



USAF COUNTERPROLIFERATION CENTER
CPC OUTREACH JOURNAL
Maxwell AFB, Alabama

Issue No. 308, 29 December 2003

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Welcome to the CPC Outreach Journal. As part of USAF Counterproliferation Center's mission to counter weapons of mass destruction through education and research, we're providing our government and civilian community a source for timely counterproliferation information. This information includes articles, papers and other documents addressing issues pertinent to US military response options for dealing with nuclear, biological and chemical threats and attacks. It's our hope this information resource will help enhance your counterproliferation issue awareness.

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Washington Post
December 23, 2003
Pg. 3

Anthrax Shots Require Consent, Military Told

By Vernon Loeb, Washington Post Staff Writer

A federal judge in Washington yesterday ordered the Pentagon to stop administering an anthrax vaccine to U.S. service members without their consent, ruling that defense officials cannot require troops to "serve as guinea pigs for experimental drugs."

In blocking mandatory anthrax inoculations until a full trial can be held on the matter, U.S. District Judge Emmet G. Sullivan agreed with the contention by six unnamed Defense Department plaintiffs that the anthrax vaccine is an experimental drug "being used for an unapproved purpose" -- namely, for exposure to airborne anthrax as well as

exposure through the skin. As such, he ruled, it cannot under federal law be administered to service members on a mandatory basis.

Sullivan said he was not persuaded by arguments from Pentagon lawyers that administering the vaccine on a voluntary basis would interfere with military operations in Iraq and elsewhere. But if they believe that is the case, the judge said, federal law gives them the option of obtaining a presidential waiver of service members' right to informed consent. Such a waiver, Sullivan wrote, "would be an expeditious end to this controversy."

Sullivan's ruling comes with more than 800,000 U.S. troops having received the vaccine since 1998. Many of them received the vaccine -- a series of six injections -- last year, before deploying to fight the war in Iraq.

Hundreds of other service members have refused to take the vaccine out of concerns about its safety. Many of them have been court-martialed and forced out of the military. As recently as this month, an Ohio National Guard soldier was court-martialed for twice refusing to take the vaccine and sentenced to 40 days in jail.

A Pentagon spokesman had no immediate comment on Sullivan's ruling and would not say whether those who had been disciplined could now seek to have their cases reconsidered. Charles Miller, a spokesman for the Justice Department, which represents the Pentagon in the case, said: "No determination has been made as to what our next step will be. In that it is a preliminary injunction, there is no finality to this ruling at this stage."

Mark S. Zaid, a Washington lawyer representing the Defense Department plaintiffs, said there is "no significant evidence that this vaccine is safe or effective against weaponized anthrax. It is simply an experimental vaccine." "There have been several deaths potentially linked to the vaccine," Zaid said, "and there have been thousands of people who have become ill in cases allegedly linked to the vaccine."

Rep. Christopher Shays (R-Conn.), a leading congressional opponent of mandatory anthrax vaccines, said the ruling was "an affirmation of what we have been saying for years and years."

"The military needs to back off, make amends and restore in good standing those that have been punished," he said.

Sen. Jeff Bingaman (D-N.M.), who introduced a resolution in November asking the Pentagon to reconsider its program of mandatory anthrax vaccinations, said Sullivan's ruling gives the Pentagon an opportunity to rethink its anthrax vaccine policy, particularly now that no weapons of mass destruction have been discovered in Iraq.

The Clinton administration launched the anthrax immunization program in 1998 with the intention of requiring all 2.4 million military personnel to receive the vaccine. But the program faltered almost immediately when the vaccine's only manufacturer, BioPort Corp. of Lansing, Mich., was unable to obtain a license from the Food and Drug Administration because of faulty manufacturing processes.

As it worked on plans for invading Iraq, the Bush administration announced in June 2002 that it was resuming mandatory anthrax vaccinations for service members being sent to "high-threat" areas such as Iraq and Afghanistan for more than 15 days.

Eugene R. Fidell, a Washington lawyer who is an expert on military law, lauded Sullivan for his ruling. "It is quite remarkable that at a time of active military operations, the federal courts remain open and ready, when the record supports it, to order the government around," Fidell said. "It's really quite remarkable."

<http://www.washingtonpost.com/wp-dyn/articles/A22760-2003Dec22.html>

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Los Angeles Times

December 23, 2003

Pg. 1

Observers Fault U.S. For Pursuing Mini-Nukes

Critics say American 'double standard' will undermine efforts to curb nuclear arms.

By Douglas Frantz, Times Staff Writer

VIENNA — Research on a new generation of precision atomic weapons by the Bush administration threatens to undermine international efforts to stop the spread of nuclear arms and to tarnish recent successes, according to diplomats and nonproliferation experts.

The criticism focuses on the administration's decision to lay the groundwork for developing low-yield weapons — known as mini-nukes — while pursuing President Bush's doctrine of preemptive strikes against rogue states.

The diplomats and independent experts said Washington's strategy weakens support for more stringent controls at a time when the Nuclear Nonproliferation Treaty faces serious challenges from North Korea and Iran and amid widespread fears of terrorists acquiring atomic weapons. The U.S. strategy, critics say, may cause other countries to pursue nuclear arms.

"The U.S. follows a double standard that allows it to develop and threaten to use nuclear weapons while denying them to smaller countries," said Hussein Haniff, Malaysia's ambassador to the International Atomic Energy Agency in Vienna. "We do not know whether the nuclear nonproliferation treaty can survive with these U.S. policies."

Haniff heads a group of 13 countries that constitute a nonaligned bloc on the IAEA's 35-nation Board of Governors. The bloc is often at odds with the United States and last month opposed U.S. efforts to declare Iran in violation of the nonproliferation treaty.

The Bush administration argues that mini-nukes would provide flexibility to respond to changing threats and small-scale conflicts that do not require full-size nuclear armaments.

Nonetheless, some U.S. allies are alarmed. A senior Western diplomat called the prospect of mini-nukes "politically stupid" and said it would complicate U.S. security by weakening support for tougher nuclear controls.

Anger over the U.S. policy has risen steadily since the spring when the administration requested funding for research on mini-nukes, in effect seeking a reversal of a 1993 ban on research and development of low-yield atomic weapons. After much wrangling, Congress approved the bill last month, granting \$7.5 million, half of what the administration had sought.

The weapons would be designed to penetrate underground bunkers presumed to conceal weapons of mass destruction or command centers. Pentagon planners say the low yield would limit nuclear fallout, a claim some scientists dispute.

Administration officials have said the research into mini-nukes was insignificant compared with its larger arms control effort, which would cut the U.S. nuclear stockpile by two-thirds by 2012.

"If you look at reality, and not just a sound bite, we are not ramping up our nuclear arsenal, we are ramping down," a senior administration official in Washington said.

Officials said the administration's multi-pronged strategy helped persuade Libya to give up its nuclear, chemical and biological programs.

"The administration's tough stance on Iraq, its national security strategy and President Bush's firm speeches against terror all got Tripoli's attention," a U.S. official said Monday.

Libya's surprise decision, which followed months of talks with the U.S. and Britain, may have been motivated by outside factors, and did not necessarily reflect a bow to American threats, foreign officials said.

"It's hard to tell what the reasons were just yet, but the Libyans told me that the programs had become too expensive and that world conditions had changed," said a Western diplomat in Vienna.

The Libyan decision did not put to rest questions about the U.S. strategy. Some experts said the research on mini-nukes violated U.S. legal obligations to disarm and blurred the line between conventional warfare and nuclear conflict.

"Preemptive strikes linked to the development of new nuclear weapons sends a threatening message to nonnuclear states," said Jean du Preez, a former South African diplomat who is an analyst at the Center for Nonproliferation Studies in Monterey, Calif. "Even some nuclear states, including India and Pakistan, may decide, well, why not do the same."

The debate over the U.S. posture comes as anxiety over the spread of atomic weapons is rising after the nuclear standoff with North Korea and the disclosure of Iran's uranium-enrichment program and Libya's progress.

Iran has maintained that its nuclear program exists solely to generate electricity.

"I would not be surprised if we see more countries acquire nuclear weapons," Mohamed ElBaradei, director-general of the IAEA, said recently at the agency's headquarters in Vienna.

ElBaradei did not suggest which countries might try to do so, but diplomats said Algeria, Sudan and Syria were on the list and the number would grow sharply if North Korea or Iran obtained weapons.

Technology that was once the preserve of the five original nuclear weapons states — the U.S., Russia, China, Britain and France — is now available worldwide. Export controls have eroded and technical barriers have fallen.

At the same time, detecting the early phases of a weapons program remains virtually impossible. U.S. officials who visited Libyan nuclear facilities after Tripoli's decision said the weapons work was far more advanced than they had suspected.

ElBaradei said on Monday that Libya had tried to use centrifuges to enrich uranium for over a decade, but that it had not produced weapons-grade material.

The Treaty on the Nonproliferation of Nuclear Weapons, was developed in 1968 and went into force in 1970. It was drafted to curb the spread of nuclear weapons and bind the five existing nuclear powers to reducing their arsenals to zero.

The International Atomic Energy Agency, set up under United Nations auspices in 1957 to promote peaceful nuclear energy, was given responsibility for monitoring compliance. So far, 183 countries have accepted the treaty.

Most nonproliferation experts applaud the treaty. President Kennedy's famous 1963 prediction that between 15 to 20 countries would be armed with nuclear weapons in a decade did not come true; only eight countries are known to have atomic arsenals. South Africa willingly gave up its weapons and other countries abandoned weapons programs or surrendered inherited weapons.

On the negative side, three nations with nuclear weapons — India, Israel and Pakistan — refuse to sign the nonproliferation treaty. Pakistan is suspected of supporting weapons programs in Iran and North Korea. Intelligence experts are divided on whether North Korea yet has atomic bombs.

Developments in Iran and North Korea in the last year highlighted other major treaty shortcomings.

The biggest flaw is that the treaty grants countries the "inalienable right" to acquire the technology to develop nuclear fuel. The provision was essential to convince countries without nuclear arms to forgo any aspirations in return for access to nuclear technology for peaceful purposes.

The problem is that fuel, whether enriched uranium or plutonium, is the most critical ingredient in nuclear weapons and the hardest to obtain. But the same technologies used to manufacture fuel for reactors can, with minor changes, be used for weapons. So countries with fuel cycles can move to within a short step of weapons while appearing to comply with the treaty.

This is precisely what the U.S. has accused Iran of doing. Washington said Tehran used the cover of a civilian program to develop the ability to enrich uranium for weapons, an accusation that Iran denies.

Responding to international pressure, Iran disclosed details of its nuclear program and opened its doors to tougher inspections last month. On Thursday, it signed an agreement to permit more intrusive inspections by the IAEA.

The nuclear nonproliferation treaty allows inspectors to visit declared nuclear sites. But an additional protocol permits them to examine other suspicious locations after telling the country which installations they want to inspect. Diplomats said the protocol is an important step forward, but it is not a panacea and acceptance has been slow. Iran was the 79th country to sign the pact, but only 38 have ratified it. The U.S. signed it but has not ratified it.

"The treaty and the protocol only buy time," said a diplomat in Vienna. "They don't stop anyone determined to build a nuclear bomb."

To close the gap, ElBaradei recently proposed controls to restrict access to the nuclear fuel cycle. The approach envisions multinational control over the sensitive aspects of fuel development, coupled with guarantees to countries that they could buy fuel for civilian uses.

The Bush administration has acknowledged the problem ElBaradei's proposal aims to address.

"We must seriously limit enrichment and reprocessing capabilities while allowing access to appropriate reactor fuels," Mitchell B. Reiss, director of policy planning at the State Department, said in a speech this month.

But other countries, including Iran, expressed strong reservations about giving up the right to indigenous fuel sources and diplomats said it was unlikely to happen without a major diplomatic fight.

Another treaty shortcoming often pointed out is the absence of set penalties for violating or withdrawing from the agreement while under suspicion of developing a weapons program.

The agency's Board of Governors can refer violators to the U.N. Security Council for possible sanctions, but both bodies are political arenas where compromise often trumps punishment. The U.S. is angry that the IAEA failed last month to refer Iran's concealment of nuclear activities to the council.

North Korea is considered a more pressing nuclear threat — and a more glaring example of the treaty's lack of teeth. Early this year, North Korea became the first nation to withdraw from the treaty, a step that followed years of it being declared in noncompliance. Still, the U.N. has not punished North Korea.

"It's always a case-by-case basis and the Security Council is helpless to act," said a European diplomat who advocated that the U.N. adopt a set of escalating sanctions for violators.

The debate over strengthening the nonproliferation regime will heat up in preparation for a treaty review in the spring of 2005. The Bush administration's push for new controls, however, may be stymied by the anger generated by its policies.

While the administration takes credit for pressuring Libya to relinquish its weapons programs, Tripoli's voluntary action probably will present an obstacle in U.S. efforts in the coming months to persuade other countries to support tighter nuclear controls.

Egyptian President Hosni Mubarak said over the weekend that Israel should now give up its nuclear arsenal. On Monday, the IAEA's ElBaradei praised Libya's decision and repeated his call for eliminating nuclear weapons in the Middle East.

Washington has long refused to pressure Israel over its ample nuclear stockpile, a position many countries regard as a double standard when it comes to who can possess nuclear weapons — the same concerns diplomats said have been reinforced by the mini-nukes prospect.

"Bush's posture makes the job of selling nonproliferation more difficult," said a senior Western diplomat in Vienna.

"If nuclear weapons are necessary for the sole surviving superpower, what hope does Iran or any number of other countries have without them?"

World nuclear powers

*The United States has more than 7,000 strategic nuclear warheads; with about 1,670 tactical warheads and stocks, the arsenal numbers about 10,000-12,000.

*Russia has roughly 6,000 deployed strategic nuclear warheads but the arsenal jumps to about 20,000 when stored and tactical warheads are counted. Like the U.S., it keeps about 2,000-2,500 weapons on high-alert status.

*France maintains about 350 nuclear warheads on 60 Mirage 2000N bombers, four nuclear-powered ballistic missile submarines, and on carrier-based aircraft.

*Britain's capability is thought to consist of approximately 200 strategic and "sub-strategic" warheads on nuclear-powered ballistic missile submarines.

*China has an estimated 140-290 strategic and 120-150 nonstrategic nuclear warheads.

*Pakistan says its "minimum nuclear deterrent" includes ballistic missiles that can hit deep inside India. Analysts put the Pakistani arsenal at between 10 bombs at the time of its May 1998 nuclear tests and up to 48 now.

*India is estimated to have between 55 and 110 bombs, according to scientific and arms monitoring groups around the world. Most analysts believe the figure is toward the lower end.

*Israel has not signed the Nuclear Nonproliferation Treaty and has never officially admitted to having the bomb. But nonproliferation analysts estimate Israel has between 100 and 200 nuclear weapons.

*North Korea expelled U.N. nuclear inspectors Dec. 31, 2002, and later withdrew from the nonproliferation treaty. Some analysts suspect North Korea of having at least one atom bomb, despite a 1994 accord that froze its nuclear program. Last November, North Korea's ambassador to Britain said Pyongyang had a "nuclear deterrent capability" that was ready to use.

Sources: Reuters; <http://www.nti.org> (Nuclear Threat Initiative)
<http://www.latimes.com/la-fg-mininukes23dec23,1,6239517.story>

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New York Times
December 23, 2003

Rumsfeld Made Iraq Overture In '84 Despite Chemical Raids

By Christopher Marquis

WASHINGTON, Dec. 22 — As a special envoy for the Reagan administration in 1984, Donald H. Rumsfeld, now the defense secretary, traveled to Iraq to persuade officials there that the United States was eager to improve ties with President Saddam Hussein despite his use of chemical weapons, newly declassified documents show.

Mr. Rumsfeld, who ran a pharmaceutical company at the time, was tapped by Secretary of State George P. Shultz to reinforce a message that a recent move to condemn Iraq's use of chemical weapons was strictly in principle and that America's priority was to prevent an Iranian victory in the Iran-Iraq war and to improve bilateral ties.

During that war, the United States secretly provided Iraq with combat planning assistance, even after Mr. Hussein's use of chemical weapons was widely known. The highly classified program involved more than 60 officers of the Defense Intelligence Agency, who shared intelligence on Iranian deployments, bomb-damage assessments and other crucial information with Iraq.

The disclosures round out a picture of American outreach to the Iraqi government, even as the United States professed to be neutral in the eight-year war, and suggests a private nonchalance toward Mr. Hussein's use of chemicals in warfare. Mr. Rumsfeld and other Bush administration officials have cited Iraq's use of poisonous gas as a main reason for ousting Mr. Hussein.

The documents, which were released as part of a declassification project by the National Security Archive, and are available on the Web at www.nsarchive.org, provide details of the instructions given to Mr. Rumsfeld on his second trip to Iraq in four months. The notes of Mr. Rumsfeld's encounter with Tariq Aziz, the foreign minister, remain classified, but officials acknowledged that it would be unusual if Mr. Rumsfeld did not carry out the instructions. Since the release of the documents, he has told members of his inner circle at the Pentagon that he does not recall whether he had read, or even had received, the State Department memo, Defense Department officials said.

One official noted that the documents reflected the State Department's thinking on Iraq, but did not indicate Mr. Rumsfeld's planning for his meeting with Mr. Hussein nor his comments on the meeting after its conclusion.

Mr. Rumsfeld's trip was his second visit to Iraq. On his first visit, in late December 1983, he had a cordial meeting with Mr. Hussein, and photographs and a report of that encounter have been widely published.

In a follow-up memo, the chief of the American interests section reported that Mr. Aziz had conveyed Mr. Hussein's satisfaction with the meeting. "The Iraqi leadership was extremely pleased with Amb. Rumsfeld's visit," the memo said. "Tariq Aziz had gone out of his way to praise Rumsfeld as a person."

When news emerged last year of the December trip, Mr. Rumsfeld told CNN that he had "cautioned" Mr. Hussein to forgo chemical weapons. But when presented with declassified notes of their meeting that made no mention of that, a spokesman for Mr. Rumsfeld said he had raised the issue in a meeting with Mr. Aziz.

Lawrence Di Rita, the chief Pentagon spokesman, said on Friday that there was no inconsistency between Mr. Rumsfeld's previous comments on his missions to Iraq and the State Department documents.

By early 1984, events threatened to upset the American-Iraqi relationship. After pleading for a year for international action against the chemical warfare, Iran had finally persuaded the United Nations to criticize the use of chemical weapons, albeit in vague terms.

Pressure mounted on the Reagan administration, which had already verified Iraq's "almost daily" use of the weapons against Iran and against Kurdish rebels, documents show. In February, Iraq warned Iranian "invaders" that "for every harmful insect there is an insecticide capable of annihilating it." Within weeks, the American authorities intercepted precursor chemicals that were bound for Iraq. Finally, on March 5, the United States issued a public condemnation of Iraq.

But days later, Mr. Shultz and his deputy met with an Iraqi diplomat, Ismet Kittani, to soften the blow. The American relationship with Iraq was too important — involving business interests, Middle East diplomacy and a shared determination to thwart Iran — to sacrifice. Mr. Kittani left the meeting "unpersuaded," documents show. Mr. Shultz then turned to Mr. Rumsfeld. In a March 24 briefing document, Mr. Rumsfeld was asked to present America's bottom line. At first, the memo recapitulated Mr. Shultz's message to Mr. Kittani, saying it "clarified that our CW [chemical weapons] condemnation was made strictly out of our strong opposition to the use of lethal and incapacitating CW, wherever it occurs." The American officials had "emphasized that our interests in 1) preventing an Iranian victory and 2) continuing to improve bilateral relations with Iraq, at a pace of Iraq's choosing, remain undiminished," it said.

Then came the instructions for Mr. Rumsfeld: "This message bears reinforcing during your discussions."

The American relationship with Iraq during its crippling war with Iran was rife with such ambiguities. Though the United States was outwardly neutral, it tilted toward Iraq and even monitored talks toward the sale of military equipment by private American contractors.

Tom Blanton, executive director of the National Security Archive, said: "Saddam had chemical weapons in the 1980's, and it didn't make any difference to U.S. policy."

Mr. Blanton suggested that the United States was now paying the price for earlier indulgence. "The embrace of Saddam in the 1980's and what it emboldened him to do should caution us as Americans that we have to look closely at all our murky alliances," he said. "Shaking hands with dictators today can turn them into Saddams tomorrow."

Thom Shanker contributed reporting for this article.

<http://www.nytimes.com/2003/12/23/international/middleeast/23RUMS.html>

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Washington Post
December 23, 2003
Pg. 14

Libya Agrees To Rapid Nuclear Inspections

U.S. Says Sanctions Cannot Be Lifted Until Disarmament Is Confirmed by Monitors

By Peter Slevin and Dan Williams, Washington Post Staff Writers

Libya agreed Monday to allow U.N. inspectors to move quickly to examine the country's nuclear program as the Libyan government hurried to make good on its promise to surrender weapons of mass destruction.

Mohamed ElBaradei, director of the International Atomic Energy Agency, said he would travel with experts in the coming days to the Libyan capital, where he intends to ask for a full accounting of Libya's nuclear research and procurement as a first step in a detailed verification project.

"Libya's decision to reverse course is a positive development and a step in the right direction," said ElBaradei, as weapons specialists, foreign governments and multinational oil companies worked to understand last week's startling disarmament pledge by Libyan leader Moammar Gaddafi.

U.S. officials cautioned that trade sanctions would not be lifted until Gaddafi had delivered on his promises and the results had been confirmed by international monitors. A White House spokesman said "the initial signs are positive." Oil companies are eager to return to Libya 17 years after they were forced by President Reagan to quit their valuable stakes in the aftermath of a 1986 Berlin disco bombing that killed an American soldier. A source familiar with oil executives' thinking said the agreement came almost too suddenly.

"Any road map -- 'If they do this, we'll do that' -- has been accelerated, maybe faster than the U.S. government wants," said the source, who spoke on condition of anonymity. "We don't know what it means for us. Until we know, we just keep obeying U.S. law."

Under that law, the companies have been permitted to send technicians to Libya regularly to assess their oil fields and production facilities, which Gaddafi has said he hopes will be revived if the United States lifts sanctions. No further U.S. investment has been allowed under a series of sanctions linked to Libya's record on terrorism and unconventional weapons.

"Congress will be vital," said George Perkovich, a proliferation expert at the Carnegie Endowment for International Peace, who said Libya was likely to fall into line. "I assume this deal was made at such a high level involving principals that Gaddafi means it, that he's not really going to play a lot of games."

Libya surprised U.S. leaders in March when an emissary to British Prime Minister Tony Blair's government sought a deal to eliminate Libya's pariah status. After nine months of secret negotiations that included unprecedented visits to Libya's nuclear sites, Gaddafi agreed to abandon nuclear, chemical and biological programs and halt attempts to extend the range of Libya's missiles.

ElBaradei told reporters that a Libyan government official, Matoq Mohamed Matoq, told him that Libya had imported natural uranium and processing equipment in an effort to produce weapons-grade fissile material. Libya spent more than a decade on the uranium enrichment project without reporting it to the IAEA, as required.

Matoq told ElBaradei during a visit to the IAEA's Vienna headquarters on Saturday that no industrial-scale facility had been constructed, nor any enriched uranium produced. To speed verification of Libya's statements, the Gaddafi government agreed to sign a protocol allowing investigators to visit atomic facilities on short notice.

The source of Libya's sophisticated imported material remains an unanswered question. U.S. authorities have refused to discuss publicly what the Libyans have told them about nuclear materials or what they concluded by examining gas centrifuges that extract the fissile material present in natural uranium.

International experts are intrigued with an investigation in Pakistan concerning the role of nuclear scientists and the companies that employ them in nuclear programs abroad. Evidence discovered in Iran points persuasively to Pakistan as the source of critical technology, according to U.S. and European sources.

Blueprints of centrifuges in Iran are nearly identical to those used by Pakistan in the early stages of its successful nuclear program, according to designs reviewed by the IAEA. ElBaradei declined to discuss Libya's potential sources or any potential connection with Iran or Iraq.

"There has been, of course, a good deal of importation from abroad of equipment and material. We do not know yet whether there was any linkage with other nations," ElBaradei said.

Libyan Prime Minister Shokri Ghanem said Libya's decision to work with the British, the Americans and the IAEA was intended to "turn swords into plowshares."

Foreign Minister Abdel-Rahman Shalqam said "some inspections could start next week" and expressed hope that U.S. oil companies would return to Libya to develop its petroleum fields. Several European oil firms already operate oil fields in Libya, including Italy's Eni SpA, Spain's Repsol YPF SA, Germany's RWE-DEA and France's TOTAL SA.

The United States first imposed oil import bans on Libya in 1982, then expanded them to include commercial contracts and travel in 1986.

Gaddafi's government succeeded in obtaining the lifting of U.N. sanctions earlier this year by taking responsibility for the 1988 bombing of Pan Am Flight 103 over Lockerbie, Scotland, and agreeing to pay as much as \$10 million to the relatives of each of the 270 victims.

ElBaradei said Libya's actions provided an opportunity to turn the Middle East into "a zone free from nuclear and other weapons of mass destruction." Israel is the only Middle Eastern nation known to possess nuclear weapons.

Unlike Iran and Libya, it has not faced U.S. pressure to give up its nuclear program.

If Gaddafi follows through, it will be important for the United States to deliver its promised rewards, said Perkovich, if Libya's turnaround is to serve as a message to other foreign governments.

Williams reported from Rome.

<http://www.washingtonpost.com/wp-dyn/articles/A23080-2003Dec22.html>

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Washington Post
December 23, 2003
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Pakistan Says 3 Nuclear Scientists Are Under Investigation

By John Lancaster, Washington Post Foreign Service

ISLAMABAD, Dec. 22 -- Pakistani officials acknowledged Monday that three scientists affiliated with the country's nuclear program were under investigation to determine whether they independently provided nuclear weapons technology or assistance to Iran and North Korea.

In an interview, Information Minister Rashid Ahmed confirmed the thrust of a report in Sunday's Washington Post that the scientists had been detained for questioning on the basis of information provided to Pakistan by U.N. nuclear inspectors probing Iran's secret procurement network.

Rashid asserted that if there was any sharing of nuclear technology, it was done without the Pakistani government's knowledge or approval. Investigators, he said, are trying to determine whether the scientists may have offered their services as individuals.

"We are saying the government never, ever is involved in this proliferation," Ahmed said, adding that the alleged sharing of nuclear technology took place "many, many years ago, maybe."

It has been widely reported, both here and abroad, that Pakistan this month detained three top nuclear scientists for questioning. Until Monday, however, Pakistani officials had refrained from publicly discussing the reason for the detentions. They broke their silence following Sunday's report in the Post and an account in Monday's New York Times that also described suspicions that Pakistanis had shared technology with North Korea and possibly other countries.

Both articles detailed the possible involvement of scientists from the country's main nuclear weapons lab, the A.Q. Khan Laboratories, in providing Iran with designs for centrifuges to enrich uranium -- a key ingredient of nuclear bombs -- in the 1980s and early 1990s. The center is named for the father of Pakistan's atomic bomb, Abdul Qadeer Khan.

[Khan has also been questioned but is not in custody and "no restrictions have been imposed on him," the Foreign Ministry spokesman, Masood Khan, told the Associated Press.]

The disclosures have embarrassed the government of Gen. Pervez Musharraf, Pakistan's president and a strong ally of the United States in the war on terrorism who has vowed to purge his country of radical Muslim groups with longstanding ties to the country's military and security apparatus.

In an interview Monday evening, the Foreign Ministry spokesman said Pakistan launched its investigation of the scientists about six weeks ago on the basis of information supplied by the International Atomic Energy Agency, the U.N. nuclear watchdog. "We have been fully cooperative with the IAEA," said Khan, the spokesman. "The government of Pakistan has never authorized or initiated any transfers of sensitive nuclear technology."

He said that two of the detained scientists -- Mohammed Farooq and Sayeed Ahmad -- were still "undergoing debriefing sessions" while a third, Yasin Chohan, had been allowed to return home.

Special correspondent Kamran Khan in Karachi contributed to this report.

<http://www.washingtonpost.com/wp-dyn/articles/A23082-2003Dec22.html>

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Washington Post
December 24, 2003
Pg. 1

White House Faulted On Uranium Claim

Intelligence Warnings Disregarded, President's Advisory Board Says

By Walter Pincus, Washington Post Staff Writer

The President's Foreign Intelligence Advisory Board has concluded that the White House made a questionable claim in January's State of the Union address about Saddam Hussein's efforts to obtain nuclear materials because of its desperation to show that Hussein had an active program to develop nuclear weapons, according to a well-placed source familiar with the board's findings.

In the speech Jan. 28, President Bush cited British intelligence in asserting that Hussein had tried to buy uranium from an unnamed country in Africa. The White House later said the claim should not have been made, after reports that the intelligence community expressed doubts it was true. After reviewing the matter for several months, the intelligence board -- chaired by former national security adviser Brent Scowcroft -- has determined that there was "no deliberate effort to fabricate" a story, the source said. Instead, the source said, the board believes the White House was so anxious "to grab onto something affirmative" about Hussein's nuclear ambitions that it disregarded warnings from the intelligence community that the claim was questionable.

The source said that at the time of the State of the Union speech, there was no organized system at the White House to vet intelligence, and the informal system that was followed did not work in the case of that speech. The White House has since established procedures for handling intelligence in presidential speeches by including a CIA officer in the speechwriting process.

The board shared its findings with Bush earlier this month. It is the first government body to complete its inquiry into an episode that buttressed criticism by lawmakers and others that the administration exaggerated intelligence to

make the case for war. Word of its findings has also circulated within the White House and on Capitol Hill. The White House declined to comment on the board's findings.

The findings of the advisory board do not appear to add many new details about the uranium episode, but they make it clear that the White House should share blame with the CIA for allowing the questionable material into the speech. CIA Director George J. Tenet and deputy national security adviser Stephen J. Hadley have accepted responsibility for allowing the assertion into the address.

In May, Bush asked Scowcroft to look into how the alleged Iraqi attempt to buy uranium in Africa -- the claim concerned Niger -- made it into the presidential speech. The intelligence board, made up of 16 members, including former California governor Pete Wilson, former Netscape chief executive Jim Barksdale and retired Adm. David E. Jeremiah, traditionally provides the president private advice on intelligence questions. Scowcroft served in the administration of President George H.W. Bush, among others.

That request came at the same time that members of the Senate intelligence panel asked the inspectors general of the CIA, the Pentagon and the State Department to investigate the matter. The House and Senate intelligence committees are looking into the episode as well.

Although the president's intelligence board keeps its findings secret, the Senate panel plans to make public details of its inquiry in a report, which is being drafted and is expected to be released next spring, according to congressional sources.

"The whole Niger case will be disclosed and the entire story told because it is not classified," one senior congressional aide familiar with the committee inquiry said yesterday.

At the time of the president's speech, the allegation about Hussein's uranium purchase in Africa was already part of the administration's campaign to win domestic and international support for invading Iraq. Although at the request of Tenet a reference to Niger had been removed from a speech by Bush the previous October, the White House subsequently wanted to "find something affirmative" for the January speech, one source said.

That month, the allegations had already been included in two official documents sent out by the White House and in speeches and writings by Bush's four most senior national security officials.

The CIA and the State Department had doubts about the purported Niger information because they knew that Hussein already had a stockpile of the same type of uranium that he was supposed to be seeking. In addition, the CIA had sent former U.S. ambassador Joseph C. Wilson IV to Niger in February 2002, and he reported that officials in that country had denied the report.

More recently, the Iraq Survey Group looking into weapons activities in that country under the direction of David Kay reported in October that it found no support for the report that Hussein was seeking uranium in Africa. In fact, Kay said, the group found that the Iraqis had turned down an offer of uranium from a still-unidentified country.

One enduring mystery is which White House official was responsible for promoting the material in question. Senate hearings have indicated there was a disagreement between a CIA analyst and the White House National Security Council staff member about how the material was handled. "One side did not coordinate with the other," said the source familiar with the advisory board's inquiry.

The Senate probe has been slowed by disputes between Republicans and Democrats. It will not probe how other intelligence about Iraq's weapons of mass destruction was used in public statements by administration officials in the run-up to the war, one congressional official said.

"But how that intelligence was portrayed [by policymakers] is a subjective thing and not something a committee could agree on," he said. "What was said publicly is available publicly," he added, saying each senator could make his own judgment.

It probably will be at least two to three months before the committee releases its report and holds public hearings on the prewar intelligence on Iraq's weapons programs, according to congressional sources. The first drafts are not expected before February, when they will first be reviewed by Sen. Pat Roberts (R-Kan.), chairman of the intelligence panel, and its vice chairman, Sen. John D. Rockefeller IV (D-W.Va.). Then other senators get to read it and make suggestions, a process that could take weeks.

Meanwhile, Roberts has tentatively set March for a closed hearing to update the work of Kay's survey group. At that time, or perhaps even before, Kay is expected to resign his position for personal reasons -- although the work in Iraq is expected to continue for at least another year, according to administration sources.

<http://www.washingtonpost.com/wp-dyn/articles/A25935-2003Dec23.html>

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New York Times
December 24, 2003

Defense Dept. Halts Anthrax Vaccinations

By Thom Shanker

WASHINGTON, Dec. 23 — The Pentagon will administer the anthrax vaccine, but only on a voluntary basis, while the government considers its response to a Federal District Court's ruling that military personnel cannot be forced to take the vaccine, senior Defense Department officials said on Tuesday.

The military's senior officer, Gen. Richard B. Myers, defended the use of the vaccine as essential to safeguarding troops facing adversaries who may attack with unconventional weapons.

"From a military standpoint, I think it's very important we have this capability to protect our troops and enable them to do their job," General Myers, chairman of the Joint Chiefs of Staff, said in a news briefing.

General Myers and Defense Secretary Donald H. Rumsfeld are among the one million military personnel or Pentagon civilians who have received the vaccine since 1998.

Pentagon officials said that several hundred military or Pentagon personnel declined the vaccine in the initial years of the program, but that only 10 had refused vaccination since June 2002, when the program was accelerated after supply problems were resolved. Since then, 600,000 to 700,000 military or Pentagon civilian personnel have received the vaccine.

On Monday, Judge Emmet G. Sullivan of United States District Court for the District of Columbia issued a preliminary injunction halting the Pentagon from "inoculating service members without their consent." He ruled that the vaccine used in the Pentagon's mandatory program was "an investigational drug," being used for an unapproved purpose.

Judge Sullivan sided with arguments that the vaccine was licensed to protect against skin exposure to anthrax, but not against anthrax that is inhaled.

Late on Tuesday, Justice Department officials said that no decisions had yet been made on the government's legal response.

"It's still under review, and no determination has been made at this time as to what our next step will be," said Charles S. Miller, spokesman for the Justice Department's civil division.

At the Pentagon, senior officials disputed Judge Sullivan's reasoning and his facts.

"We stand behind this program," said Dr. William Winkenwerder, assistant secretary of defense for health affairs.

"The anthrax vaccine is safe and effective."

He said that the vaccine had been licensed by the Food and Drug Administration since 1970, and that the F.D.A. had provided guidance to the Pentagon "that easily allows for the conclusion that this, in their judgment, is effective against inhaled anthrax."

Dr. Winkenwerder rejected suggestions that the Pentagon was experimenting on the troops, saying, "We do not use service members as guinea pigs."

Army officials said the rate of complaints from the vaccine was similar to that over flu shots. Officials said most of those complaints were headaches, muscle aches and swelling at the site of the injection.

One senior Pentagon official said on Tuesday that the anthrax vaccine would continue to be administered, but only to those who did not object.

"It won't be mandatory," the official said. "If they object, they won't get it. We don't strap people down to the gurney and make them take the vaccine."

On Capitol Hill, a critic of the program called on the Pentagon to reopen the cases of all military personnel punished for declining the vaccine. That legislator, Representative Christopher Shays, Republican of Connecticut, issued a statement demanding that the Defense Department "immediately begin a review of all disciplinary actions taken against those who refused the vaccine."

<http://www.nytimes.com/2003/12/24/national/24ANTH.html>

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Los Angeles Times

December 24, 2003

Pakistan Admits Possible Nuke Ties With Iran

Though not authorized, citizens seeking personal gain may have leaked secrets, officials say.

By Mubashir Zaidi, Special to The Times

ISLAMABAD, Pakistan — Pakistan has never authorized the transfer of nuclear technology to other countries but some individuals may have given away secrets out of greed or personal ambition, Foreign Ministry spokesman Masood Khan said Tuesday.

At least three scientists, including the man dubbed the father of Pakistan's nuclear weapons program, have been questioned by local officials. The officials are examining possible ties between Pakistan and the nuclear program in Iran.

"Pakistan has been conducting internal investigations, as it wants to get to the bottom of the matter and know whether there is any truth in such reports," Khan said at a news conference in which he confirmed reports of the inquiry.

Pakistani officials had been approached by the International Atomic Energy Agency, the United Nations nuclear watchdog, and had also been given information by the Iranian government, Khan said.

"The information that was shared with us pointed to certain individuals, and we had to hold the debriefing sessions," he said. "There are indications that certain individuals might have been motivated by personal ambition or greed, but let me add, we have not made a final determination. Let's not jump to conclusions."

Pakistan has repeatedly said that it has strict command and control measures in place to ensure the security of its nuclear program.

But officials admitted privately that the recent debriefing revealed that certain people in the country's top nuclear establishment might have breached the strict export control procedures by making unauthorized contacts with foreign nationals.

Officials said that Farooq Mohammed and Yasin Chohan, directors of Khan Research Laboratories in Kahuta were interrogated by investigators. They were picked up by authorities in the first week of December, said a source familiar with the inquiry.

Chohan was allowed to go home last week, but Farooq was being questioned further after he provided clear leads to the investigators, according to the source.

"He is cooperating with the authorities and revealing the information relating to misconduct of some top scientists," the source said.

Farooq has also named a Dubai-based Iranian as the main contact between the Iranian government and the Pakistani scientists, the source said. But officials are keeping the name of the contact secret.

The authorities are also investigating an unspecified number of middle-level officials at the research laboratory.

Abdul Qadeer Khan, a national hero in Pakistan for his pioneering work in its nuclear program, is not being debriefed like some other nuclear scientists, the spokesman said.

"He is neither being detained nor has the government restricted his movements," said Khan, the Foreign Ministry spokesman. "He will not take part in normal debriefing sessions, and no restrictions have been imposed on him."

"He is being asked some questions in the light of the disclosures made by some other scientists undergoing questioning," Khan said.

Abdul Qadeer Khan has also denied he is being questioned or attending any debriefing sessions. "All the news reports in this regard are baseless and rubbish. I am the same Dr. Qadeer Khan remembered by this nation as its savior," he said in a statement to various Urdu-language newspapers.

<http://www.latimes.com/news/nationworld/world/la-fg-paknukes24dec24,1,7175927.story>

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Los Angeles Times

December 24, 2003

No Sign Of New N. Korea Talks

By Barbara Demick, Times Staff Writer

SEOUL — Once hailed as the only way to get North Korea to abandon its nuclear weapons program, the six-nation talks are now stalling because of disagreements over how much pressure to apply to Pyongyang and logistical difficulties in getting countries with differing agendas to the table.

Almost four months have elapsed since the first round of negotiations. The promised second round that was supposed to happen before year-end has not materialized. All the while, the North Koreans are believed to be reprocessing plutonium rods from their nuclear reactor into the deadly heart of a bomb.

This month, China rejected as too tough a framework for the talks that the United States, Japan and South Korea had hoped to present to North Korea. Even if the talks can be rescheduled for January or February, it is unlikely that the other parties, including Russia, will be able to present Pyongyang with a joint statement demanding an end to the nuclear program.

"If we can't achieve a consensus among ourselves, how will we reach an agreement [with North Korea]?" asked a South Korean official, who requested anonymity. "I'm afraid if any more time goes by, we will lose momentum."

The Bush administration has insisted that any negotiations on North Korea's weapons program involve not only the United States, but also the North's nearest neighbors — China, South Korea, Japan and Russia. The U.S. argues that Pyongyang's possession of nuclear weapons would be anathema to the entire region. President Bush has sought to avoid the strategy of the Clinton administration, which in 1994 signed a bilateral treaty giving North Korea energy assistance in exchange for a nuclear freeze.

Critics complain that the Bush administration's stated intention to resolve the North Korean problem diplomatically conflicts with its refusal to engage in direct negotiations.

"The insistence on a multilateral setting is impractical," said Charles L. Pritchard, who until August was the State Department's special envoy to North Korea on nuclear matters. "There is no opportunity for a detailed discussion to take place. The idea that these are relatively simple problems that only require that the North Koreans say 'yes' — well, that is just not going to work.

"It baffles me why bilateral engagement is equated with capitulating to the North Koreans. It's not like if we sit down with them in a bilateral setting, they're going to put a spell on us and make us agree to the goofiest of deals," Pritchard said.

The U.S. has engaged in "back channel" talks through the North Korean mission to the United Nations in New York. But those talks have not risen to anywhere near the intensity of, for example, months of secret negotiations that preceded the agreement with Libya to give up its programs to develop weapons of mass destruction.

Donald P. Gregg, head of the Korean Society in New York and U.S. ambassador to Seoul in the administration of President George H.W. Bush, said that the United States has been too distracted by Iraq to craft a solution to the North Korean crisis.

"It's not going to happen with the snap of a wrist or a blink of an eye," Gregg said. "It is going to take a sustained engagement. I don't know whether the Bush administration is ready to do that or if they are just going to kick the can down the road."

Other critics say that conducting negotiations with six countries in five languages is too cumbersome — or as Koreans say, too many sailors on the ship. The six-party talks in August, for example, required more than 20 translators.

"By the time everybody gets through their opening greetings, it is time for lunch," said a U.S. source, who asked not to be named.

Each country wants its own items on the agenda — the most notable example being the Japanese demand that the negotiations resolve the issue of its citizens who have been abducted by North Korea. Scheduling has been difficult because of several national holidays.

It's been almost a year since the North Koreans expelled U.N. weapons inspectors from their country, and only two negotiating sessions have taken place, both in Beijing. The first, in April, involved only the United States, North Korea and China; the most recent round included all six parties.

Those talks ended in disappointment. The North Koreans complained bitterly that they didn't understand the U.S. position and that when they requested that the lead U.S. negotiator, Assistant Secretary of State James A. Kelly, clarify it, he refused, telling them to read his opening statement.

The Chinese, who have invested considerable energy in organizing the talks, were unhappy that the parties were unable to produce a joint statement at their conclusion. They insisted that an opening statement of principles be crafted before the next round. In the latest version of the document, which has gone through many drafts, the United States wants to include specific language calling for North Korea to irreversibly and verifiably dismantle its nuclear program.

The Chinese, who have been in regular contact with the North Koreans, have rejected that language as too provocative.

The North Koreans have said they do not want to return to the six-party talks unless they have a promise of a specific reward, such as assistance with their fuel shortage or their removal from a State Department list of terrorist-sponsoring nations. The U.S. insists that there will be no rewards until after the North Korean nuclear program is dismantled.

South Korea says that the talks should be scheduled as soon as possible even if there is no draft proposal.

"We don't want to have one of these prolonged periods of foreplay when you have to negotiate to get back to the table," said a U.S. official, who asked not to be named. He added, "I'm fairly comfortable at the pace at which we are going."

The risk, critics say, is that the negotiations will be so drawn out that the North Koreans would have the time to reprocess 8,000 spent rods from its nuclear reactor. Those fuel rods contain enough plutonium for five or six nuclear bombs.

Despite some technical difficulties, North Korea is believed to be about halfway through the extraction process, a source said.

Pritchard, the former special envoy, fears that if the talks break down, there will be a temptation for the cash-strapped North Koreans to sell their nuclear wares.

"Time is not on the side of the United States," he said.

<http://www.latimes.com/news/nationworld/world/la-fg-six24dec24,1,4491226.story>

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Washington Post
December 24, 2003
Pg. 10

U.S.-Russia Team Seizes Uranium At Bulgaria Plant

Material Was Potent Enough for Bomb

By Peter Baker, Washington Post Foreign Service

MOSCOW, Dec. 23 -- An international team of nuclear specialists backed by armed security units swooped into a shuttered Bulgarian reactor and recovered 37 pounds of highly enriched uranium in a secretive operation intended to forestall nuclear terrorism, U.S. officials said Tuesday.

The elaborately planned mission, which was organized with the cooperation of Bulgarian authorities, removed nearly enough uranium to make a small nuclear bomb, the officials said. The material was sent by plane on Tuesday to a Russian facility where it will be converted into a form that cannot be used for weapons, they said.

It was the third time since last year that U.S. and Russian authorities have teamed up to retrieve highly enriched uranium from Soviet-era facilities in an effort to keep such material from falling into the hands of terrorists or rogue states. Experts worry that such caches of uranium scattered in obscure corners of the former Soviet Union and its satellite states represent one of the most vulnerable sources of fissile material for would-be bomb-makers.

"Proliferation of nuclear materials is a worldwide problem and requires a worldwide solution," Energy Secretary Spencer Abraham said in a statement. "We must not allow terrorists and others with bad intentions to acquire deadly material, and the Department of Energy will continue doing its part."

U.S. authorities have begun stepping up such joint operations with the Russians. In August 2002, a team from the two countries retrieved 100 pounds of weapons-grade uranium from an aging reactor in Yugoslavia. The second seizure of uranium took place three months ago, when 30 pounds was removed from a facility in Romania.

"We hope that you'll be seeing this more frequently," Paul M. Longworth, the Energy Department's deputy administrator for nuclear nonproliferation, said Tuesday. In conjunction with the Russians and the International Atomic Energy Agency, U.S. officials have developed a schedule to recover all Soviet-originated highly enriched uranium and return it to Russia by the end of 2005 for safekeeping and conversion, Longworth said.

After last year's mission in Yugoslavia, the State Department compiled a list of 24 other foreign reactors that use weapons-grade nuclear fuel, some in old and poorly guarded facilities.

"We're certainly going in the right direction, although one might prefer speedier development," said Alexander Pikayev, a nuclear nonproliferation scholar at the Carnegie Moscow Center, a research institute here. "But it takes time. . . . Such problems cannot be solved overnight."

The complexity of the Bulgarian operation demonstrated the challenges involved. Officials focused on a Soviet-designed, two-megawatt research reactor built in 1959 at the Institute of Nuclear Research and Nuclear Energy in the capital, Sofia. The reactor was closed in 1989, and the nuclear fuel assemblies have been stored ever since. An IAEA team, accompanied by U.S. and Russian nuclear engineers, removed seals from storage containers and verified the contents before the material was loaded into four special canisters provided by the Russian government. The U. S. government paid the \$400,000 bill for the mission. The operation took 48 hours, and special units of the Bulgarian domestic police took responsibility for securing the facility and transporting the uranium to the airport at Gorna Oryahovitsa, about 100 miles northeast of Sofia.

The uranium taken from the Sofia facility was 36 percent enriched, which scientists consider usable in nuclear weapons but not the most potent form called weapons-grade, which refers to uranium enriched 90 percent or more. Still, because it has not been irradiated, officials said, the Bulgarian material would be particularly attractive to outlaw elements.

"It's quite useful to a terrorist," said Longworth. "You can handle it without protection."

The uranium was flown aboard a Russian AN-12 cargo plane to Dimitrovgrad, in the Volga region of Ulyanovsk about 520 miles southeast of Moscow. A facility there, which is undergoing comprehensive upgrades due to be finished in the next couple of months, will blend down the uranium until it can no longer be used in a nuclear weapon, officials said. At that point, it could be sold for use in commercial nuclear power plants, officials said. The Russian Ministry of Atomic Energy was closed Tuesday evening and no one answered telephone calls seeking comment. A spokeswoman at the Bulgarian Embassy in Washington said she was not able to discuss the operation.

<http://www.washingtonpost.com/wp-dyn/articles/A25861-2003Dec23.html>

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New York Times
December 27, 2003

U.S. Asks Judge To Lift His Ban On Pentagon's Anthrax Vaccination Program

By Thom Shanker

WASHINGTON, Dec. 26 — The Justice Department has asked a federal district judge here to withdraw his preliminary injunction halting the military's mandatory anthrax vaccination program, or at least limit his ruling to the six plaintiffs whose suit prompted it.

The department's motion is the Bush administration's first legal response to the injunction, issued on Monday and barring the Pentagon from "inoculating service members without their consent."

The motion, which promises to be just one step in a long court battle, seeks clarification of whether the injunction applies solely to the six plaintiffs, each identified only as John Doe. If not, it asks that the judge reconsider, arguing that the suit was not filed on behalf of all military personnel.

"Plaintiffs never pursued this case as a class action," says the motion, which states later, "An award of preliminary injunctive relief to anyone other than the six Doe plaintiffs before the court would be wholly without justification."

The document is dated Wednesday, and a copy of it was provided by Mark S. Zaid, one of the plaintiffs' lawyers. Most federal offices in Washington were closed Friday, and the Justice Department spokesman on duty said he had no comment about the motion.

Mr. Zaid said the motion was "understandable from the legal standpoint" but was "completely absurd from a policy standpoint."

He acknowledged that the plaintiffs' case had not been filed as a class action but said it had been "styled on behalf of all similarly situated persons" in the armed forces and among Pentagon civilians required to take the vaccine.

One option now, he said, would be to try to have the suit certified as a class action. Or, he said, it may be refiled, "adding in every single person's name who doesn't want to take the shot."

"The vaccine as being used is experimental in nature and therefore unlawful unless informed consent is given," Mr. Zaid said. "So to argue that this decision should only apply to those six individuals does a real injustice."

The Pentagon announced Tuesday night that it was at least temporarily halting its program of administering the anthrax vaccine, until the legal situation was clarified. Even so, Pentagon officials continue to defend the vaccine as safe, effective and necessary for national security.

"This is an important force-protection program," Bryan Whitman, the deputy Pentagon spokesman, said Friday.

"The safety and efficacy of this vaccine has been looked at by medical experts, both inside and outside the United States government. They have agreed that this is an effective vaccine against all forms of anthrax."

In issuing the injunction, the judge, Emmet G. Sullivan, said the vaccine used in the Pentagon's mandatory program had been approved by the Food and Drug Administration to protect against skin exposure to anthrax but not against anthrax that is inhaled, a far greater threat on the modern battlefield. Defense Department officials countered by saying the F.D.A. had provided guidance that allowed the Pentagon to conclude that the vaccine was effective against inhaled anthrax.

Lawyers for the plaintiffs say nearly 500 active-duty members of the armed services have refused the vaccine, with close to 200 court-martialed as a result. From 500 to 1,000 pilots and flight personnel have left the Air National Guard or Reserves rather than take the vaccine, the lawyers say.

Pentagon officials say that although several hundred military or civilian personnel declined the vaccine in the initial years after the program was begun in 1998, only 10 have refused it since June 2002, when the program was accelerated after supply problems had been resolved.

Since then, 600,000 to 700,000 military or Pentagon civilian personnel have received the vaccine, Defense Department officials say.

<http://www.nytimes.com/2003/12/27/national/27ANTH.html>

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Christian Science Monitor
December 29, 2003

Syria Pushes WMD-Free Mideast

Monday the UN Security Council is set to discuss Syria's draft resolution, which is aimed at Israel.

By Nicholas Blanford, Correspondent of The Christian Science Monitor

BEIRUT, LEBANON – Libya's decision to abandon its weapons of mass destruction (WMD) programs has helped resurrect an Arab call for a Middle East free of nuclear, chemical, and biological weapons.

Syria and Israel, bitter enemies, are coming under intensified pressure to give up their WMD programs. But neither country is likely to comply before a regional peace treaty is signed, analysts say. And with Saudi Arabia reportedly considering acquiring nuclear weapons, prospects for an imminent WMD-free zone in the volatile region look bleak. The United Nations Security Council meets Monday at the request of Arab nations to discuss a Syrian proposal to abolish WMD from the Middle East. The draft, which was first submitted in March, calls for implementation of two previous resolutions "aimed at freeing the Middle East region of all weapons of mass destruction." It also urges Middle East states to sign international treaties barring the spread of nuclear, biological, and chemical weapons. "We have been pursuing this for years because we believe it's the only solution for the Middle East to be truly peaceful and stable," says Bouthaina Shaaban, Syrian minister for emigrants' affairs.

The immediate intention of Syria and other Arab countries is to score political points against Israel.

"Israel is under a great deal of international scrutiny - its treatment of the Palestinians, the construction of the separation barrier, and the general mood in the West that Israel is a bully," says Michael Young, a Lebanese political analyst. "There is a political gain for Syria in saying that 'Israel has nuclear weapons, but we don't. So why don't you go after Israel.' "

Syria has aimed its proposal at Israel, which is believed to be the only country in the Middle East to possess nuclear weapons. Israel refuses to confirm or deny the claim and is not party to treaties banning WMD.

"We believe that the reason Israel is not paying attention is because of the weakness of the international order," Ms. Shaaban says. "If [the international community] was strong and believed in justness, it would treat all countries equally. If the US decides at this moment to take a leading role in the Middle East and treat countries fairly, and the UN takes a strong role, then I don't see why Israel should not give up its nuclear weapons. It's up to the international community now to say what is right."

Syria, though more frequently criticized for its support of alleged terrorist organizations, is also facing renewed pressure from the United States over its suspected WMD.

President Bush earlier this month signed the Syria Accountability Act, which provides for sanctions against Damascus unless it fulfills a number of measures, including renouncing its support for terrorist organizations, abandoning its WMD programs, and entering peace talks with Israel.

Syria was listed last year with Cuba and Libya on a second tier of "axis of evil" countries pursuing WMD programs. The Damascus regime has never officially confirmed that it has WMD, although US officials claim it has dozens of ballistic missiles filled with Sarin and VX nerve agents. It also is suspected of having manufactured small amounts of biological agents.

Analysts believe that Syria's decision to acquire chemical weapons, which reportedly began in 1973, is based on achieving a strategic deterrence against Israel's nuclear capabilities.

"The whole reason for its [the WMD program's] existence is Israel," says a European diplomat in Damascus. "If Israel was to disarm then I am sure that Syria would follow suit."

But Syria will not make the first move, the diplomat adds.

Arab states have long called for removing WMD from the region. Egypt mounted an unsuccessful diplomatic effort several years ago to force Israel to sign the Nuclear Non-Proliferation Treaty. Both Syria and Egypt were quick to renew the call following Libya's decision to abandon its WMD programs.

Israel "should be obliged to withdraw from all occupied Arab lands and return to the 1967 [Mideast war] borders and to remove its arsenal of nuclear, biological, and chemical weapons," Syrian Prime Minister Naji al-Otari said in a speech last week following talks with his Egyptian counterpart Atef Obeid.

Despite significant strategic changes in the Mideast over the past 12 months with the downfall of Saddam Hussein's regime in Iraq, Israel argues that the region is still far from stable. Israeli Prime Minister Ariel Sharon warned of Libya's nuclear weapons program over a year ago. More recently, Israeli officials have claimed that Iran's nuclear ambitions represent an "existential threat" to the Jewish state. That has fueled speculation that Israel may seek to emulate its 1981 air raid against Iraq's Osirak nuclear reactor with an attack on Iran's nuclear facilities.

But in a deal brokered by the European Union, on Dec. 18 Iran signed the additional protocol to the Nuclear Nonproliferation Treaty, allowing snap inspections of its nuclear facilities. The move will make it harder for Iran to embark on a clandestine nuclear weapons program. Sunday, UN inspectors visited weapons-related sites in Libya, with full-scale inspections to come.

Although the WMD threat from Iran and Libya has declined, Israel is likely to brush off continued pressure to abolish its nuclear arsenal, says analyst Mr. Young. "The call for a WMD-free Mideast is very embryonic," he says. "The pressure [on Israel] will come with a regional peace settlement and a multilateral process, but this is a long-term issue."

<http://www.csmonitor.com/2003/1229/p06s01-wome.html>

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Washington Post
December 29, 2003
Pg. 13

Weapons Inspectors Visit Libyan Sites

Access to Nuclear Program Granted

By Daniel Williams, Washington Post Foreign Service

TRIPOLI, Libya, Dec. 28 -- United Nations weapons inspectors got their first look at nuclear facilities in Libya Sunday, the first concrete result of the recent Libyan promise to give up the country's nuclear arms program. The director of the International Atomic Energy Agency, Mohamed ElBaradei, and a team of inspectors toured the facilities, including the small experimental Tajura reactor, which has been identified by Western diplomats as the heart of the Libyan program.

The inspections at the sites, all in the Tripoli area, kicked off a process that IAEA officials said would be long and laborious and would include an accounting of Libya's efforts to build an atomic bomb, dismantling of equipment deemed usable for weapons production and ongoing monitoring.

"They promised us access and delivered," Mark Gwozdecky, an IAEA spokesman, said of the initial outing.

ElBaradei met with the chief of Libya's nuclear program, Matouk Mohamed Matouk. Jacques Baute, who heads the IAEA's Nuclear Proliferation Verification Office, and Pierre Goldsmith, the IAEA deputy director and veteran inspector in Iran, also attended the meeting. In the evening, the IAEA team worked with Libyan officials on a long-term inspections scheme.

Libyan officials also provided a history of their nuclear program. The IAEA requested documents, maps and a list of officials to interview about the nuclear activities.

ElBaradei is scheduled to leave Monday. Three inspectors will remain behind, and three more will join them soon, Gwozdecky said.

The inspections followed months of secret talks among Libyan, U.S. and British officials in which the Libyans decided to reveal their program. The United States had accused Libya of trying to produce nuclear weapons in violation of the Nuclear Non-Proliferation Treaty. Commentary in Arabic newspapers outside Libya suggested that the Libyan leader, Moammar Gaddafi, buckled out of fear that the United States would apply its policy of preemptive warfare to bring him down, as it had the Taliban government in Afghanistan and former Iraqi president Saddam Hussein.

Bush administration officials have also said the U.S.-led invasion of Iraq prompted Libya's change of heart.

Libyan officials, however, have said fear was not a factor. They contend that the government had concluded that the development of weapons would not protect it and that it needed to promote better relations with the West, including the United States, to procure foreign investment and trade. Last fall, Libya's prime minister, Shokri Ghanem, predicted that trade relations with the United States would open in early 2004. Oil Minister Abdulhafid Zlitni called the move to give up the nuclear weapons program "a wise political decision."

"It was made in favor of using national resources for the welfare of the people. Weapons of mass destruction in my view are a waste of money," he said in an interview.

U.N. sanctions were lifted this year after Libya agreed to pay compensation to families of the 270 victims of the 1988 bombing of a Pan Am flight over Lockerbie, Scotland. Libya began to ease its way out of international isolation in 1999, when it extradited two suspects in the Lockerbie bombing. European oil companies are operating fields in Libya, but American companies are banned under the U.S. embargo issued in 1986. Oil revenue accounts for more than 90 percent of Libya's export earnings.

ElBaradei said on arriving in Libya on Saturday that the government's weapons program was embryonic and its scientists were far from producing a nuclear weapon. The Libyans had acknowledged working on a pilot program to enrich uranium, a preparatory stage for creating an atomic weapon.

<http://www.washingtonpost.com/wp-dyn/articles/A36839-2003Dec28.html>

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Washington Times
December 26, 2003

Inside The Ring

By Bill Gertz and Rowan Scarborough, The Washington Times

Anthrax terror

The CIA has been quietly building a case that the anthrax attacks of 2001 were in fact the result of an international terrorist plot.

U.S. officials with access to intelligence reports tell us the information showing a terrorist link to the anthrax-filled letters sent by mail in the weeks after the September 11 terrorist attacks is not conclusive. But it is persuasive.

Asked to comment, a U.S. official said, "There is no evidence at this point to suggest a foreign terrorist link or connection. But the matter is still under investigation and we're not ruling anything out."

Some officials think the intelligence is at least as valid as the FBI's "mad scientist" theory, which has produced dead ends so far for the G-men after more than two years of investigation. This theory says a U.S. biological weapons scientist with access to highly refined anthrax powder stole some and used it to awaken the U.S. government to the threat of deadly anthrax.

Former weapons scientist Stephen Hatfill was identified by the Justice Department as a "person of interest" in the probe. Mr. Hatfill has stated repeatedly that he had nothing to do with the anthrax mailings. He is suing the federal government for investigating him.

The deadly letters were sent to two U.S. senators and several news outlets in October and November 2001. They ended with the phrases, "death to America, death to Israel, Allah is great." Five persons were killed after inhaling anthrax spores and 22 others were sickened but survived.

The spores were analyzed and found to be a virulent form known as the Ames strain. Also, the spores were milled into extremely fine powder, making it easier to disperse in the air.

Investigators were hoping the Iraq Survey Group would come up with documents or evidence indicating that Iraq might have acquired the Ames strain. But U.S. officials said so far there are no signs of Ames-type anthrax in Iraq, either from samples or documents recovered from the Iraqi intelligence service. The service was in charge of weapons of mass destruction development.

A report last month to the U.N. Security Council by its Monitoring, Verification and Inspection Commission concluded that traces of anthrax recovered from a bomb in early 2003 were of the same strain Iraq declared in 1991 it had weaponized. Those were not the Ames strain, U.S. officials said.

<http://www.washtimes.com/national/inring.htm>

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New York Times
December 28, 2003

U.S. Has New Concerns About Anthrax Readiness

By Judith Miller

Two years after the anthrax letter attacks, senior administration officials say they have fresh concerns about the nation's vulnerability to terrorist attacks with the deadly germ.

The officials said their fears had intensified in part because they now recognized that anthrax spores could be more widely dispersed than previously believed. In addition, they said, terror suspects with ties to Al Qaeda have told questioners that the group has been trying to obtain anthrax for use in attacks.

One indication of concern was a secret cabinet-level "tabletop" exercise conducted last month that simulated the simultaneous release of anthrax in different types of aerosols in several American cities.

The drill, code named Scarlet Cloud, found that the country was better able to detect an anthrax attack than it was two years ago, said officials knowledgeable about the exercise. But they said the exercise also showed that antibiotics in some cities could not be distributed and administered quickly enough and that a widespread attack could kill thousands. "The exercise was designed to be very stressful to the system, and it was," a senior government official said.

Veterans of America's biological warfare program of the 1950's and 1960's said the recent recognition of the ability of anthrax to spread widely appeared to be in line with research conducted decades ago and remains secret.

"The new generation of biological and chemical experts is simply unfamiliar with the earlier studies," said William C. Patrick III, a former head of product development at Fort Detrick, Md., then the military's center for developing germ weapons.

Another factor fueling concern about anthrax is the questioning of senior Qaeda agents now in United States custody, administration officials said.

One official said that after his arrest in March, Khalid Shaikh Mohammed, one of Osama bin Laden's top lieutenants, confirmed to American officials earlier reports that Al Qaeda, and particularly its second in command, Ayman al-Zawahiri, a physician, had long been eager to acquire biological agents, particularly anthrax. The official noted that Qaeda agents had inquired about renting crop-dusters to spread pathogens, especially anthrax.

According to an article by Milton Leitenberg, a biological warfare expert at the Center for International and Security Affairs at the University of Maryland, computer hard drives and handwritten notes seized at the home where Mr. Mohammed was arrested included an order to buy anthrax, along with other evidence of an interest in acquiring anthrax and other dangerous germs.

"Nothing so far translated implies access to the most dangerous microbial strains or to any advanced processing or delivery methods," Mr. Leitenberg concluded in a survey of recent developments in bioterrorism published in the journal *Politics and Life Sciences*.

American officials also said in interviews that Mr. Mohammed had told questioners that until the American invasion after the Sept. 11, 2001, attacks, Al Qaeda's anthrax program was based in Kandahar, Afghanistan, and was led by two men: Riduan Isamuddin, known as Hambali, and Yazid Sufaat, a Malaysian member of Jemaah Islamiyah, a Qaeda-affiliated group.

Mr. Sufaat, who received a degree in biological sciences in 1987 from California State University, was a technician in the Malaysian military. In 1993, he set up a company to "test the blood and urine of foreign workers and state employees for drug use," Mr. Leitenberg wrote. Government officials say his company appears to have been involved in transferring money and buying ammonium nitrate for explosives for Qaeda groups in Indonesia, Malaysia and the Philippines.

Although Mr. Sufaat tried to acquire anthrax, there is no evidence that he was able to procure the appropriate strain used for attacks, officials said. Mr. Sufaat was arrested in 2001 as he tried to enter Malaysia and is being held at an undisclosed place, officials said. He has reportedly confirmed numerous details about Al Qaeda's effort to develop anthrax and other biological agents.

So, too, has Hambali, who like Mr. Sufaat fled to neighboring Pakistan after the United States invaded Afghanistan. He was arrested last August in Thailand and has been cooperating with American officials, several officials said. CBS News reported in early October that Hambali had been trying to open a new biological weapons program for Al Qaeda in the Far East when he was arrested.

Officials said recent notices from the Department of Homeland Security also reflected the concern about a bioterror attack. A Nov. 21 warning from the department to law enforcement agencies states that while Al Qaeda is not known to have executed an attack using chemical or biological agents, "the acquisition, production or theft of these materials and subsequent dissemination is a top Al Qaeda objective."

Jerome Hauer, a former acting assistant secretary of health and human services for biodefense who now heads a biodefense center at George Washington University, said it was "no secret that Al Qaeda wants to use anthrax." He said, "If they get to the point where they have the technical sophistication to execute an attack, I think they would do so."

Lisa Bronson, a deputy under secretary of defense, said an anthrax attack was viewed as a threat to military personnel. Speaking to a group of security and arms control experts, she said anthrax was considered a unique weapon because of its stability and potential use in missiles and other delivery systems.

Last month's anthrax drill was notable for the top-level attention it drew and the gaps it showed in the effort to protect against bioterrorism. About three dozen senior officials involved in domestic defense, including two cabinet officers — Tom Ridge, the secretary of homeland security, and Norman Y. Minetta, the secretary of transportation — as well as John Gordon, the head of the White House's Homeland Security Council, participated in the exercise at the Pentagon's National Defense University, officials said.

The drill was an effort to follow up on weaknesses in federal emergency response plans identified in a simulated bioterrorism attack. That exercise, called Top Off 2, was organized by the Department of Homeland Security and involved 8,000 local, state, and federal officials. It simulated a radiological attack on Seattle and a pneumonic plague attack on Chicago.

The weeklong exercise showed that the government needed to improve plans for delivering vaccines and antibiotics to those exposed to a deadly agent, administration officials said. It also demonstrated that the government needed better plans for controlling and monitoring the movement of potentially contaminated produce and people in such an emergency, officials said.

Last month's test "showed that we are a lot better off today than we were two years ago before 9/11," a senior administration official said in an interview. "It also showed that there has definitely been a fast learning curve on bioterrorism."

But it also pointed up the problems in rapid distribution of medicine that could counteract anthrax exposure and showed that the government had enormous difficulties stopping the spread of contamination through the country and into Canada.

In an interview, a senior official said the exercise underlined the need for a program that President Bush first outlined in this year's State of the Union speech for providing \$5.6 billion over 10 years to encourage the development of drugs, vaccines and other defenses against biological, nuclear, radiological and chemical attacks.

The program, Project Bioshield, would also encourage private companies to work with federal agencies to develop measures to combat smallpox, Ebola virus, plague, anthrax and other pathogens. The government would then buy and stockpile the drugs or vaccines.

Although the measure passed overwhelmingly in the House and Senate, legislation authorizing its implementation has not been approved.

<http://www.nytimes.com/2003/12/28/national/28ANTH.html>

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DOD Excess Property: Risk Assessment Needed on Public Sales of Equipment That Could Be Used to Make Biological Agents.

GAO-04-15NI,

November 19.

<http://www.gao.gov/cgi-bin/getrpt?GAO-04-15NI>

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Christian Science Monitor

December 29, 2003

The terror threat at home, often overlooked

As the media focus on international terror, a Texan pleads guilty to possessing a weapon of mass destruction.

BY **Kris Axtman** / *Staff writer of The Christian Science Monitor*

HOUSTON – It began as a misdelivered envelope and developed into the most extensive domestic terrorism investigation since the Oklahoma City bombing.

Last month, an east Texas man pleaded guilty to possession of a weapon of mass destruction. Inside the home and storage facilities of William Krar, investigators found a sodium-cyanide bomb capable of killing thousands, more than a hundred explosives, half a million rounds of ammunition, dozens of illegal weapons, and a mound of white-supremacist and antigovernment literature.

"Without question, it ranks at the very top of all domestic terrorist arrests in the past 20 years in terms of the lethality of the arsenal," says Daniel Levitas, author of "The Terrorist Next Door: The Militia Movement and the Radical Right."

But outside Tyler, Texas, the case is almost unknown. In the past nine months, there have been two government press releases and a handful of local stories, but no press conference and no coverage in the national newspapers. Experts say the case highlights the increased cooperation and quicker response by US agencies since Sept. 11. But others say it points up just how political the terror war is. "There is no value for the Bush administration to highlighting domestic terrorism right now," says Robert Jensen, a journalism professor at the University of Texas in Austin. "But there are significant political benefits to highlighting foreign terrorists, especially when trying to whip up support for war."

Mr. Levitas goes even further: "The government has a severe case of tunnel vision when it comes to domestic terrorism. I have no doubt whatsoever that had Krar and his compatriots been Arab-Americans or linked to some violent Islamic fundamentalist group, we would have heard from John Ashcroft himself."

The case began in the fall of 2002 when a package bound for New Jersey was misdelivered to a New York address. The family inadvertently opened the package and found fake identification badges, including Department of Defense and United Nations IDs. The FBI eventually tracked the package back to Mr. Krar in Noonday, Texas.

The cache of weapons and bombs was found when the FBI served a search warrant in April of this year. Krar and his common-law wife, Judith Bruey, and the receiver of the package, New Jersey Militia member Edward Feltus, were arrested.

All three have pleaded guilty to separate counts and are awaiting sentencing.

Brit Featherston, the assistant US attorney in charge of the case, says it was Krar and Ms. Bruey's connections to white-supremacist groups that prompted further investigation. "Any little town has worse criminals on paper than these two. But because of their background, the red flags were flying all over the place - especially after Sept. 11," says Mr. Featherston, in the eastern district of Texas.

Before Sept. 11, he says, the case most likely would have been worked as a false-ID case and ended there. Instead, dozens of law-enforcement agencies were involved and hundreds of subpoenas were served. "This case was very high priority," says Featherston.

Still, investigators have been unable to answer questions such as: Where was the sodium-cyanide bomb destined? And were the weapons being prepared for a group or sold individually? Featherston says the investigation is ongoing and won't end until these questions are answered.

Experts say the case is important not only because of what it says about increased government cooperation, but also because it shows how serious a threat the country faces from within. "The lesson in the Krar case is that we have to always be concerned about domestic terrorism. It would be a terrible mistake to believe that terrorism always comes from outside," says Mark Potok at the Southern Poverty Law Center in Montgomery, Ala.

The fact is, the number of domestic terrorist acts in the past five years far outweighs the number of international acts, says Mark Pitcavage of the fact-finding department at the Anti-Defamation League. "We do have home-grown hate in the United States, people who are just as ill-disposed to the American government as any international terrorist group," he says.

Levitas estimates that there are approximately 25,000 right-wing extremist members and activists and some 250,000 sympathizers. The Southern Poverty Law Center counted 708 hate groups in 2002.

While Mr. Pitcavage was surprised the Krar case did not receive more attention, "It is a fact that a lot of stories involving domestic extremists get undercovered," he says. He points to a case he calls one of "the major terrorist plots of the 1990s" in which militia from around the country converged in central Texas allegedly to attack a military base. They were arrested at a campground near Fort Hood on the morning of July 4, 1997, with a large collection of weapons and explosives. "There was virtually no media coverage of that incident either," says Pitcavage.

Featherston speculates that the Krar case got little attention because the arrests were made just after the war began in Iraq. "Excuse me, a chemical weapon was found in the home state of George Bush," says Levitas. "I'm not saying the Justice Department deliberately decided to downplay the story because they thought it might be embarrassing to the US government if weapons of mass destruction were found in America before they were found in Iraq. But I am saying it was a mistake not to give this higher profile."

For his part, Krar has remained silent. He will most likely be sentenced sometime in February, and could receive up to life in prison. His attorney, Tonda Curry, says the US government has no reason to be afraid of him. "It looks a whole lot worse than it is. He had a lot of things that most people would never have any desire to have, but much of what he had was perfectly legal."

<http://www.csmonitor.com/2003/1229/p02s01-usju.html>

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