koreans. Meanwhile, a railroad line that will transit the most heavily militarized border in the world is set to be completed by year's end.

Eager to lure more foreign investment for the North, the South Koreans will unveil a Kaesong Industrial Tradeshow in the southern city of Pusan this week at the Asia-Pacific Economic Cooperation, or APEC, summit of 21 world leaders including President Bush.

After the six-party agreement in September, "the mood for reconciliation has improved," said Moon Dae Keun, director of economic cooperation for South Korea's Unification Ministry, the South's agency responsible for dealing with North Korea. "We still need to resolve the nuclear issue, but the agreement has helped us to move ahead with South-North cooperation."

China has also increased its profile with North Korea. President Hu Jintao visited Pyongyang last month, a rare visit for a Chinese official. He was greeted by North Korea's leader, Kim Jong Il, at Pyongyang's international airport, visited a new Chinese-financed glass factory and was quoted by China's official New China News Agency as promising more economic cooperation.

Leading critics of North Korea are complaining about the reaction to the September agreement. Signed in Beijing by both Korea, the United States, China, Japan and Russia, the deal called for North Korea to give up all of its nuclear weapons programs in return for unspecified economic and diplomatic incentives.

"We can't give them everything they want now. Instead, we need to make them understand the consequences if they don't comply" with the agreement, said Hwang Jin Ha, a member of the National Assembly from the opposition Grand National Party. "We should only make positive gestures with food aid, economic assistance and investment when we see real steps being taken to resolve the nuclear issue."

But others, particularly in South Korea, contend that the aid gives North Koreans an early taste of the far larger economic and diplomatic benefits possible if it complies with the nuclear agreement.

South Korea has been engaged in a program of rapprochement with the impoverished North since the 1990s, under a "sunshine policy" initiated by Kim Dae Jung, a former dissident and Nobel Peace Prize winner who was president from 1998 to 2003.

Momentum slowed for a time after 2002 when North Korea ejected international weapons inspectors and began reprocessing spent fuel rods into nuclear material. After that, South Korean officials started dragging out completion of economic projects that were previously agreed to.

Now, aided by a burst of investment during the second half of 2005, trade between North and South is set to break \$1 billion for the first time, according to the Unification Ministry. In addition, South and North Korea reached a historic agreement in principle this month to field a joint team at the 2008 Olympic Games in Beijing.

North Korea is still negotiating a dispute with its largest South Korean investor, Hyundai Asan Corp., over the dismissal of a company official against the Pyongyang government's wishes. But following the September agreement, several South Korean companies that had invested millions of dollars building factories at the new industrial park in Kaesong saw their stock prices jump as much as 10 percent. Several are now making plans to expand their investments across the border, although analysts have said that few South Korean companies have managed to make such investments profitable.

Nevertheless, Kim Ki Mun, chairman of Romanson Co., a major watch manufacturer, praised the nuclear agreement as a "major breakthrough." His company employs 500 North Koreans at Kaesong and is eager to double production in North Korea next year.

Romanson's North Korean employees earn about \$60 a month, about 10 percent of a typical South Korean factory worker. Kim said he will begin raising the salaries for the best North Korean workers, and wants to teach them about capitalism by rewarding talent and hard work.

Kim said the greatest obstacle to expanding business in North Korea is U.S. opposition to rapid engagement with the North, not the nuclear issue.

For example, he cited a case last week in which U.S. officials blocked the installation of a South Korean switchboard system at Kaesong on grounds that the equipment contained components that could have been adapted for military use. As a result, Kim said, the 15 companies operating at Kaesong share a single phone line -- and messages to his staff there must often be hand-delivered across the border.

"We will only win over the North Koreans by engaging them and showing them what kind of benefits are in store for them if they join the world community," Kim said. "I honestly believe it is the only way. Now, we just need the Americans to see that too."

Special correspondent Joohee Cho contributed to this report.

<http://www.washingtonpost.com/wp-dyn/content/article/2005/11/15/AR2005111501793.html>

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November 15, 2005

Little law has big impact on use of military at home

By Sydney J. Freedberg Jr., [National Journal](#)

What is a posse comitatus, anyway?

This fine old scrap of Latin is invoked against any attempt to expand the military's role in domestic security. It came up in the drug wars of the 1980s, after 9/11, and most recently after Hurricane Katrina, when President Bush suggested "a broader role for the armed forces" in disaster relief. In the words of former Virginia Gov. James Gilmore, a Republican who chaired a commission championing state and local leadership in homeland security, "Posse comitatus stands for the principle that we should not use the military for law enforcement in this country." Strip away the symbolism, however, and what remains is one obscurely worded sentence in Title 18 of the U.S. Code. As President Reagan's civil defense director, retired Army Col. John Brinkerhoff, wrote sarcastically in 2002, "Seldom has so much been derived from so little." The Posse Comitatus Act of 1878 threatens a prison term and fines -- although no one has actually been charged in the law's 127-year history -- against "whoever ... uses any part of the Army ... to execute the laws," unless, that is, they do so "under circumstances expressly authorized by ... Act of Congress."

So what are those circumstances? The answer lies in an even older law, the Insurrection Act, whose earliest provisions date to 1792. George Washington, as president, used the act in 1794 to repress the Whiskey Rebellion in Pennsylvania. The act's provisions were successively broadened under Presidents Jefferson, Lincoln, and finally Grant: "Whenever the President considers that unlawful obstructions ... make it impracticable to enforce the laws ... by the ordinary course of judicial proceedings, he may ... use such of the armed forces, as he considers necessary to enforce those laws."

Together, these two statutes open a loophole wide enough to march an army through -- which is precisely what President Eisenhower did to integrate schools in Little Rock, Ark., in 1957; what President Johnson did to suppress the race riots of the 1960s; and what the elder President Bush did to suppress the riots following the Rodney King incident in Los Angeles in 1992. The New Orleans looting of 2005 could easily have been added to that list, said Vermont Law School professor Stephen Dycus, lead author of the best-selling casebook on national security law. "The president has all the authority he needs," Dycus says.

"That's the dirty little secret about the Posse Comitatus Act," agreed Timothy Edgar, national security policy counsel for the American Civil Liberties Union. "It really doesn't restrict very much."

And yet this slender reed of law has been made a pillar of democracy. Why? The answer lies in a 200-year history of American ambivalence about the military's role in domestic law enforcement, an ambivalence nowhere more pronounced than in the military itself.

The Posse Comitatus Act is named for what it specifically forbids: the early practice of posse comitatus, literally "the power of the county," by which shorthanded civilian law enforcement officials -- a county sheriff in medieval England, a U.S. marshal in 19th-century America -- could, in an emergency, deputize a posse of royal or federal troops from the nearest fort.

In the 19th-century United States, posse comitatus became entangled with the bitter issues of states' rights and race. Federal officials would deputize troops to enforce laws where the local authorities refused to. Such troops hunted fugitive slaves in the North before the Civil War and protected black voters in the South afterward. The cynical compromises of 1876-78 that ended Reconstruction also ended the deputizing of troops, by legislating criminal charges against any marshal who ever again called up soldiers for a posse.

That prohibition, however, never applied to a governor's calling up his own state's militia -- what today is called the National Guard. Nor does it apply to federal troops that provide aid after disasters -- search and rescue, medical care, food, etc. -- as codified under the 1988 Stafford Act, which also created the Federal Emergency Management Agency. The prohibition does not even apply to federal troops' providing "support for civilian law enforcement," as long as they do not enforce the law themselves: 12 long sections of the U.S. Code (Title 18, Section 371-382), mostly passed during the "war on drugs," instruct the Defense Department to offer intelligence, training, and equipment, stopping short only of "direct participation by any member of the Army, Navy, Air Force, or Marine Corps in a search, seizure, arrest, or other similar activity."

The military has always been ambivalent about such domestic duties. The 19th-century War Department issued orders restricting posse comitatus even before the 1878 ban, and the modern Defense Department has built up that one-line law into reams of regulations. "Posse comitatus is overused by the military to avoid missions they don't want," said retired Air Force Col. Randall Larsen, an outspoken homeland-security expert. A pair of Coast Guard lawyers, Capt. Gary Felicetti and Lt. Cmdr. John Luce, were even harsher in a 2004 article in the military magazine *Parameters*: "A misleading [Defense Department] regulation that requires an army of lawyers to navigate [is] used to ward off undesired and potentially resource-depleting missions."

Yet, at the same time, the military's Northern Command -- in charge of protecting the U.S. homeland -- plans for a possible leading role in "catastrophic" emergencies, and military manuals acknowledge the exception to the Posse Comitatus Act for "federal troops acting pursuant to the presidential power to quell insurrection."

The Insurrection Act is old-fashioned and blunt, starting with its title. "At least we ought to rename that; that's a minimum," implored Senate Armed Services Chairman John Warner, R-Va., the one legislator to press consistently, and fruitlessly, for changes to these laws. But the text itself stands out amid more-modern and more-modest sections of the U.S. Code like a Viking warrior at a tea dance. Title 10, Section 331, of the Insurrection Act simply permits the president to send federal troops to the aid of a state government. Section 332, a little stronger, allows the president to send troops even without the state's invitation. Section 333 specifically authorizes federal intervention if state authorities "fail or refuse" to protect the rights of any citizens group. These clauses, Dycus said, "provide the president with all the authority he could ever want to use military forces for law enforcement, quarantines, and so on."

The only limit is a single sentence at the end -- Title 10, Section 334 -- that requires the president first, before he uses the military, to publicly order any insurgents to disperse. This one formality is critical, Dycus insists. Without this proclamation clause, the president could delegate to some unelected official the Insurrection Act's authority to declare an emergency and to enforce the law with troops. Similarly, without the narrowly tailored Posse Comitatus Act in place, any U.S. marshal could call in the troops even when there was no emergency at all.

But as the laws now stand, Dycus said, "the key point is that it is the president's call. He's got to make a public pronouncement; he has to take a public position and face the political consequences. The genius in this arrangement -- which gives the president extremely broad authority -- is that it also includes political accountability for the highest elected official in the country." If that makes presidents think twice, perhaps it's just as well.

http://govexec.com/story_page.cfm?articleid=32821&dcn=todaysnews

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Honolulu Advertiser

November 16, 2005

Missile Defense A 'Growing Business'

By Associated Press

The commander of the U.S. Pacific Fleet yesterday said countries are doing more to build ballistic missile-defense systems amid greater awareness of the threat from the long-range projectiles.

Adm. Gary Roughead told a conference of about 700 engineers on Kaua'i that the danger from a "significant weapon" would be removed if the ballistic missile threat were overcome.

"Ballistic missile defense is a growing business as far as the numbers and capability out there," Roughead said in remarks transcribed by the fleet public affairs office. "The North Korean missile development program is something that not only we watch closely, but some of the regional nations out there are involved."

He added that "Japan, in particular, is very mindful and very aware of what threat that poses."

Tokyo's interest in missile defense systems grew after North Korea test-fired a missile over northern Japan in 1998. Roughead spoke before an annual conference of the Directed Energy Professional Society. The group is mostly made up of engineers who develop the high-energy laser and high-powered microwave technology used to defend against ballistic missiles.

Roughead said missile-defense tests were expensive, but he urged the engineers not to be discouraged when their results were disappointing.

"Some of the best lessons I have ever taken away are not from when I've hit it out of the park but when I screwed something up," Roughead said. "That's when I think we learn a lot, perhaps we even learn more."

Society members gathered on Kaua'i, the site of a major missile defense testing facility, for the first time this year. The group will meet in Albuquerque, N.M., next year.

At this year's gathering, members announced the results of their development programs and explained new discoveries to the group, said Sam Blankenship, the society's executive director.

<http://the.honoluluadvertiser.com/article/2005/Nov/16/ln/FP511160354.html>

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Washington Post

November 17, 2005

Pg. 20

U.S., S. Korea Find Unity Against North's Nuclear Arms Program

President Roh, With China's Leader, Had Earlier Taken Softer Line

By Peter Baker and Anthony Faiola, Washington Post Staff Writers

GYEONGJU, South Korea, Nov. 17 -- President Bush and his South Korean counterpart presented a united front Thursday in pressuring North Korea to abandon its nuclear weapons program without additional concessions, despite calls just a day earlier by South Korea and China for a softer line.

Meeting here in advance of an Asian economic summit, Bush and President Roh Moo Hyun staked out an uncompromising stand toward North Korea and labored to play down differences of opinion about strategy. Bush again flatly rejected North Korea's demand to help it build a light-water civilian nuclear reactor until it has dismantled its entire nuclear weapons program.

"We'll consider the light-water reactor at the appropriate time," Bush said. "The appropriate time is after they have verifiably given up their nuclear weapons and/or programs."

Roh said the two leaders agreed "that a nuclear-armed North Korea will not be tolerated" and added that "we have no disagreement at all that this issue must be resolved."

The public show of harmony came a day after Roh emerged from a meeting with Chinese President Hu Jintao with a joint declaration urging negotiators at nuclear arms talks to show "sincere flexibility" toward the government of North Korea. The Chinese-South Korean position appeared to further distance the two from the approach adopted by the United States and Japan drawing a hard line against the North, a schism complicating Bush's attempt to promote solidarity during his week-long, four-nation Asian trip.

But after a lengthy discussion with Bush focusing heavily on how to handle North Korea, Roh did not repeat that formulation when the two leaders appeared before reporters here in this thousand-year-old capital of old Korea.

Bush plans to press Hu and Russian President Vladimir Putin to stand behind his position as well during separate meetings in the next few days.

More than two years of slow-moving, six-party negotiations yielded a statement of principles in September in which North Korea agreed to abandon its nuclear weapons program while the five other nations agreed to provide economic incentives. But the pact has foundered on differing interpretations of what it actually means. The North Korean government has insisted on help to build the long-sought light-water reactor to produce electricity before it gives up its weapons program, while the Bush administration maintains that North Korea must disarm completely before a reactor can even be discussed.

Follow-up talks intended to begin translating the vaguely worded September agreement into a concrete plan broke up last week without so much as a consensus on when they would resume. And while U.S. officials once hoped the negotiations would reconvene shortly after the Asia-Pacific Economic Cooperation (APEC) summit to be held in nearby Pusan this week, Asian officials indicated that talks would not resume until January at the earliest.

Secretary of State Condoleezza Rice acknowledged that the latest talks had failed to make expected progress. "And so we've redoubled our efforts with all the other parties to go back to the North Koreans," she told reporters after arriving in South Korea on Wednesday to join Bush at the APEC summit.

Rice said North Korea needed to show a "different attitude" to turn the disarmament agreement into reality. "The jury is out on whether the North Koreans are . . . prepared to do what they need to do, which is to get serious about dismantlement and verification obligations that they undertook in that framework agreement," Rice said. But she portrayed the United States and its partners in the talks as unified. "Essentially, we are all on the same page."

Michael J. Green, the president's top Asia adviser at the National Security Council, said the different rhetorical approaches among the nations this week were understandable. "The tone is different sometimes because, of course, for the people of the Republic of Korea, the demilitarized zone is right at their doorstep," Green told reporters aboard Air Force One, referring to South Korea by its official name. "Seoul is as close to the DMZ and North Korean artillery as the White House is to Dulles Airport. So it's very much a clear and present threat for the people of the Republic of Korea."

After their meeting Wednesday, Roh and Hu issued a statement declaring that they "shared the view that each party to the six-party talks should show sincere flexibility on its position, and implement the statement in order to ensure continued progress in the talks."

The joint declaration reflected a move by South Korea to build closer ties with China, a move that leaves U.S. officials and some Korean officials nervous. The two sides agreed to deepen military and security dialogues, establish a hotline between their foreign ministers and hold regular meetings between vice foreign ministers. According to Roh's critics, however, that agreement may come at the expense of ties between South Korea and its traditional key ally, the United States. South Korea has dispatched 3,000 troops to Iraq to aid U.S. efforts there, the third-highest presence on the ground. But conservatives in South Korea fear that the U.S. government and Japan are moving closer together as South Korea's relationship with the U.S. government becomes more strained.

Bush and Roh moved to dispel such an impression on Thursday, calling the U.S.-South Korean relationship as strong as ever. To demonstrate that, Bush announced that Washington would work with Seoul to develop a visa waiver program, and the two agreed to launch a "strategic dialogue" to discuss mutual issues starting after the new year.

Faiola reported from Kyoto.

<http://www.washingtonpost.com/wp-dyn/content/article/2005/11/16/AR2005111600317.html>

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Washington Post
November 17, 2005
Pg. 21

Iran Ignores Pleas To Halt Uranium Work

By Dafna Linzer, Washington Post Staff Writer

Iran began converting a new batch of uranium at a key nuclear facility yesterday, rejecting international pleas to suspend such work and dismissing a new offer -- sponsored by Russia -- that was designed to ease tensions over the country's nuclear ambitions, U.S. and European officials said.

The work at the facility in the town of Isfahan does not bring Iran significantly closer to nuclear capability. But the decision to convert additional uranium -- a key ingredient for fueling nuclear energy or weapons programs -- was seen as a provocative move just days after Iranian officials reacted coolly to the Russian offer.

Coming at a sensitive time, the Iranian moves threatened to derail efforts to set up a meeting next week between European and Iranian officials that was meant to reinvigorate negotiations on hold since the summer, diplomats said. Mohamed ElBaradei, director of the International Atomic Energy Agency, which is leading an investigation of Iran's nuclear program, also canceled a planned trip to Tehran, said officials in Vienna, where the agency is based.

R. Nicholas Burns, the undersecretary of state for political affairs, was to travel to London today to meet with his European and Russian counterparts about next steps in an effort to increase diplomatic pressure on Tehran. The 35-member IAEA board meets in Vienna on Nov. 24 to discuss the status of Iran's program. For more than two years, the Bush administration has been unable to persuade allies to send the Iranian nuclear case to the U.N. Security Council, where the country could face economic sanctions for failing to disclose a nuclear energy program built in secret over 18 years.

Iran has said the program was designed to produce nuclear energy, not bombs. But the scale of the program and its clandestine nature have fueled suspicions that Tehran is using it to conceal a weapons effort. The Bush administration and several key allies have said they want Iran to forgo plans to complete a uranium enrichment facility, the most sensitive aspect of the nuclear fuel cycle, because it would give Iran the capacity to produce bomb-grade uranium. The Iranians have said they will not give up that part of the program, which they are allowed to have as signatories to the nuclear Non-Proliferation Treaty.

One of the key countries that has so far resisted sending Iran's case to the Security Council is Russia, which has a close economic partnership with Tehran and helped build one of the country's larger nuclear power reactors. Igor Ivanov, a senior Kremlin adviser and the country's former foreign minister, offered Iran a deal that would have allowed it to continue operating the Isfahan facility as long as Iran's enrichment effort remained on hold. According to officials who have been briefed on the offer, the converted uranium from Isfahan would have been shipped to Russia for enrichment and then sent back to Iran to fuel the Russian-built reactor. Russia offered Iran a 35 percent financial stake in the Russian end of the enrichment process and suggested the deal remain in effect for several years while Iran continued to negotiate a broad-ranging deal with the West.

Iranian officials initially rejected the deal but then offered cool public statements saying they would consider the proposal. At the end of the Ivanov trip, the Iranians reportedly agreed to delay additional work at Isfahan until after the Vienna meeting and committed to a meeting next week with European and Russian officials.

But yesterday, the Iranians began converting more uranium at the Isfahan facility. Melissa Fleming, spokeswoman for the IAEA, said agency inspectors were at the facility at the time. The Bush administration is hoping the move may persuade Russia to vote with other IAEA board members to send Iran's case to the United Nations.

David Albright, a nuclear expert and the president of the Washington-based Institute for Science and International Security, said Iran's move at Isfahan was "mostly symbolic" but the Iranians will "end up with a larger stock" of converted uranium that they can store away for the day when their own enrichment facility is completed. If that happens, Iran could wind up with enough bomb-grade uranium for as many as eight weapons, he said.

<http://www.washingtonpost.com/wp-dyn/content/article/2005/11/16/AR2005111602295.html>

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Honolulu Advertiser
November 17, 2005

Army Data Conflicting Over Toxic Dump Sites

By Jan TenBruggencate, Advertiser Kaua'i Bureau

At least some of the chemical weapons dumped off O'ahu after World War II may be farther from shore and in deeper water than previously estimated, and preliminary indications from the Army are that they may not be recoverable, said U.S. Rep. Neil Abercrombie.

"Some of these issues may be moot in the sense of, out of sight, out of reach," Abercrombie said yesterday. However, the information he has received appears to contradict data found within an official Army report on the subject, which suggests there are chemical weapons dump sites both nearer shore and in shallower water than Abercrombie was told.

Abercrombie, a member of the U.S. House Armed Forces Committee, was briefed on the chemical weapons dumping this week by Tad Davis, assistant secretary of the Army (Environment, Safety and Occupational Health), said Abercrombie's press secretary, Mike Slackman.

(The Advertiser two weeks ago submitted a series of questions to the Army on the chemical weapons dumping issue, but the service has not yet responded, other than to say that the Army believes there is no danger of chemicals washing up on shore.)

Abercrombie told The Advertiser that the Army is conducting a detailed search of its records on the extensive chemical weapons dumping around the world after World War II. An Army report dated 2001 indicated that more than 8,000 tons of corrosive or toxic chemical munitions were dumped off O'ahu—some off Pearl Harbor and some off Wai'anae—in 1944 and 1945.

"These issues are being, I think, researched rather assiduously," he said. The Army expects to have a preliminary report on the chemical dumping issue "between Thanksgiving and Christmas."

Abercrombie said Davis told him that chemical weapons were disposed of 10 miles from east O'ahu and 10 miles from the Wai'anae Coast. Water depth was believed to be between 1,800 feet and 6,000 feet.

That suggests there are dumping sites other than the three identified in the 2001 report, or that the records the Army is now reviewing are providing different information than that report contains.

The 2001 report, "Off-Shore Disposal of Chemical Agents and Weapons Conducted by the United States," prepared by the Army's Historical Research and Response Team, says that the Army disposed of 16,000 mustard bombs in 1944 five miles from shore off Pearl Harbor.

In 1976, a research vessel's crew suffered caustic chemical burns from canisters dredged up in 1,200 feet of water, three miles off Honolulu Harbor. The Army report said a second 1944 dump of 4,220 tons of "unspecified toxics" was "probably the source" of that material.

Neither of those dump locations listed in the 2001 report appears to coincide with either of the deep-water sites Davis told Abercrombie about—since both are off south-central O'ahu and both are much nearer shore than Davis' disposal sites.

Slackman, who sat in on the meeting between Abercrombie and Davis, said that Davis told them "he did not believe there had been any monitoring" of any of the known chemical weapons dump sites off Hawai'i.

Abercrombie expressed disappointment, Slackman said, that the House Armed Services Committee did not learn of the 2001 report when it was issued, and at "having to learn of this from the news media."

<http://the.honoluluadvertiser.com/article/2005/Nov/17/In/FP511170356.html>

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Arizona Daily Star (Tucson)
November 18, 2005

Missile Killer Scores A First

Target hit after leaving booster; Raytheon elated

By David Wichner, Arizona Daily Star

A missile built by Raytheon Missile Systems tracked and hit the warhead of a ballistic missile in space over Hawaii Thursday morning, as hundreds of Raytheon workers in Tucson watched via satellite and cheered.

The intercept was the sixth successful test out of seven attempts for the Standard Missile-3, part of the Aegis ship-based missile-defense system, since tests began in 2002.

It was the first test involving a "separating" target - a warhead that had already parted from its booster rocket, the Pentagon's Missile Defense Agency said.

"Hitting something like this in space is trickier than when it's still attached to its large rocket motor," said Richard Lehner, a spokesman.

The reaction was raucous in Tucson.

"We're all screaming and hollering," Edward Miyashiro, Raytheon's vice president for naval systems, said Thursday afternoon. About 400 Raytheon engineers and other workers watched the test-flight video live in an auditorium at Raytheon's plant near Tucson International Airport.

Raytheon, Southern Arizona's largest private employer with more than 10,000 workers, is the prime contractor on the Standard Missile-3, or SM-3. Lockheed Martin is the prime contractor for the overall Aegis Weapon System. Thursday's test began when a medium-range, separating target missile was launched about 11 a.m. Arizona time from the Pacific Missile Range Facility in Kauai, Hawaii.

The Pearl Harbor-based cruiser USS Lake Erie detected the missile, and about four minutes later launched the SM-3 interceptor. Six minutes after launch, the interceptor missile hit the target warhead more than 100 miles in space above the Pacific Ocean.

The intercept used "hit to kill" technology, which means the target warhead was destroyed when the interceptor missile collided directly with the target. Before Thursday, tests were against unitary, or nonseparating, targets similar to Scud-type ballistic missiles.

Miyashiro noted that the test was conducted under "operational" conditions. The ship's crew was not informed of the target launch time, and operational testers observed the exercise to ensure a "realistic wartime environment," the company said.

"It's about as real as it gets," Miyashiro said.

The successful test was critical as Congress mulls the defense budget.

Raytheon has delivered nine of the current Standard Missile Block 1 version since last year and expects to deliver two more by the end of the year, the company said. Neither the military nor Raytheon has released estimates of each missile's cost.

"Our hope is that, with our continued success and having the ability to do this very hard mission, Congress decides to buy more," Miyashiro said.

Military analyst John Pike, director of GlobalSecurity.org, said the success of the missile tests bodes well, but it's unclear whether the government will buy enough missiles to form a reliable shield.

"The real question isn't 'How well is it doing?' The question is, 'Am I still worried about North Korea's nuclear missiles?'" Pike said.

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New York Times
November 18, 2005

Iran Is Reported To Continue Nuclear Activity

By Richard Bernstein

BERLIN, Nov. 17 - Iran has resumed converting uranium despite European requests that it abstain from such work pending a new round of negotiations on its nuclear activities, a diplomat close to the International Atomic Energy Agency in Vienna said Thursday.

The reported resumption of activity, at a nuclear plant in Isfahan, comes days after Iran appeared to rebuff a European proposal that would allow Iran to do some converting of uranium into a natural gas at the plant provided the product made there would be sent outside the country, presumably to Russia, for the final processing that would allow it to be used to generate power.

On Saturday, Iran's nuclear chief, Gholamreza Aghazadeh, said in Tehran that "Iran's nuclear fuel must be produced inside the country," according to news agency reports.

The Europeans, who have been trying to ensure that Iran does not produce nuclear weapons, had asked the Iranians to cease conversion work until negotiations about the offer had taken place.

"It's not forbidden," the diplomat close to the atomic energy agency said, meaning that the Iranian converting of uranium does not violate the Nuclear Nonproliferation Treaty. The diplomat spoke on condition of anonymity because of the delicacy of the pending negotiations. "It's significant from the point of view of posturing just at the point of getting back to negotiations, and that has antagonized the Europeans."

Iran maintains that it has the right to enrich the uranium it mines for energy-producing purposes. The conversion work at Isfahan produces a precursor of the uranium-fluoride gas that is a central part of the process of creating nuclear fuel, which could be used either for building bombs or generating electricity.

Iran says that its nuclear activities are intended only for peaceful uses, but the United States and many European countries contend that its goal is to produce nuclear weapons.

Next week the International Atomic Energy Agency is scheduled to meet and consider an American-supported proposal to refer Iran's nuclear activities to the United Nations Security Council for possible penalties.

<http://www.nytimes.com/2005/11/18/international/middleeast/18iran.html?pagewanted=all>

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