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### CHAPTER SIX

## (U) THE PREDICATE

### **Questions Presented:**

(21) Question One: (SAAF) Did the DOE Kindred Spirit Analytical Group (KSAG) assess that Secret Restricted Data was compromised to the Chinese?

Question Two: 2010F) Did KSAG eliminate indigenous development as a possible explanation for the advancements achieved by the Chinese nuclear weapons program?

Question Three: (SAH7RD) Did KSAG assess

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# Question Four: (SAVF) Was the KSAG assessment accurately communicated to the FBI by DOE?

Question Five: (8) What was the scope of the compromise communicated to the FBI by DOE?

Question Six: (8) Were there opportunities when the FBI could have recognized that the KSAG assessment had been inaccurately communicated to the FBI by DOE?

(U) PFIAB QUESTION #9: Whether the FBI appropriately relied on technical opinions provided by the DOE?

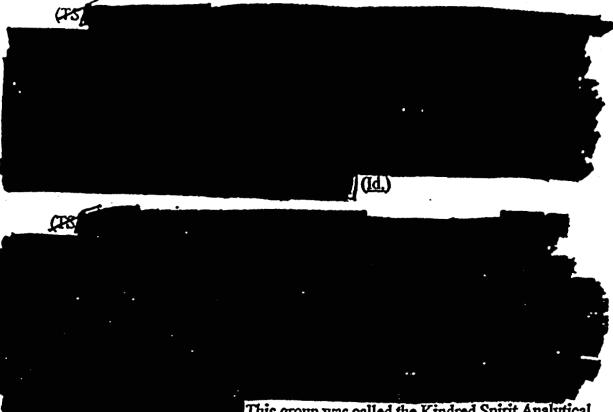
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A (U) Introduction

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This group was called the Kindred Spirit Analytical

Group (KSAG).

(SANEARD/OC) KSAG concluded their review in September 1995 and produced a two-page summary of their assessment. This concise summary, comprising a series of bullets, contained the assessment of these preeminent nuclear weapons designers and definitively answered the question they were assembled to address.

Nor was there any dispute that this compromise had aided the Chinese nuclear weapons program by helping to establish what were attainable achievements and to

353 (SAVF) Modern nuclear warheads consist of a primary and secondary nuclear device, the first acting as a trigger for the second.

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avoid blind alleys in their own research and development program. What KSAG concluded, however, and what the FBI would be told these DOE experts concluded, were two different matters.

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(SAIF/RD/OC) KSAG's assessment would never be provided to the FBI. In its place the FBI was told

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This inaccurate communication of the predicate resulted in the FBI spending years investigating the wrong crime.

(SANF/OC/RD) The FBI received several summaries purporting to represent DOE experts' conclusions. The FBI was told

Each of these

representations inaccurately reflected the conclusions of KSAG.

(SANF/OC/RD) On September 25, 1995, after the KSAG working group's assessment was completed, DOE told the FBI

(AQI 2984-2985 at 84) On May 28, 1996, OEI released to the FBI a report of the Administrative Inquiry (AI) into this matter. It stated

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(Al at 3; FBI 00527) Each of these representations also inaccurately reflected the conclusions of KSAG. (S/RDMMF) KSAG clearly concluded

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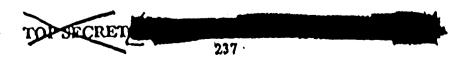
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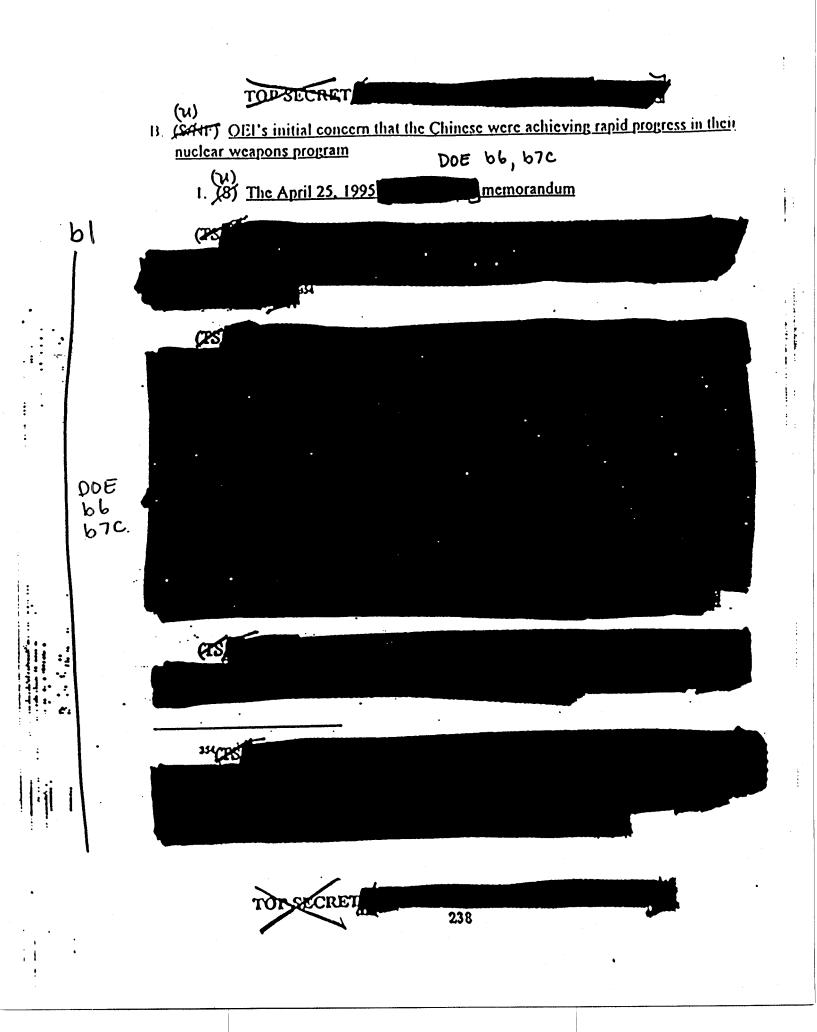
investigation, which is underway today, should have been begun in 1995, not 1999.

(SAHF/RD) OEI controlled the message that was communicated to the FBI and is responsible for the inaccurate representations given to the FBI. The consequences for the investigation caused by the inaccurate representations were profound.

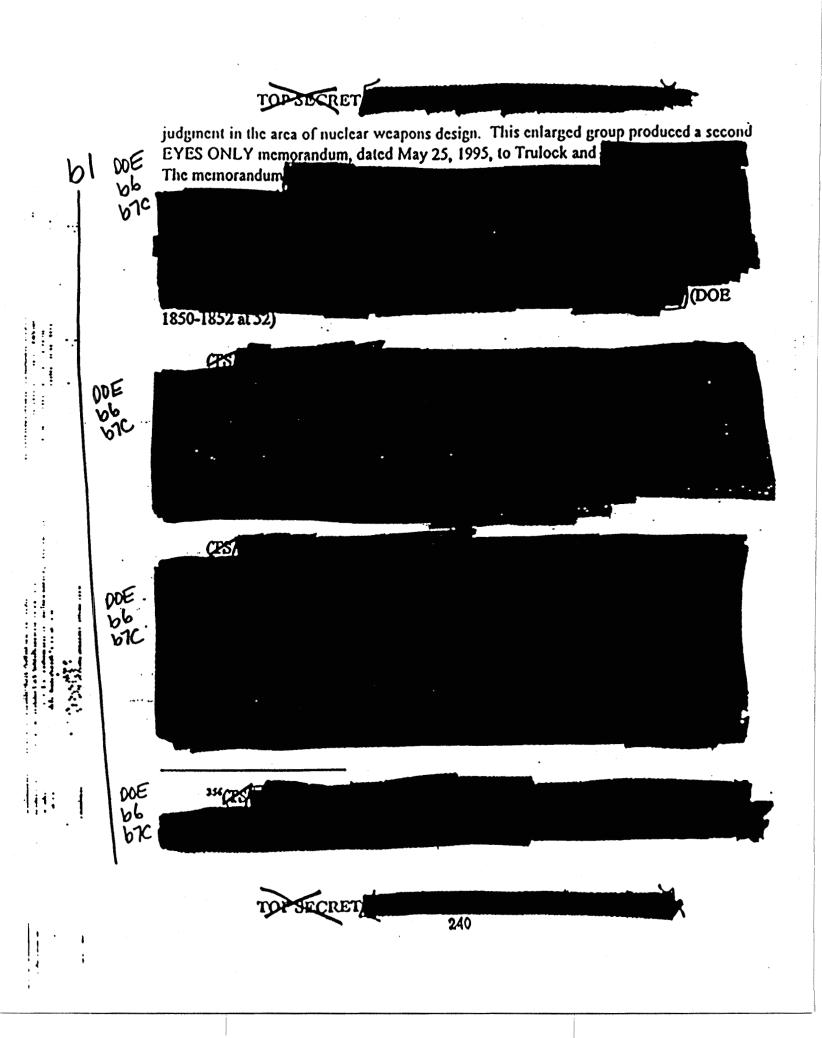
Responsibility for .

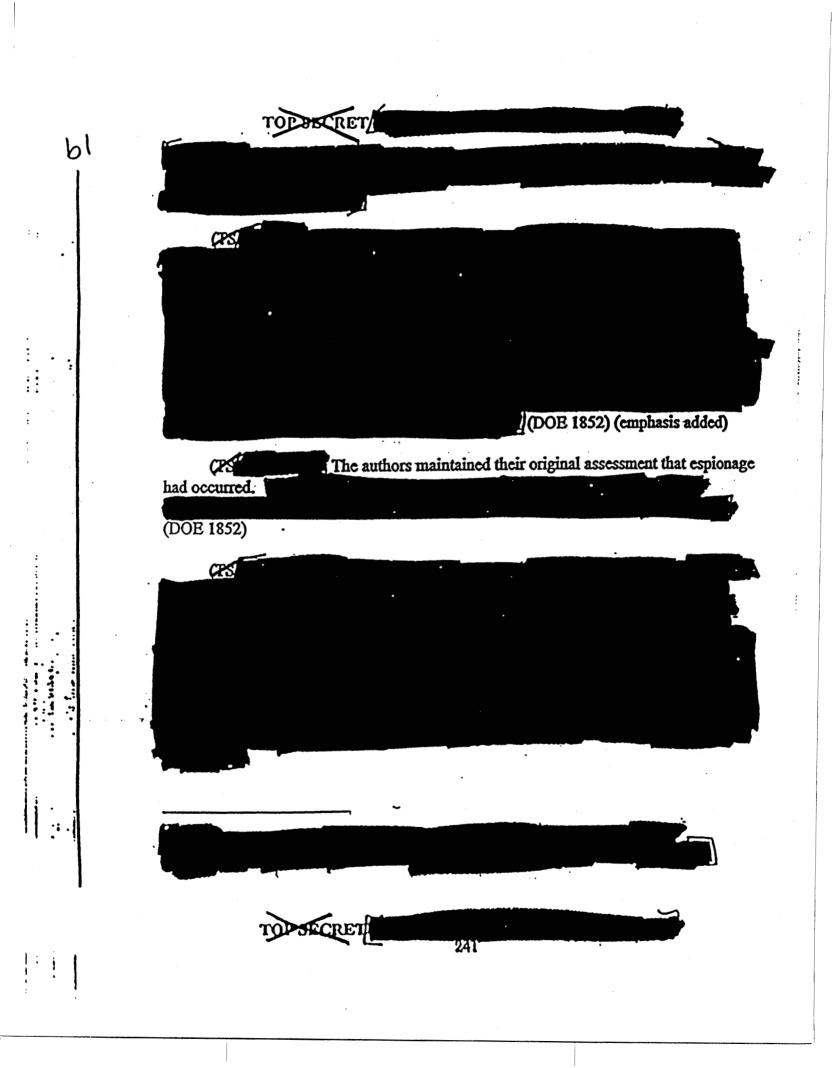
this massive failure rests with both OEI, for failing to accurately communicate the KSAG assessment, and with the FBI, for failing to become thoroughly familiar with the predicate for such an important investigation. As demonstrated below, a thorough examination of the investigation's predicate would have alerted the FBI to the inaccurate assessment communicated to them by OEI.

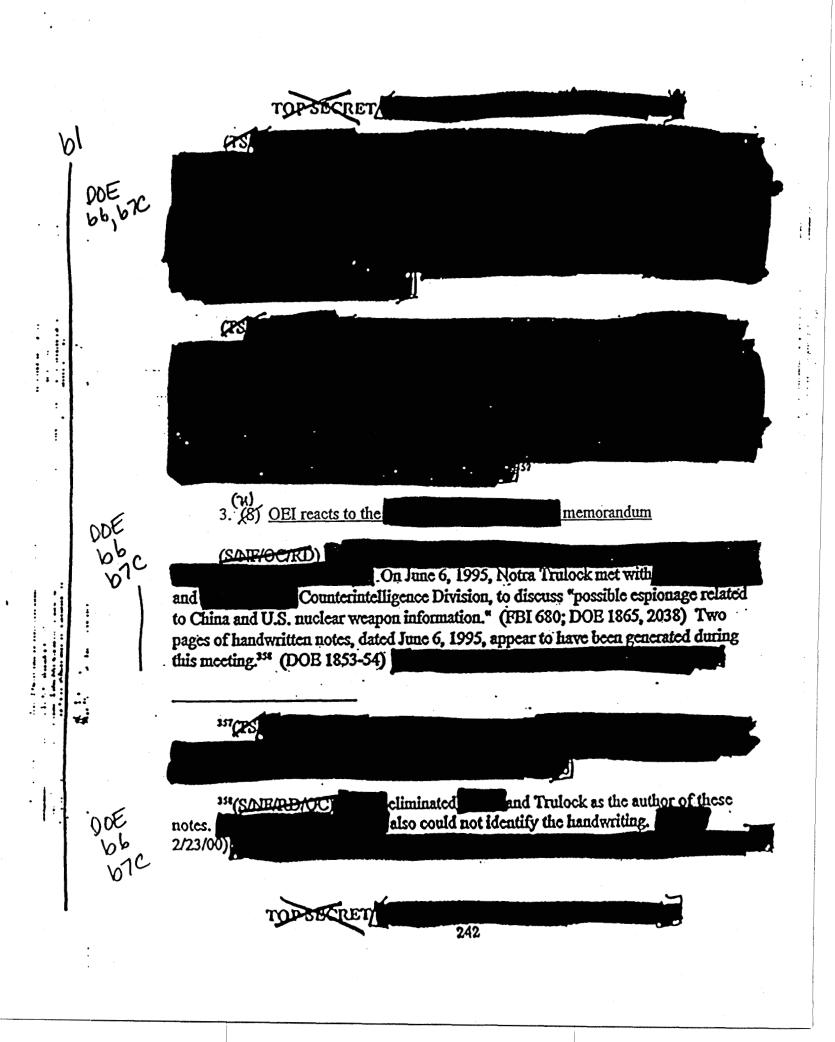




TOP SECTION. 61 DOE 66 670 62 DOE 66,670 2. (8) The May 25, 1995 memorandum as Trulock invited to review the intelligence to join Trulock asked ÷ DOE 11: and determine whether he concurred in their assessment. Prior to becoming the Director 66 of OEI, Trulock had been an intelligence analyst at LANL. At LANL he developed 67C i 1 1 Tralock respected relationships with w Bart for the detailed to OEL, was the information relating to the investigation, code named Kindred Spirit. The OEI Kindred DOE Spirit chronology (FBI 674-680; DOB 1865-1869; DOB 2038-2042) inaccurately 66 identifies the date of this memorandum as April 21, 1995. The undated memorandum 670 has a routing sheet reflecting the April 25, 1995 date. (DOB 1847) In addition, subsequent memorandum references their previous memorandum and "transmitted 25 April 1995." (DOE 1852) Ŗ 239







(FBI 680; DOE 1865, 2038)

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(DEFACC) The OEI Kindred Spirit chronology reflects two meetings between OEI and the FBI to alert them to the possible compromise of classified information. A June 23, 1995, entry records that Trulock and McIntyre met with John Lewis, Deputy Assistant Director, National Security Division, FBI, to discuss "potential espionage involving nuclear weapons data." (FBI 680; DOE 1865, 2038) This meeting between Trulock and Lewis is not memorialized in any FBI or DOE document and cannot be verified. The chronology reflects a second entry, dated July 13, 1995, when Trulock met

from LANL and Lawrence Livermore National Laboratory (LLNL), an upcoming July 12/13 briefing to and the notation "-X-6 - Li/Lec/Le + wife." (DOB 1854) This notation indicates a discussion of Wen Ho Lee occurred on June 6, 1995 within OEL. This discussion included Lee's name, his wife and his section at LANL. This discussion preceded the formation of KSAG, the first notification of the FBI and the receipt of the walk-in document.

(W) "(S) The OEI Kindred Spirit chronology was written by the With Trulock's encouragement. Trulock directed to track important developments in this matter for OEI. Many entries were based on Trulock's own description of events to the With who was not always present.

with DAD Lewis to provide a preliminary briefing on the "Chinese having formation from the U.S." (AQI 1053) This meeting, unlike the earlier entry, is documented in the FBI's files.

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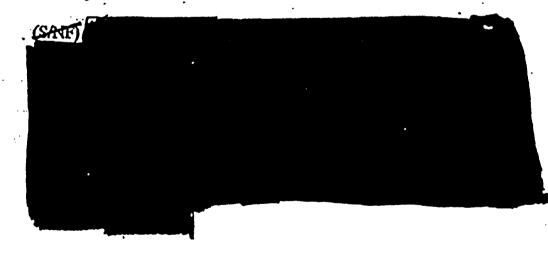
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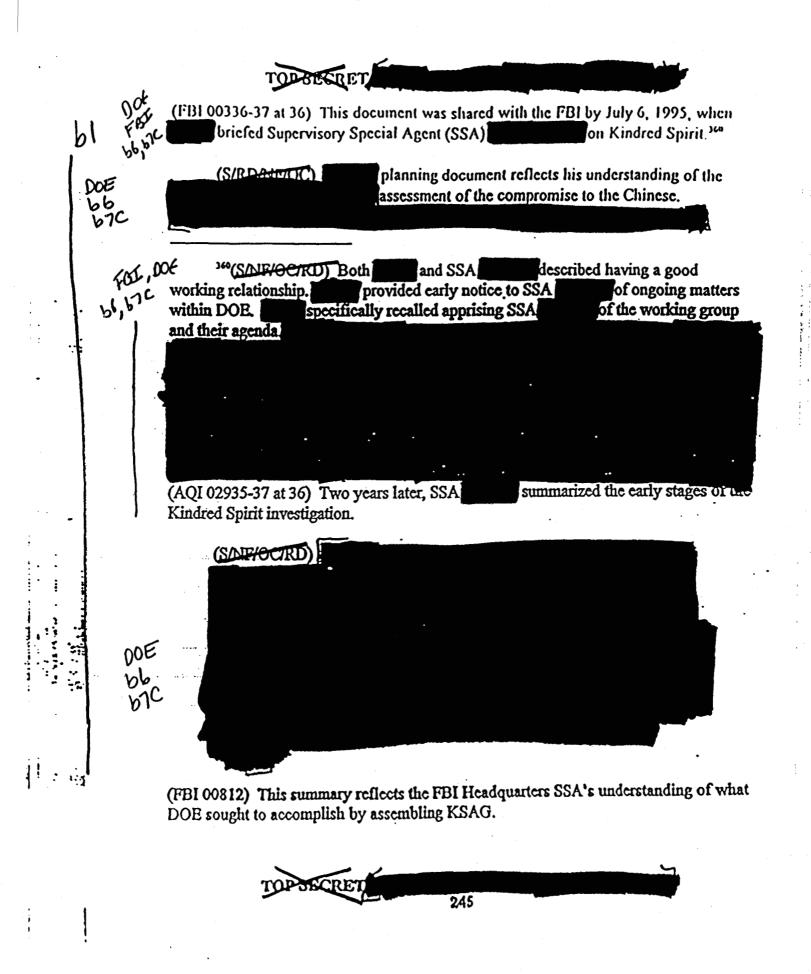
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C. ST OEI'S formation of a working group to evaluate the Chinese intelligence and assess whether United States nuclear information had been compromised

(1) (2447) By July 1995, OEI formed a working group to examine the PRC's nuclear weapons program and determine whether United States classified nuclear information had been compromised. This working group consisted of experts from LANL, Lawrence Livermore National Laboratory (LLNL), Sandia National Laboratory (SNL), CIA, Defense Intelligence Agency (DIA) and OEI. The OEI working group was called the Kindred Spirit Analytical Group or KSAG. (Trulock 10/12/99) The members of KSAG were not familiar with that title and simply referred to themselves as the working group.

(ANF) recalls recommending that Trulock assemble a group of experts to review and validate the conclusions reached by 1990 and 1990 (1990) 8/4/99; 1990 8/10/99) In a document entitled "Investigative Planning: Kindred Spirit," bearing a handwritten date of June 28, 1995, 1995, 1995, wrote, under a section entitled "Initial Investigative Considerations," the following:





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(FBI 00336) It is unclear why

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does not track the analysts' language precisely. The FBI never received either the April 25, 1995 or May 25, 1995 memoranda and relied on this summary of the initial DOE assessment.

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(W) SAFOC) investigative plan identifies five specific requirements for the working group to address. He characterizes it as "important" to "assist in the development of a logical investigative effort" to accomplish each of these five requirements.

- Establish a chronology of the stages of development of the US weapons design information allegedly copied by the PRC. It would assist ECI's [Energy Counterintelligence] investigative planning efforts to know for example, that US Weapons Laboratory "X" developed stage "A" of the weapons design in question during the period 19xx-19xx. In turn, US Weapons Lab "Y" piggy-backed on stage "A" to develop stage "B" of the design during the period 19xx-19xx, etc.

- Identify specific documents that contain the compromised warhead data;

- Determine which program staff at each US Weapons Laboratory worked on specific portions of the design in question[;]

- Determine which laboratories and specific employees eventually had access to the completed weapons design data in question;

- Brief the Federal Bureau of Investigation (FBI) on the results of the intelligence assessment and obtain their concurrence for BCI to initiate

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and discreetly conduct an Administrative Inquiry (AI).<sup>34</sup> This AI will follow the guidelines set forth in the following Investigative Plan. (The FBI will be continually updated on the results of the AI).

#### (FBI 00336)

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(SANF) Trulock initially contemplated forming only a LANL team, with CLA (Comparticipation, to validate the initial assessment.<sup>362</sup> "[Trulock] directed that the following actions be initiated . . . establish a damage assessment team from LANL to review (DOE 3473-3477 at 76) (McIntyre memorandum to the file dated June 23, 1995). This expanded to include LLNL, SNL and DIA. The specific composition of the KSAG was largely a product of selection by the initial members of the working group. The initial members were already assisting DOE Headquarters review intelligence reporting. Trulock personally selected and then (W)

(SANF) Trulock approached and selected during his trip to LANL in June 1995.<sup>363</sup>

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to chair the KSAG selection represented a

<sup>361</sup>(SAH/RD) This is the first time DOE indicated its intention to conduct an Administrative Inquiry (AI).

investigative plan also foresaw KSAG

<sup>363</sup>(SAHF/RD) Trulock personally visited LANL to brief Director Hecker on Kindred Spirit and invite to the second state of the second second

No additional information is provided,

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recognition that someone with the necessary "horsepower" was needed to manage this group of experts assembled from the national laboratories and intelligence agencies. of LANL's X Division (responsible for nuclear weapons design), was ideal. In the potential reputation was as a fair, unbiased scientist who could draw a consensus, if one could be drawn, from a group of nuclear weapons experts. The most forceful advocate of the Chinese espionage of United States nuclear weapons information, did not object to selection. The believes and suggested in the suggestion (11/9/99) The assumed Director Hecker had made the suggestion when he was briefed by Trulock on June 28, 1995.<sup>364</sup>

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(SMF) KSAG included nuclear design experts in recognition of the complex scientific issues involved in assessing the Chinese nuclear weapons program and China's ability to achieve such progress

but the implication is, since information is classified and not transferable, an unidentified employee or someone associated with LANL illegally provided the information to representatives of the PRC." (AQI 2932-2934 at 33) When interviewed, claimed for the problem only a cursory briefing while at LANL. It is not clear whether was subsequently briefed by Director Hecker. (1999) [9/15/99] [1995. [1995. (FBI 680; DOE 1865, 2038]

<sup>364</sup>(U) When first saw Trulock's name on his schedule, he assumed Trulock was coming have his detail to DOB Headquarters renewed, since Trulock was technically with Division at LANL.

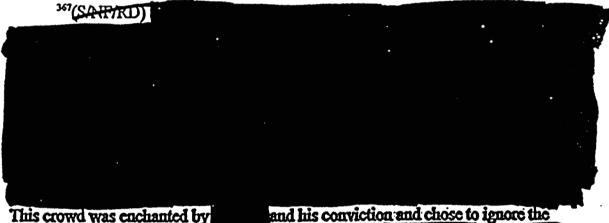
<sup>36</sup>CATT Trulock broadened the small group of analysts he had previously asked to examine the intelligence within OEL. The second memorandum not nuclear weapons designers. Trulock first added, and from LANL, a nuclear weapons designer whose judgment Trulock trusted. After receiving the second memorandum confirming the analysts' initial conclusion, Trulock further expanded the group to include a broader collection of nuclear weapons designers from the national laboratories. This expansion sought to definitively confirm whether advancements in the Chinese nuclear program necessarily indicated a loss of United States nuclear weapons



different groups, pure analysts<sup>344</sup> and nuclear scientists.<sup>367</sup> The analysts were familiar with the intelligence reporting while the scientists had designed and tested dozens of nuclear warheads. **Second** described the difference as "voting members and tire kickers" - the latter group composed of OEI members who sat in chairs away from the table and never spoke.

information. This broad based inquiry generated an assessment which has survived the test of time.

(4) <sup>344</sup>(8) The assembled analysts often claimed to have a scientific background and were often incorrectly described to the FBI as scientific experts. One scientist, hearing that was being held out as a LANL scientist by OEI, laughed, stating was a not a nuclear designer. KSAG's the claimed that the would not recognize a nuclear warhead's primary from his ass."



and his conviction and converse of the assembled scientific experts. And not have a hidden agenda. all analysts. Some believes did not have a hidden agenda. during later discussions with clearly misrecollected KSAG's consensus. cited this misrecollection as an example of this "N" personality type, that they become convinced of their position to the exclusion of the conclusions of others. shared a similar misrecollection when interviewed by the AGRT.

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does not accurately reflect KSAG's assessment.

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The analysts began with the advantage because they were familiar with the intelligence traffic, but as the scientists became familiar with the same intelligence reporting, this initial advantage dissipated. The scientific portion of the working group came to control the group's ultimate assessment, an assessment that the analysts, with the sole exception



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the group's ultimate assessment, an assessment that the analysts, with the sole exception of the could not and did not challenge directly. However, once the scientific experts returned to their national laboratories, the analysts remained in Washington. The analysts then reverted to their original assessment of the intelligence, to the exclusion of the scientific evaluation which they dismissed as simply identifying possibilities and ignoring probabilities.

D. (8) <u>KSAG's review of the Chinese nuclear weapons program</u>

1. (8) The July 10, 1995 KSAG meeting

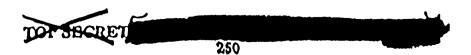
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(SAVF) KSAG first met on July 10, 1995, in the Forrestal Building's SCIF. chaired this meeting. Present at this initial KSAG meeting were "people from [OEI], LANL, LLNL, SNL, and CIA

. It also presumably included

This working group met to "outline a plan to review the Chinese nuclear weapons program status." (DOE 1856, 4272) Trulock addressed the group and asked them to review and evaluate the available intelligence to determine whether they could eliminate espionage as a probable source for the advancement in the Chinese nuclear weapons program. Trulock outlined a series of key questions for the working group

<u>Id.</u> From this initial KSAG meeting, the assembled participants quickly recognized the need for weapons designers to accurately gauge the Chinese nuclear weapons program.



record of this meeting reflects three assignments given to

<u>Id.</u> From these assignments grew the need to invite nuclear weapons designers to evaluate the Kindred Spirit material. This recognition reflects the limitations of analysts evaluating nuclear weapons intelligence without the scientific expertise to weigh the associated design and development difficulties. The group also recognized a need to determine whether compromised<sup>344</sup> the classified nuclear information.<sup>369</sup> This first KSAG meeting was largely organizational and the group's composition had not yet been finalized. KSAG was not fully constituted until the following meeting scheduled for July 26, 1995.

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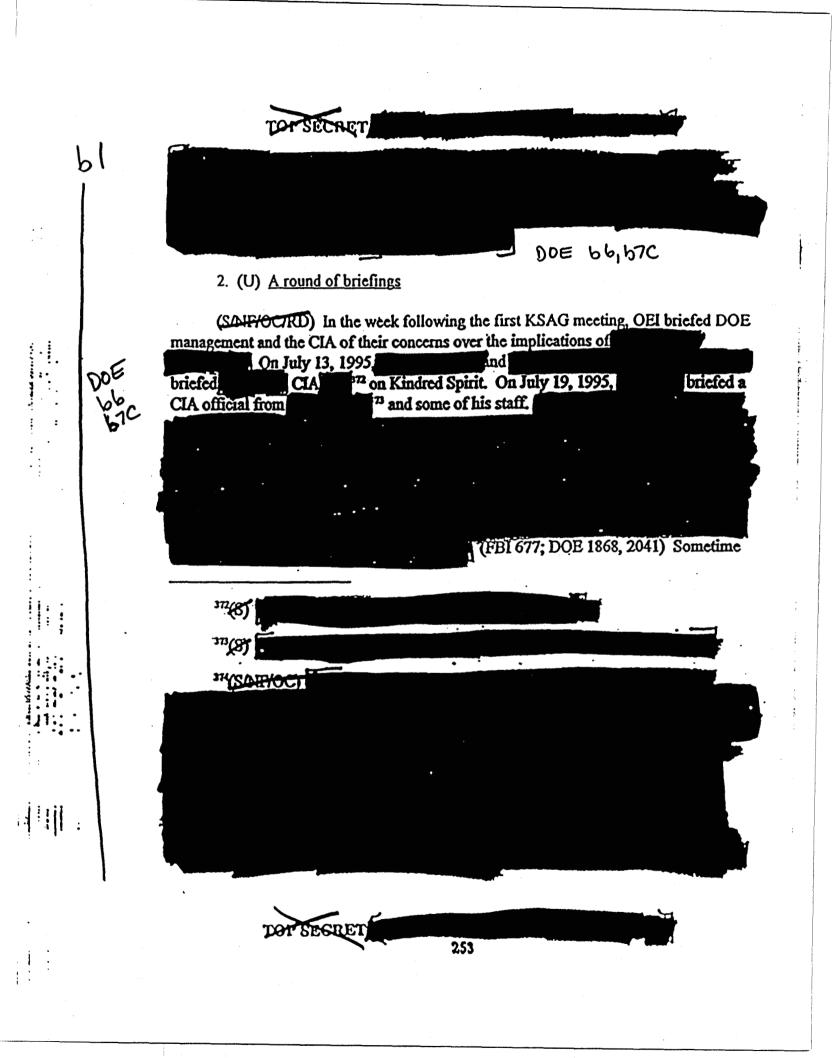
 $(\mathcal{U})$ believed the intelligence information was compelling to anyone LEATF) who reviewed it. Having convinced did not and anticipate any problem convincing KSAG. He believed the assembled group would be readily persuaded by the clear implications of the intelligence. did not oppose the composition of the group or Indeed. leadership. designer from LLNL, had previously written a paper with on nuclear weapons development by the Chinese. (Id.) Only after the KSAG began discussing the intelligence, did develop very strong opinions about other - members of the group.

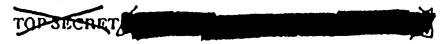
is the codename used to describe an FBI FCI investigation

<sup>36</sup>(8) Kenneth Baker, Acting Director, Office of Nonproliferation and National Security, DOB wrote John F. Lewis, Deputy Assistant Director in Charge - Operations, FBI-HQ on July 18, 1995, seeking access to the FBI's for the organizative file because these documents "may be of significant value to the OBI Damage Assessment Team supporting the "KINDRED SPIRIT" inquiry." (AQI 02938)

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TOPOLERET 61 00E ÷ recalled one or two members of KSAG initially (SINE/OC/RD) making very drastic assumptions one member. still believes his assumption valid today). emphasized that from a group of fifteen members, only one member ultimately maintained such an extreme to determine whether that could position.<sup>371</sup> The group also looked closely at account for the compromise. It was the group's belief that which compromised some important information, did not compromise did not still have access felt strongly that there never was a designer versus 23 non-designer split within the KSAG. 370 025 reviewed 371 (SAIP/OC/RD) The "walk-in document," described below, did form a consensus among the group 14 judgment, there would have been no Without the walk-in document, in consensus among the KSAG. TOPSECRET 252





between July 14, 1995 and July 18, 1995, according to the OEI's own chronology, Trulock briefed DOE Secretary Hazel O'Leary, Deputy Secretary Charles Curtis and Ken Baker on Kindred Spirit. Secretary O'Leary in turn briefed the White House and Deputy Secretary Curtis briefed CIA Director Deutch. (FBI'677, DOE 1868, 2041) (Deputy Secretary Curtis 1/14/00)

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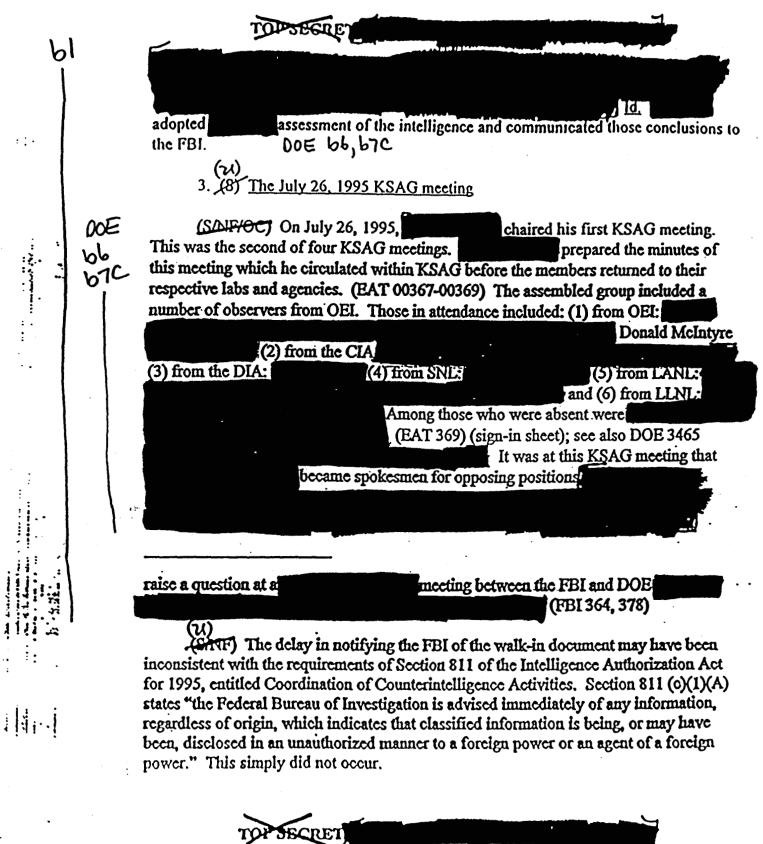
(SALE/OCIAD) Also following KSAG's first meeting, OEI briefed the FBI of their concerning on July 13, 1995, Trulock briefed John Lewis, Deputy Assistant Director (DAD), National Security Division (NSD), FBI, on This briefing was documented by the FBI. The meeting included Irulock and Kenneth E. Baker, Acting Director, Office of Nonproliferation and National Security from DOE, DAD Lewis, and Section Chief

(AQI 02936) This briefing essentially tracks the memorandum dated May 25, 1995.<sup>375</sup>

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TOPSECRET 61 DOE minutes of this KSAG reviewed and approved meeting. These minutes represent a dramatic shift from carlicr 66 ٠ 670 assessment • Otherwise, the information is a verification of previous assessments." (<u>Id.</u>) (SAHYRD) DOE found these telephone calls irritating since he had taken the time to have KSAG review the minutes as a group prior to concluding each 66 subsequently changing their. meeting. These telephone calls reflected 670 mind. An example of a footnote occurred after the July 26, 1995 meeting. This

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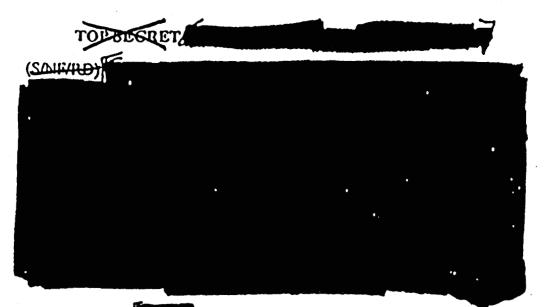
<sup>374</sup>(U) A footnote captures a dissenting opinion in an analytical work. An effort is made to minimize footnotes and to form a consensus where possible.

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footnote, drafted by

stated:

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(EAT 414; DOE 4286) the chronology summarizes the July 26, 1995 meeting and incorporates this footnote. "The group agreed to minutes of the meeting prepared by LANL later took a footnote after further review of information." (DOE 1867, 2040); (FBI 00678-FBI 00679) for the next KSAG meeting note that for the meeting and suggested a footnote which we accepted." (EAT 00370-00371 at 70)

(SANF) There are two important themes in this footnote. First, the characterization of "LANL spokesmen" in the footnote and "LANL" in the OEI chronology inaccurately implies LANL uniformly supported the footnote. Of the assembled experts, both supported the original minutes as written and agreed to at the July 26, 1995 meeting.

Although My 26, 1995 meeting, did support this footnote, he made it clear when interviewed that he fully supported the KSAG bullets written just weeks thereafter which did not adopt riew. This mis-characterization had no impact, because the assembled experts understood who noted this footnote. Second, this footnote suggests the formation of a subgroup within KSAG. Each expert believed to a lesser extent, gave significant deference to the This subgroup initially included to be a lesser extent, gave

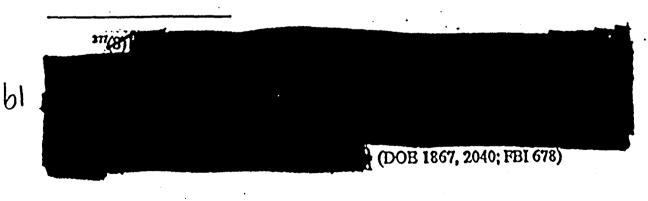
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(2) (8) were both KSAG participants. These the represented KSAG's connection to OEI and to Trulock. The materials that were generated maintained each meeting's minutes and any written materials that were generated because of the sensitivity of this material. None of the material could leave Washington, D.C. due to security concerns. When the assembled scientists returned to their respective national laboratories in New Mexico and California, it was who remained in Washington and would become the working group's spokesmen. The scientists all understood this dynamic. OEI was structured to control the dissemination of intelligence information within DOE.

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(SPHEATE) the FBI on the conclusions drawn from assessment on



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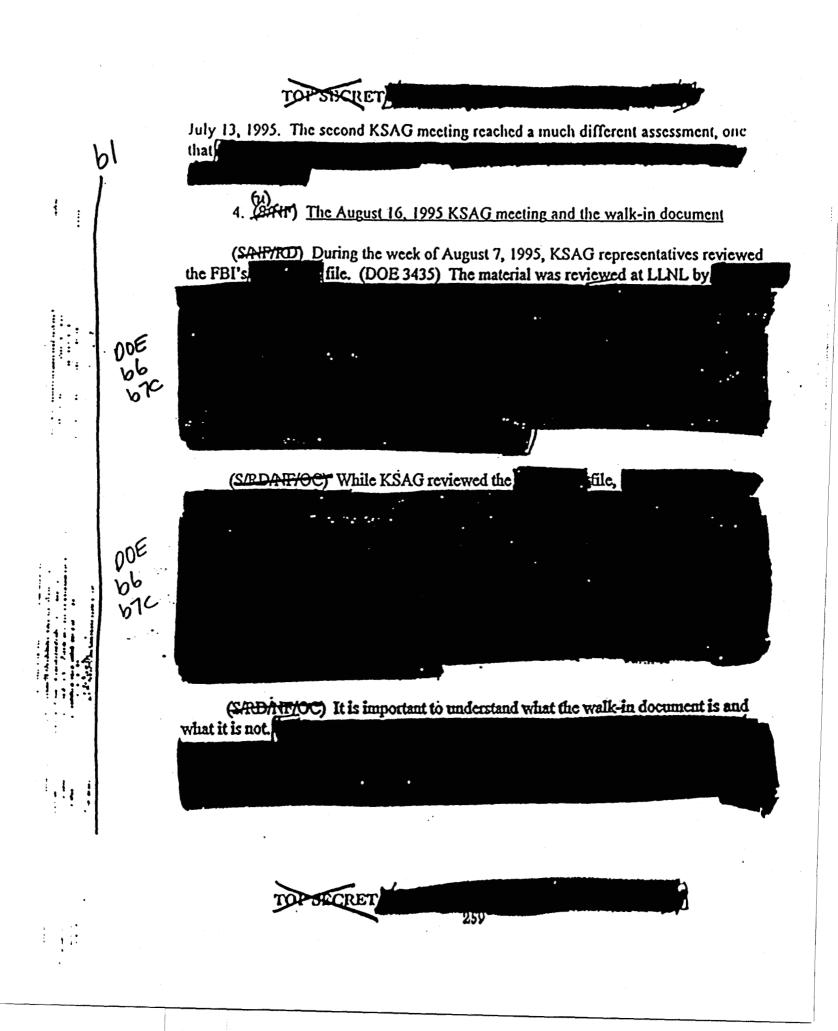
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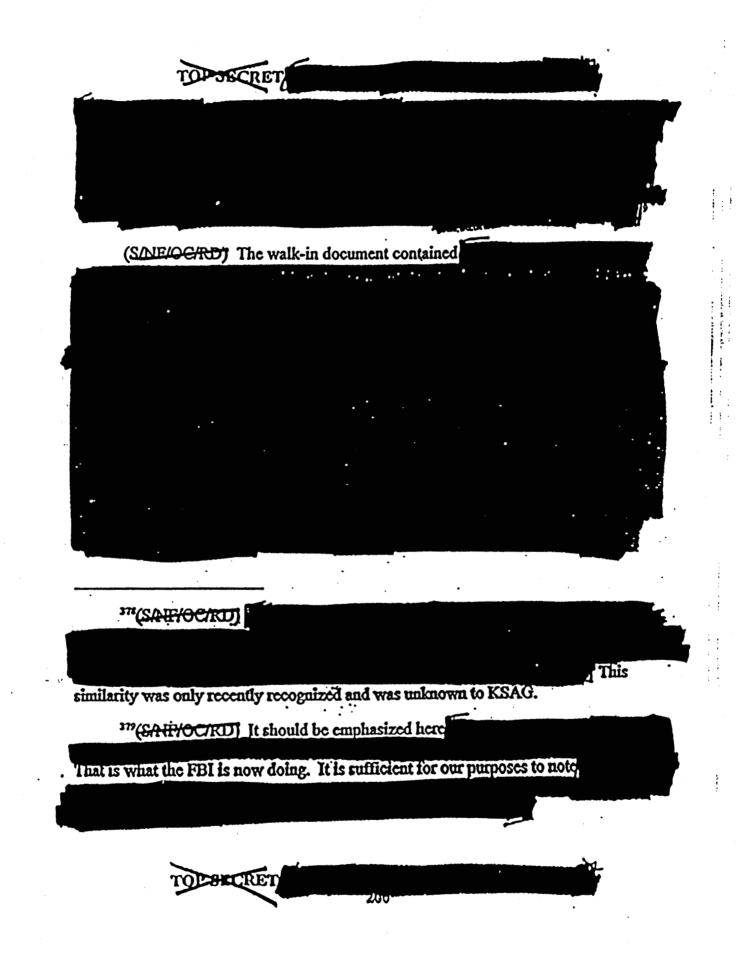
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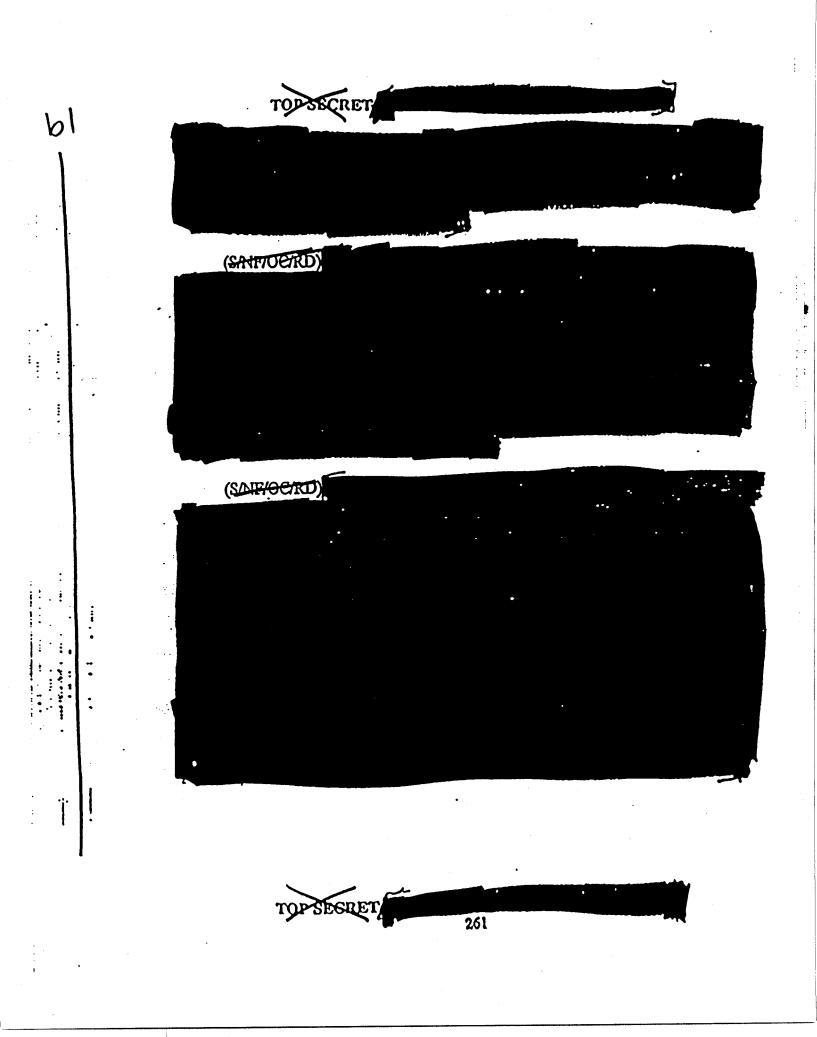
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(SAHP/OC/RD) The analysts who saw a broad compromise had the support of Prior to the walk-in document, for the believed the Chinese had penetrated a national laboratory. received from advised that it was clear to him that collection activities may have led to passage of design information to the PRC by a lab person or persons unknown." (DOE 3473-3477 at 76) (emphasis added). After receiving the walk-in document, wrote

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(DOE 3434) was sufficiently convinced by the walk-in document's information to recommend KSAG be dissolved. "We believe it prudent, therefore, to conclude the damage assessment effort involving laboratory scientists which has been analyzing the intelligence to determine if the information had to have come from secret U.S. information.... We propose to go forward with a very close hold CI investigation to attempt to come up with possible names." (DOE 3340)

also wrote (DOB 3436-3440 at 40)

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(S/NF/OC/RD) Although the compromised W-88 information was not thought to be public, it was believed to have been widely disseminated within this country's nuclear weapons infrastructure. The recalls thinking,

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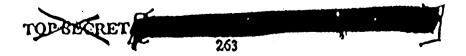
While KSAG may have recognized this broad dissemination, did not. This distinction would prove to be a major failure within OEL.

(SANF/OC/RD) The KSAG minutes from the August 16, 1995 meeting reflect the assessment It also reflected KSAG's assessment from or from unclassified sources. Therefore, (BAT 00370) There was also further debate within KSAG over

320(SARD) The KSAG meeting notes from September 7, 1995, reflect this debate

(DOE 3431-

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meeting and in the final bullets.<sup>31</sup>

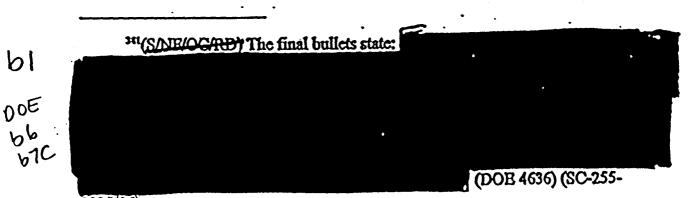
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5. (8) <u>The September 7, 1995 final KSAG meeting and the September 8, 1995</u> <u>bullets</u>

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(21) (2447) The fourth and final meeting of KSAG (and the third meeting chaired by occurred on September 7, 1995. Although the previous meeting's minutes articulated an intention to "draft a report," EAT 00371, no such report was ever written. Instead, a series of bullets were drafted by the assembled experts capturing their collective assessment of the Chinese nuclear weapons program and the possible compromise of United States classified information. This two-page document, dated September 8, 1995, represents the conclusions reached by the assembled nuclear weapons experts. This brief document was carefully written. The experts recalled significant debate over the use of each particular word and phrase. The experts recalled sable to draw a consensus among the nuclear experts with only for the dissent to two of the nine bullets. No other document was produced by the KSAG nor blessed by the



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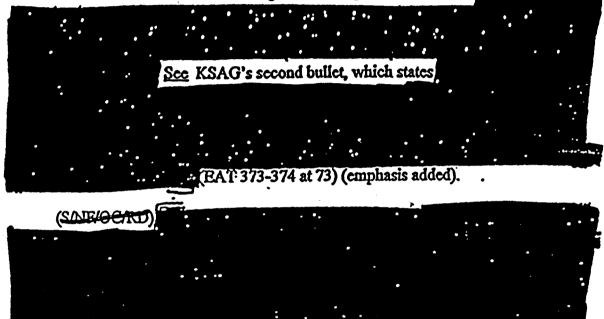
collective experts <sup>347</sup> These nine bullets represent the only written conclusion produced by the group. The bullets were maintained in DOE's Headquarters inside OEI and were distributed only to the CIA. The FBI never received a copy of the document <sup>347</sup>

(SDIFFOCTRD) KSAG's bullets, if shared with the FBI, could have prevented the misdirection of the FBI's counterintelligence investigation in this case.

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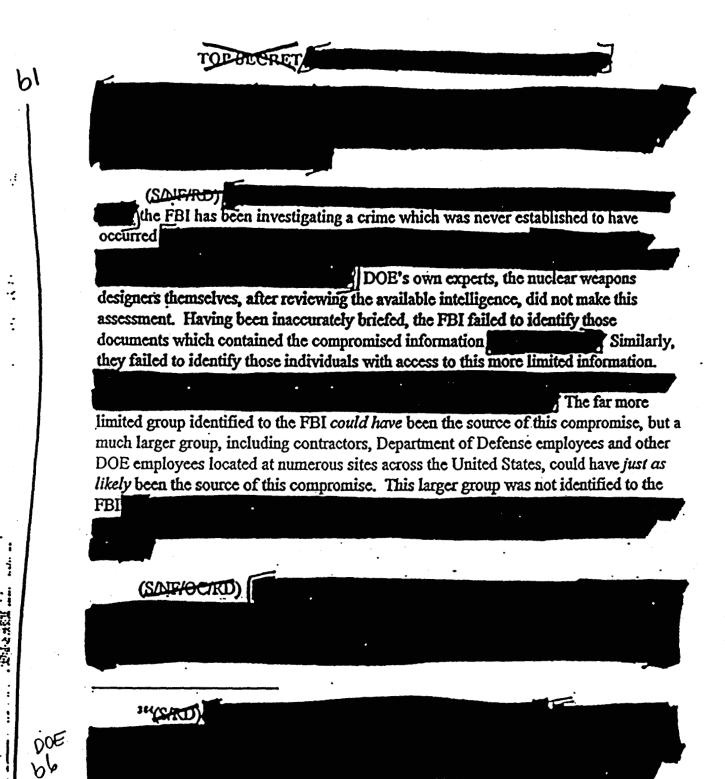
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<sup>342</sup>(U) KSAG reformed on May 16 and 17, 1996, to brief Deputy Secretary Curtis on their assessment. This later meeting generated a series of slides for use in briefing the Deputy Secretary. KSAG reaffirmed their September 8, 1995 written assessment at this subsequent meeting.

(W) "CRITT The FBI has only recently become aware of this document as a result of the AGRT's review of KSAG. The AGRT's review of FBI-AQ's files confirm the document was not received in the field. The walk-in document was not shared with the field until 1999. A shared with the field and was present during the FBI's October 31, 1995 briefing, did not believe that KSAG's bullets were ever shared with the FBI.

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disregarded KSAG's assessment and in its place briefed to the FBI their personal assessment. This assessment, misrepresented to the FBI as KSAG's assessment.

(SAHT/RD) The earlier

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who previously had supported

initial assessment,

conclusion

sided with KSAG's consensus by September 8, 1995. When KSAG wrote its nine bullets, only the second remained vocal in opposition to this consensus.

(SALE/OC/RD) Similarly, the footnote to the July 26, 1995 KSAG minutes, written by joined by was largely rejected in KSAG's final assessment. This shift reflects the croding support for personal assessment.

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(SAIF/OCAD)

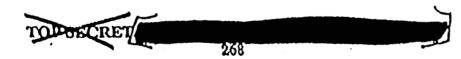
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(emphasis added).

(6) The bullets were adopted against only dissent which was noted in two of the nine bullets. Otherwise the bullets generated by KSAG were uniformly supported then and today by the assembled experts. The AGRT interviewed every major participant in KSAG. No one disputes that the bullets represented the assessment of the experts asked to evaluate the Chinese nuclear weapons program. Every member refers to the bullets as the final word in KSAG's assessment. The bullets represented the working group's final assessment. There was no fragmentation among the national laboratories. The bullets were unanimous but for for the dissent. The OEI liaison, the bullets were unanimous but for for the dissent. The OEI liaison, the majority and supporting the bullets written on September 8, 1995. personally gave KSAG's bullets to Trulock.

maintained the bullets and

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(U) E. LAT <u>OEI's inaccurate portrayal of the working group's conclusions to the FBI</u> (U)

1. (8) OEI's reaction to the KSAG bullets

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00E 66 670 (8) The assembled experts returned to their respective laboratories believing their services were no longer needed. They were unaware of the FBI's interest or earlier briefing the boom of the service of the FBI's interest or earlier unaware that the FBI would be briefed on the assembled experts' assessment. Not one of the nuclear weapons designers were asked to participate in this briefing. The was not aware that such a briefing had ever

occurred. Instead, on October 31, 1995, **Sector** joined by **Sector** briefed the FBI on DOE's assessment of the Chinese nuclear weapons program. This briefing was billed as the working group's assessment. The FBI understood this briefing to summarize the assembled experts' assessment of the available intelligence. The briefing did not include the written bullets and no weapons designer was present.

(SAHARD) There are indications that KSAG's assessment of the available intelligence. First, the OEI chronology mischaracterizes the final KSAG meeting, inaccurately suggesting a split between LANL and OEI versus LLNL and the CIA. Second, and describes and dismissing the KSAG and The AGRT assembled the most complete set of FBI records on the Kindred Spirit investigation, from multiple field offices and Headquarters. No copy of KSAG's bullets has been located among the FBI's files.<sup>316</sup> Third; Comments to complete his concerns with the bullets. Finally, briefed the FBI on October 31, 1995, inviting only

the custodian for KSAG soullets,

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was not aware of the bullets having been given to the SBI wand second that it was not his responsibility to have provided them.

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to assist him.<sup>317</sup> The FBI left this briefing believing (AQI 2984-2985 at 84)

(u) (8/NF) The OEI Kindred Spirit Chronology makes a significant misstatement of KSAG's assessment.<sup>344</sup> Noting that this was KSAG's final meeting, the entry observes:

(SANF) A set of bullets were developed by the group that included LANL, LLNL, SNL, CIA, DIA, and NN-30.

(DOE 1868, 2041; FBI 678)<sup>349</sup> This inaccurate characterization captures

absence is curious, but may be explained by

KSAG

(DOB 3337-3339

<sup>344</sup>(8) The entry is dated September 7, 1995, the last day the KSAG met. The bullets were actually finalized on Friday morning, September 8, 1995.

<sup>319</sup>(SANF) A similar representation would be made to Deputy Secretary Charles Curtis on November 15, 1995, when he inquired about the process used to reach "the conclusion that there is sufficient evidence to deserve a conclusion that there has been an act of espionage." Deputy Secretary Curtis was told that there was "no disagreement among representatives from the three laboratories, including weapons designers who are not in the intelligence field element but cleared for intelligence information.

at 38)

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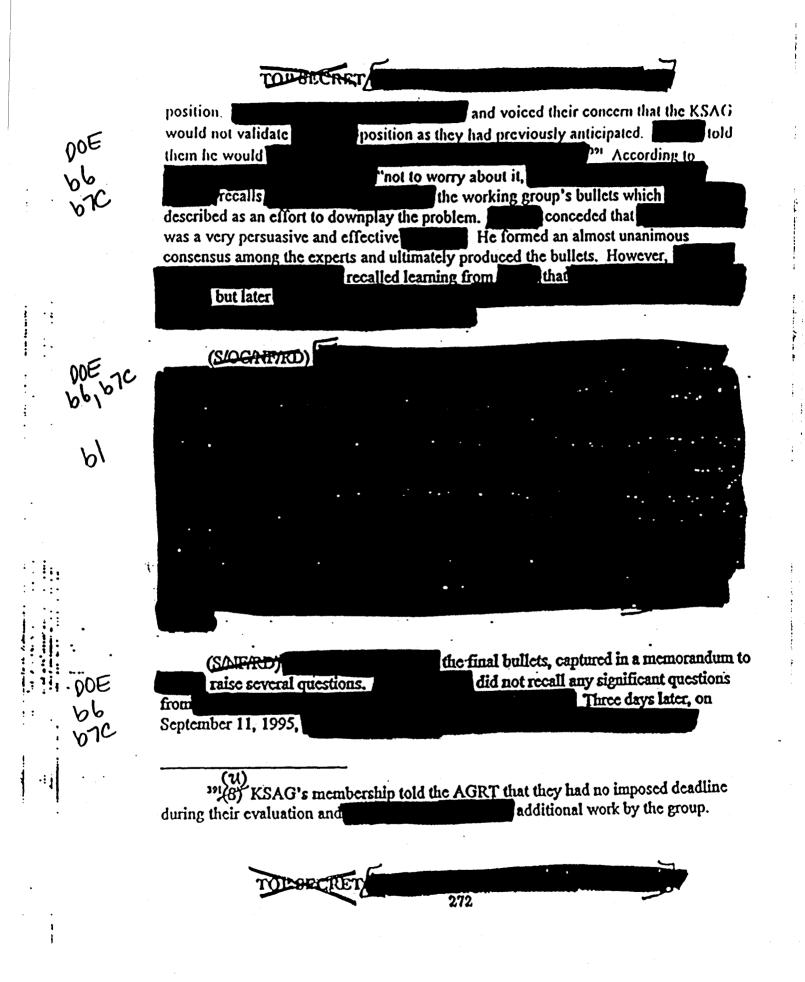
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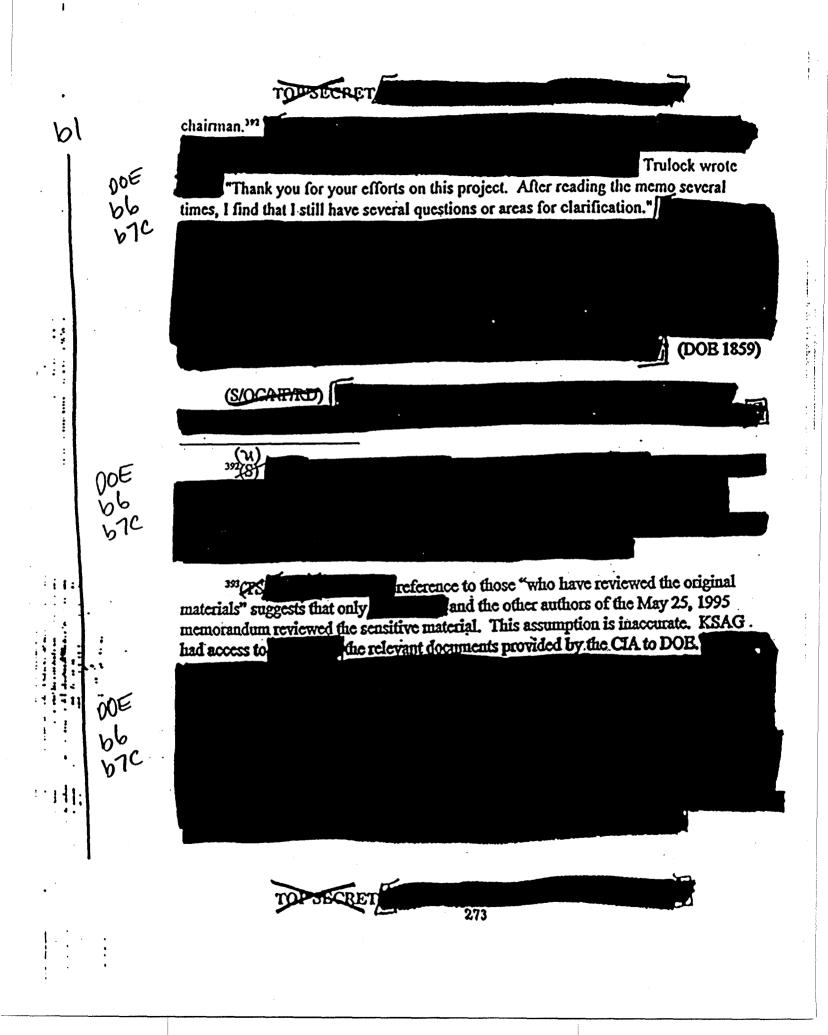
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TOPOLOUET 00É spoke with one voice in its final assessment, yet OEI fragmented that uniformity in an effort to change the message. Rather than accept KSAG's assessment, accepted judgment to the exclusion of every nuclear weapons designer who had been brought to Washington over several months to evaluate the material.<sup>390</sup> When questioned as to the clear discrepancy between the chronology's entry and the bullets themselves explained the bullets speak for themselves and conceded that this summary of the final KSAG meeting may have been influenced by The error serves to capture the OEI reaction to the KSAG bullets. NN-30 management and staff and LANL presumably refers to This completely ignores the fact that in adopting the final KSAG and that all from LANL. bullets. It further ignores that fully supported the bullets. It suggests a fragmentation among the assembled experts that simply was not present. (SARTRD) Ы told the assembled experts that when his position was vindicated, he would be the had accurately assessed the intelligence. During a break told was becoming convinced - again - in the accuracy of he was wavering. provided the FBI with this chronology on September 16, 390/SATTINUT This chronology was only provided when 1996, would later, on September 30, 1997, tell the FBI made a specific request for it. the FBI (FBI 20855-20857 at 56) 6 use of the word "split" tracks the chronology's own misstatement. The chronology clevates to a split and then adopts position to the exclusion of over a dozen nuclear design experts representing several national laboratories, including the majority

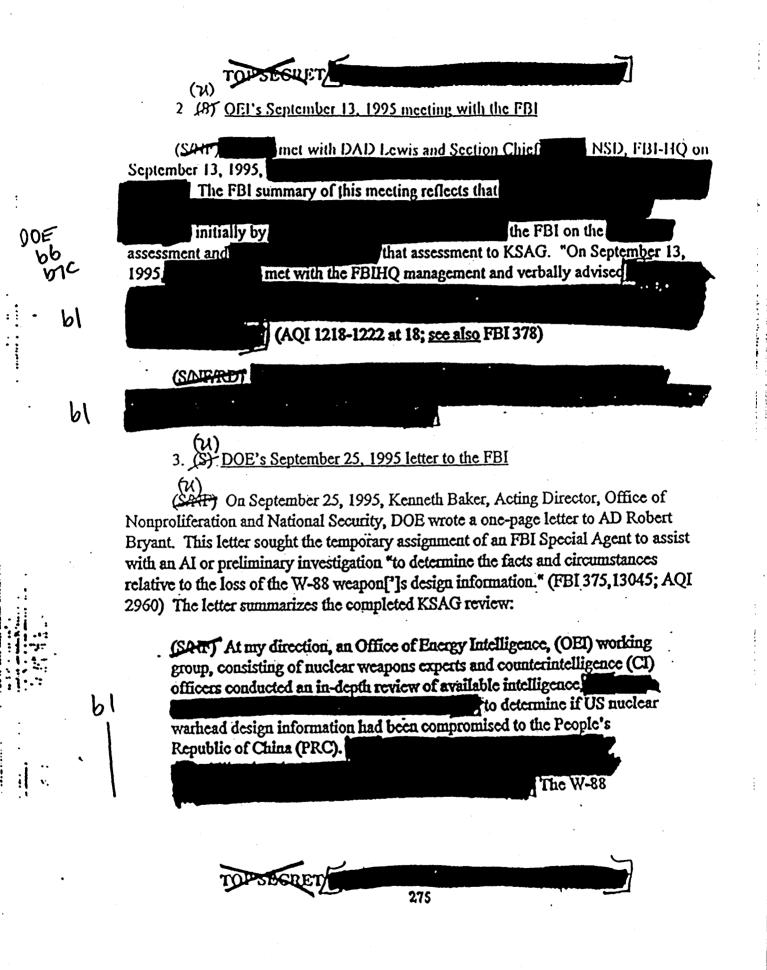
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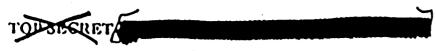
of the experts from LANL.





TUP SBERET ષ્ઠી The guestion reveals full appreciation of the KSAG assessment. 00E 66 67C • EAT 04302. six-page report expands on KSAG's bullets, but is careful to repeat each bullet recalls that report itself word-for-word. themselves, it was never circulated. concluded that KSAG's and, spoke for themselves unless the bullets, despite entire KSAG were reassembled.395 394 (CARVI (Id.) report included each bullet verbatim and distinguished his own explanation in Italics to clearly distinguish his writing from KSAG's assessment. report basically repeated the same KSAG assessment that had troubled However. initially. It was sense that "I think would like to have. • changed them." "The bullets had to stand unless the group was reassembled." SECRE 274





warhead was developed at the Los Alamos National Laboratory, Los Alamos, NM, in 1984. This design information was subsequently provided to Lawrence Livermore National Laboratory, Livermore, CA and the Pantex Plant, Amarillo, TX.

(<u>Id.</u>) (emphasis added). This letter repeats a conclusion generated by OEI, but inaccurately attributes it to KSAG.<sup>396</sup>

(SAIP/RD) KSAG, in clear and unequivocal language, had only concluded that



description of the compromise in the September 25, 1995 letter is not an accurate reflection of KSAG's findings but, rather,

(SANF) The origin of the "high probability" phrase can be traced to July 6, 1995. The phrase actually preceded the formation of KSAG. On July 6, 1995, Investigations & Special Programs, OEI, DOE, wrote

38(8) DOE's copy of this letter, in CID's Kindred Spirit case file, reflects that it was initialed to indicate their concurrence, by both September 22, 1995),

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and

(September 21, 1995). (DOE 170)

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DOE bb .b7c his preliminary briefing to the FBI on Kindred Spirit. "SSA completely supported OEI's initial requirement to conduct a Damage Assessment to determine, to the extent possible, that the Peoples' Republic of China (PRC), had obtained access to US warhead design information or that there was at least, a high probability that they had accessed said information. (S) SSA completely stated that at this point, there was insufficient evidence to warrant the initiation of an FBI full field investigation. (U)" (DOE 3487) (emphasis added). Also on July 6, 1995, Donald McIntyre, Director, CID, wrote Trulock summarizing McIntyre's conversation with Michael Waguespack, Director, National Counterintelligence (NACIC). "With regard to briefing FBI, John Lewis, he thought that it would be better to have the DOE assessment in hand showing that DOE's position was that there was a high likelihood

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added). These early conversations became a self-fulfilling prophecy. The language used in the September 25, 1995 letter is not from KSAG but that language which the FBI, in effect, told DOE it needed to see in order to trigger a full investigation.

<sup>397</sup>(SALE/OC/RD) report, provided to the FBI on May 28, 1996. "[A]n Office of Energy Intelligence (OEI) working group, consisting of nuclear weapons experts and counterintelligence (CI) officers conducted an in-depth review of available intelligence.

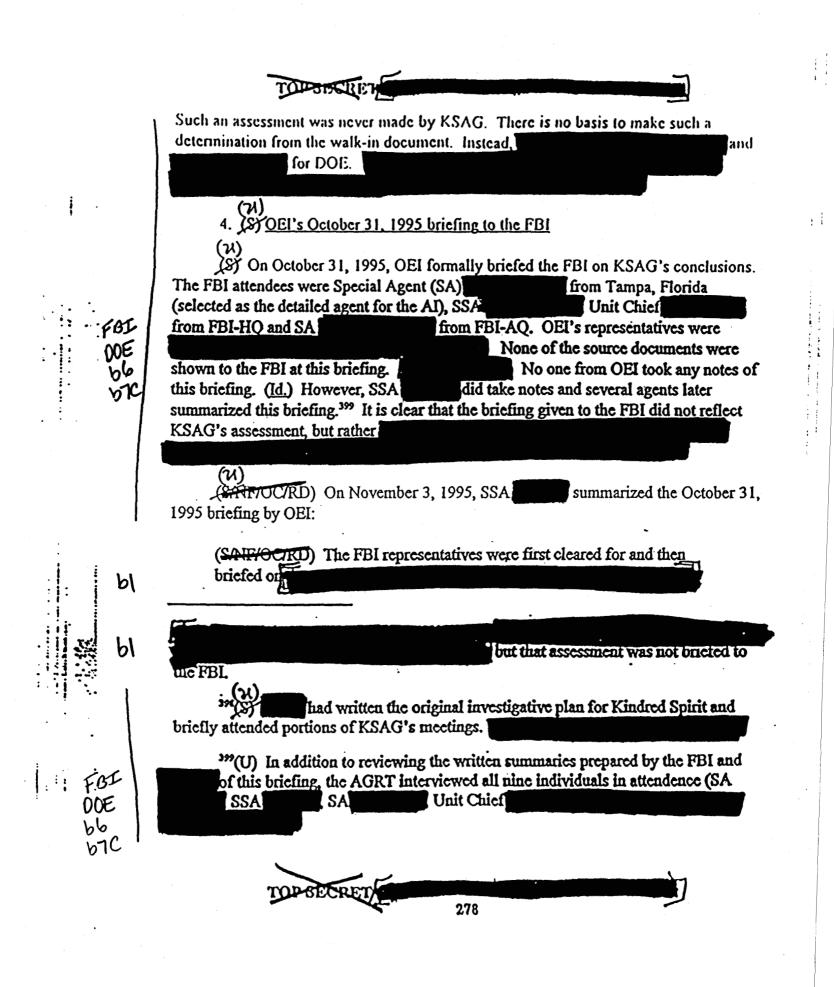
AQI 2981-2983 at 82)397

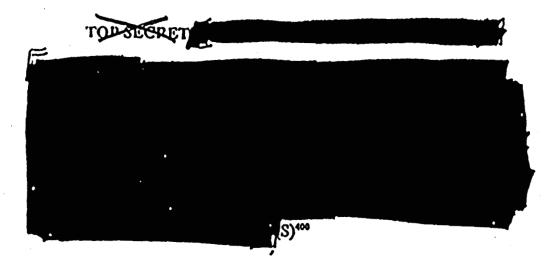
(AI at 3; FBI 527)

concluding "that during the period the People's Republic of China (PRC) may have illegally acquired detailed information concerning the W-88 thermonuclear wathead. (S)(X-1)" (AI at 2; FBI 00526) (emphasis added)

The message to the FBI was that KSAG had conclude

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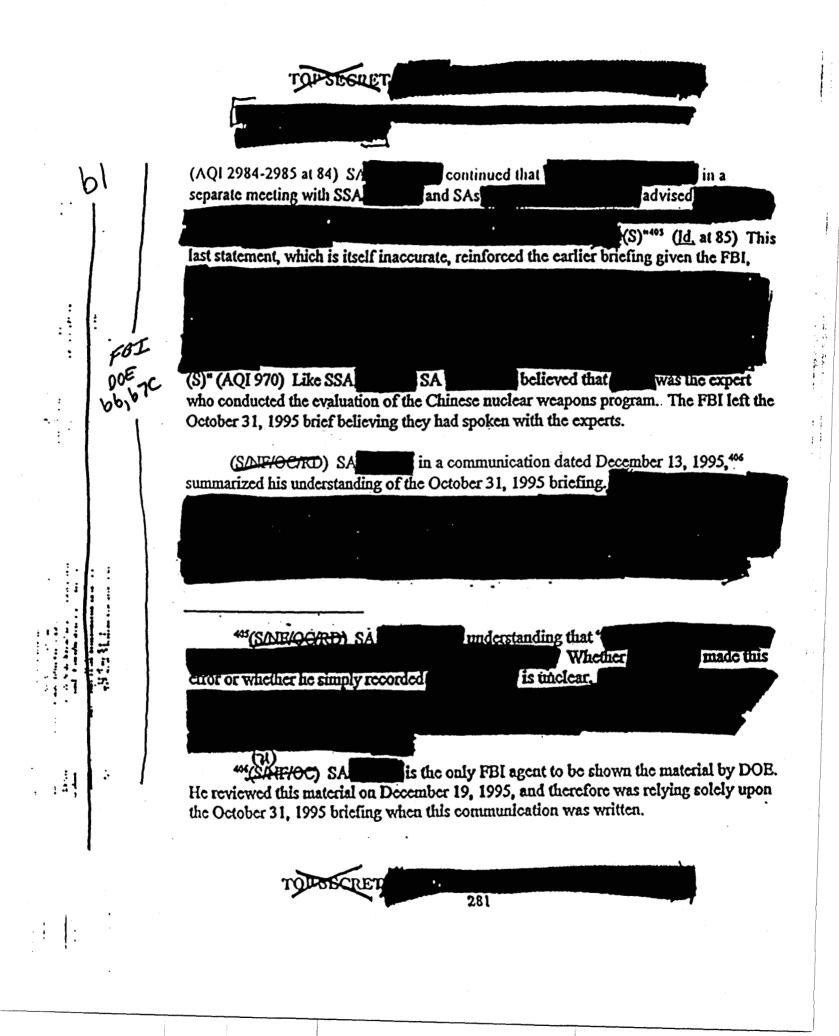
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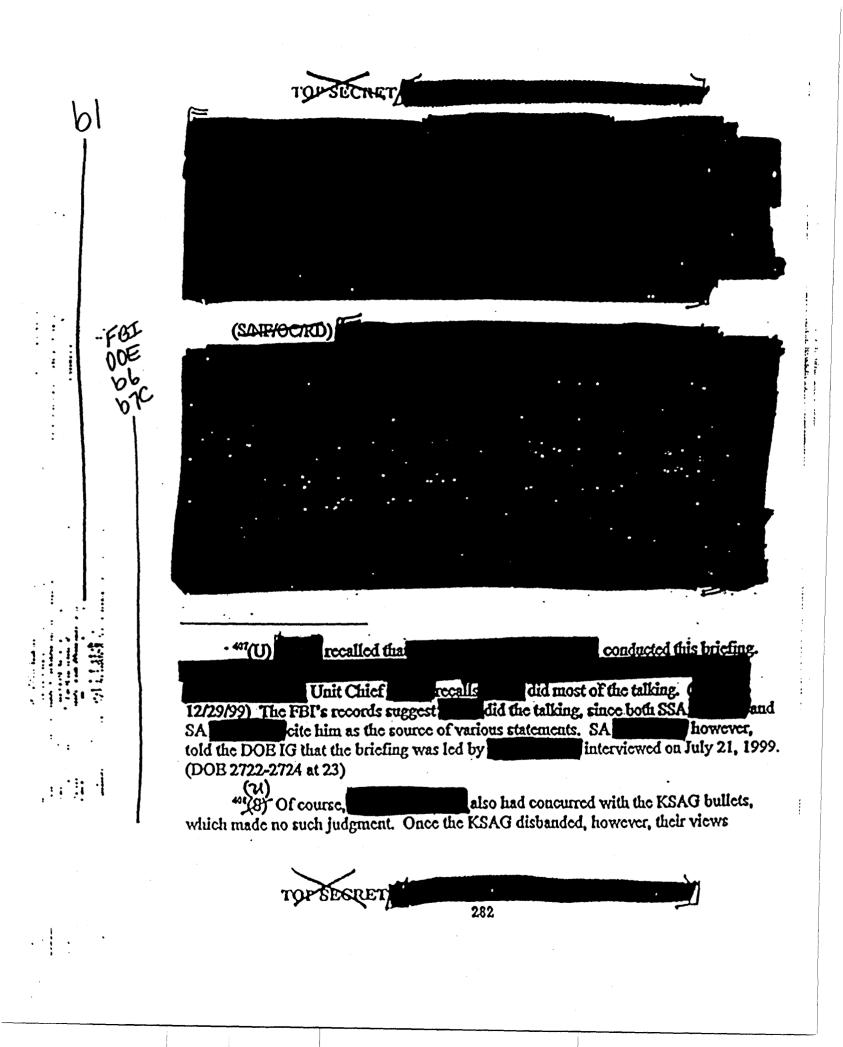
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AQI 2982.<sup>401</sup> A copy of this FBI summary was shared with DOE on November 21, 1995. (DOE 158-60) It was located in OEI's Counterintelligence Division's (CID) Kindred Spirit case file. **Manual** recalled an emphasis on the limited number of nuclear weapons tests conducted by the Chinese in contrast to the United States at this briefing. The implication drawn from this comparison was that espionage had clearly occurred.

400 By memorandum dated October 13, 1995, "coordinated and the FBI to have the appropriate clearances . . . passed to with insure SSAs and may have access to (DOE 2424) SA did not sign the bigot or access list for reporting until December 19, 1995 and SSA never saw reporting according to DOE's access lists. that \*(S) In the same memorandum, SSA identifies as the (AQI 2982) The FBI left this briding with both an inaccurate description of the predicate and an inaccurate understanding of who the experts were who conducted the evaluation. KSAG's scientists described The FBI believed were the nuclear experts. No weapons designers were present at this briefing and the FBI failed to appreciate that were only analysts.

TOPSECRET DOE 61 characterized these comments as an "extrapolation beyond what the group did."482 570 (25 : (<u>Id.</u>)  $(\mathcal{X})$ : 40h upon returning to Sante Fe, New Mexico, recorded (SATTYRD) SA **b**6 this summary of the October 31, 1995 briefing. By electronic communication (EC) dated K November 7, 1995, he noted: (SAIP/RD) Participants were briefed by who did the concerning this matter for LANL. The upshot from this briefing was 402(SAFFRD) The FBI included these representations in both their mail cover application to the Attorney General and their FISA application to OIPR. ........... (FBI 04332, 04336, 04345) :4 403(SATE) In fact, only one FBI agent ever signed DOB's bigot list for 404(728 access to : **I** Prior to 1999, no other FBI . agent has ever reviewed these documents at DOB. TOPRESE 280





(u) F. (b) OEI'S own counterintelligence section received the same inaccurate briefing on the KSAG's conclusions

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(21) (SATT) The FBI did not participate in the KSAG nor did they receive the group's written assessment of the Chinese nuclear weapons program. Instead, they received the October 31, 1995 briefing. Understanding the importance of this briefing, the FBI brought not only the detailed agent for DOE's AI, but also the assigned agent from FBI-HQ's China desk and his supervisor and even flew in the potential case agent from FBI-AQ. This briefing represented the foundation not only of the FBI's understanding of

reverted to a far more expansive perception of the compromise's scope.

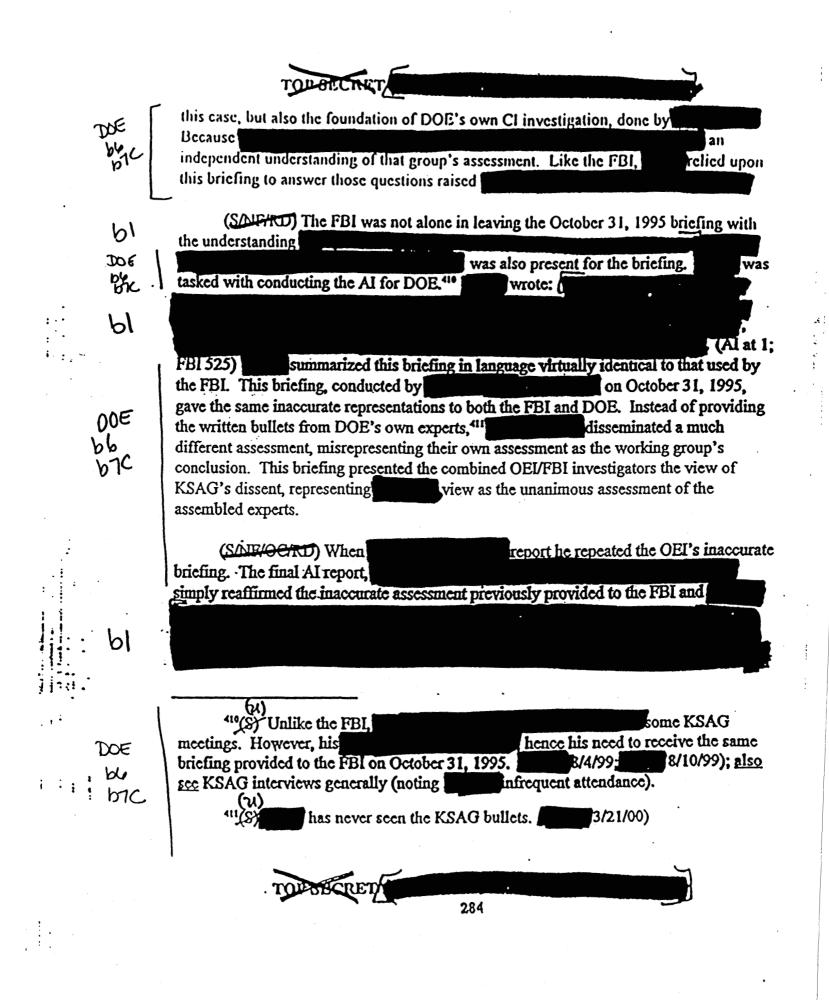
have changed their assessment of the 109(SAIF/RU) Both has adopted a position entirely consistent with compromise's scope today. KSAG's bullets, to which he frequently referred when interviewed.

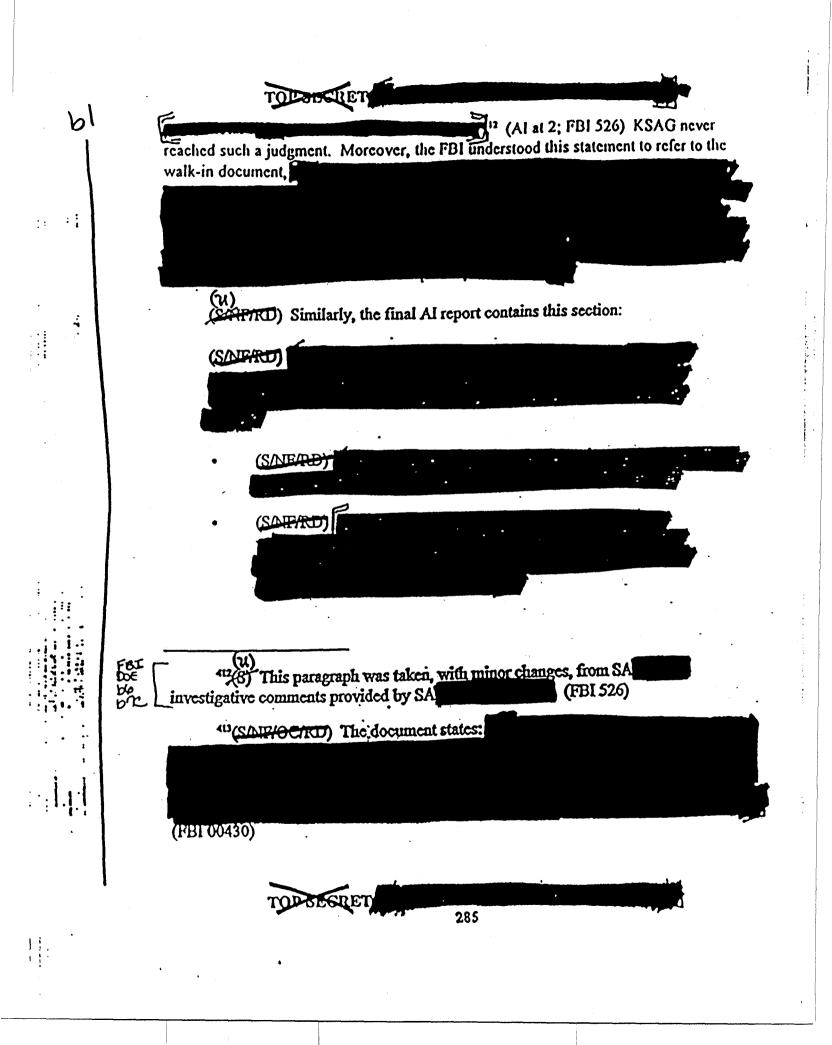
position has agreed changed more dramatically than his own since 1995, to the point where adopted an entirely different position.

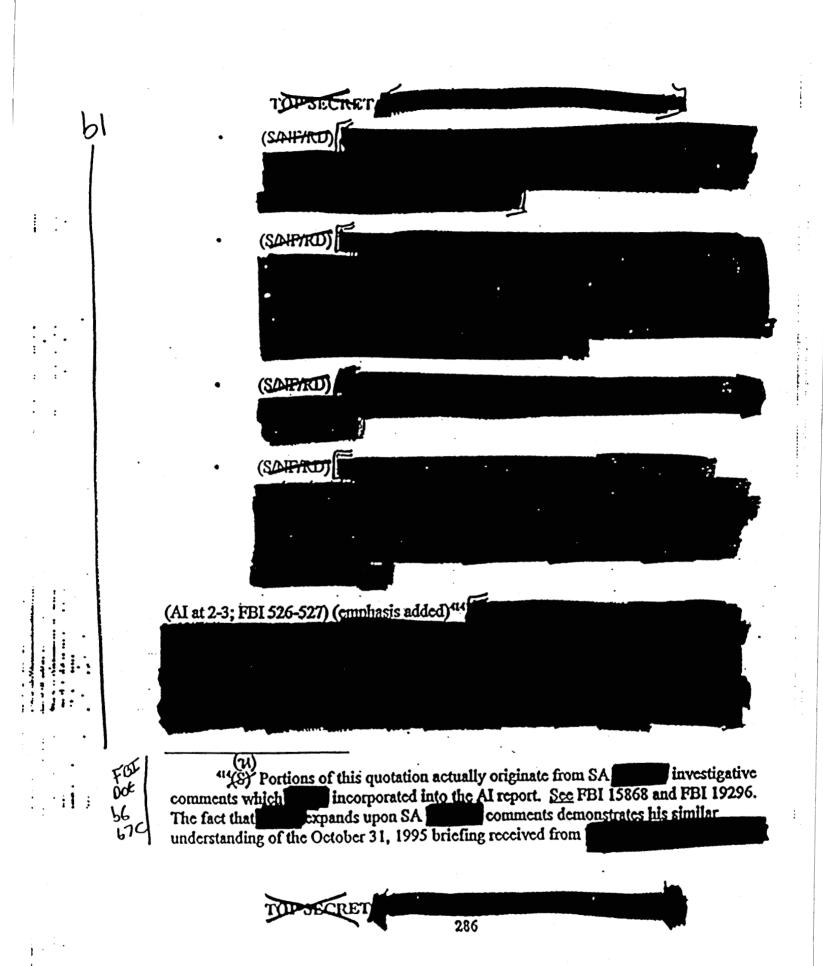
(DOB 4631) (SC-255-0025/96)

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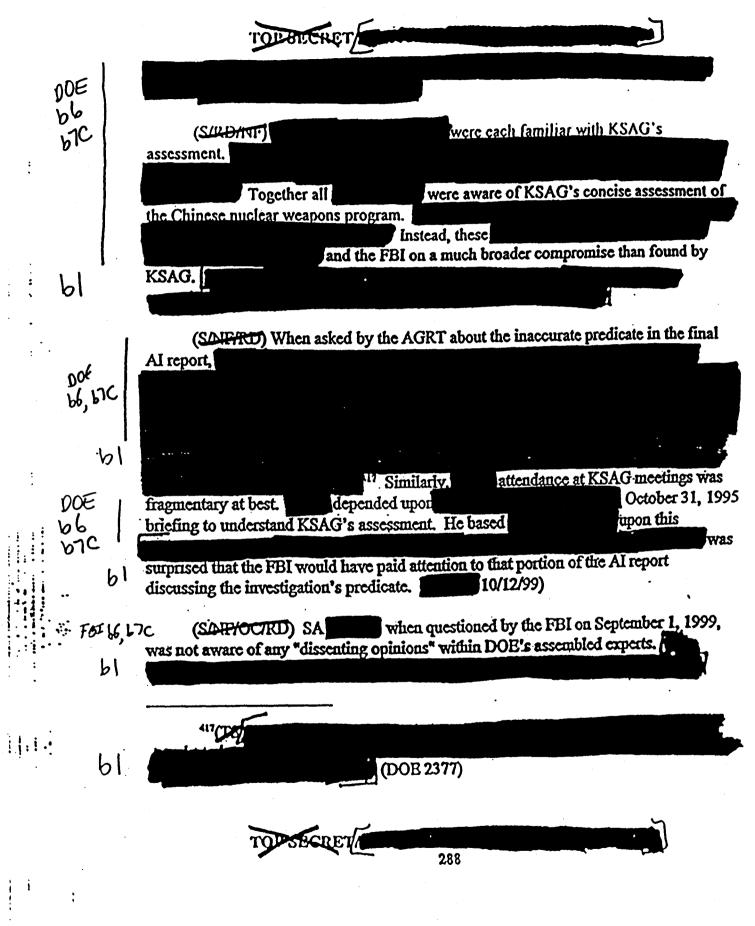
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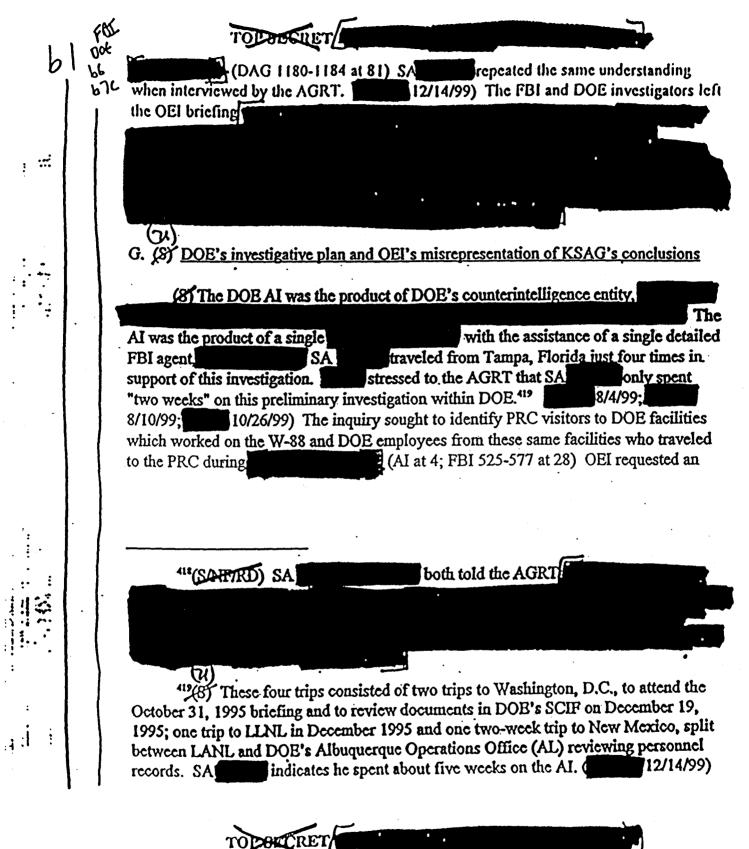






TOP SECRET/ KSAG concluded the advancement observed in the Chinese nuclear weapons program may have occurred indigenously. KSAG assessed 6 (EAT 373) who first reviewed these portions of the AI at the request of the AGRT, conceded it was "overstated" and the working group would not have agreed with it. observed that ษโ (れ) (SY and the FBI heard only assessment, elevated by OEI to represent the unanimous assessment of KSAG. This briefing, ensured that DOE itself would investigate the wrong crime during Į į their own AI. The inaccurate predicate inherent in DOE's own investigation would be relied upon by the FBI during their subsequent investigation. The error would not be recognized until 1999.416 Little, if any, oversight was exercised over September 25, 1995 letter to the FBI was the FBL Deputy Secretary Curtis, who personally briefed the CIA. concerning the FBI. (Deputy Secretary Curtis 1/24/00) records the working <sup>415</sup>(S/RD) A Kindred Spirit time line, classified by group's conclusion much differently. Ы (DOE 3466-3468 at 67) This simply was not KSAG's conclusion. "(S/RD/AIF/GC) The FBI was absolutely convinced it accurately understood the experts' assessment. The FBI submitted a summary of its own Kindred Spirit investigation as an appendix to a September 1997 CIA position paper. The FBI summary stated (FBI 12360-12390 at 61 71, 85, 90) As late as November 27, 1998, the First Annual DOE Threat Assessment Report repeated this inaccurate summary of KSAG's assessment. 11:1 61 (FBI 6503-6537 at 15) TOPSECRET 287





FBI agent be detailed in support of this preliminary investigation by letter dated September 25, 1995. (FBI 375) The final AI report was provided to the FBI on May 28, 1996.<sup>476</sup> The FBI opened a full investigation on May 30, 1996.

(SAUF/RD) developed an investigative plan for DOE Al in June 1995. This plan was shared with the FBI-HQ.<sup>421</sup> (FBI 336-337)

at 36) This well conceived plan was not followed. KSAG never assessed

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The OEI briefing, however, did provide answers to and the FBI. The OEI briefing indicated

(Id.

Although purporting to speak for KSAG, neither conclusion was reached by the working group. Relying upon this briefing, began tasking LANL and LLNL to assemble their records of PRC visitors and laboratory personnel travel records for future review.

<sup>(20</sup>(U) The final and draft AIs are very poorly written. Lacking any effective structure and utilizing horribly inexact language, both are often impossible to understand or follow. Assertions are made without explanation or apparent support. While both the draft and final AIs identify

The unfinished draft AI reviewed and approved by SA was subjected to These changes were not subsequently.

shown to SA Amazingly, the FBI never shared the final AI with SA mazingly, the FBI never shared the final AI with SA mazingly, the FBI never shared the final AI with SA mazingly, the FBI-HQ nor FBI-AQ. SA maximum assumed the draft he approved was the version provided to the FBI. The FBI assumed the version they received was the same as the one approved by SA maximum Neither assumption was correct.

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A copy of investigative plan was located in the FBI-HQ's case file

(SINE OCAND) identified five specific requirements<sup>422</sup> to enable him to pursue logical leads and narrow the inquiry. These requirements were not addressed by the working group. Instead, answers to guide the AI. These answers tracked description of the compromise's scope. For example, first requirement identified a need for a chronology tracking the development history for the compromised United States weapons design information.

requirement alone might have avoided the inaccurate assumptions made during the Al. received an incomplete oral chronology of the W-88's development. Citing - as the source of this information,

the final AI report states:

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42 (SALFOC) These requirements were written prior to the first KSAG meeting.

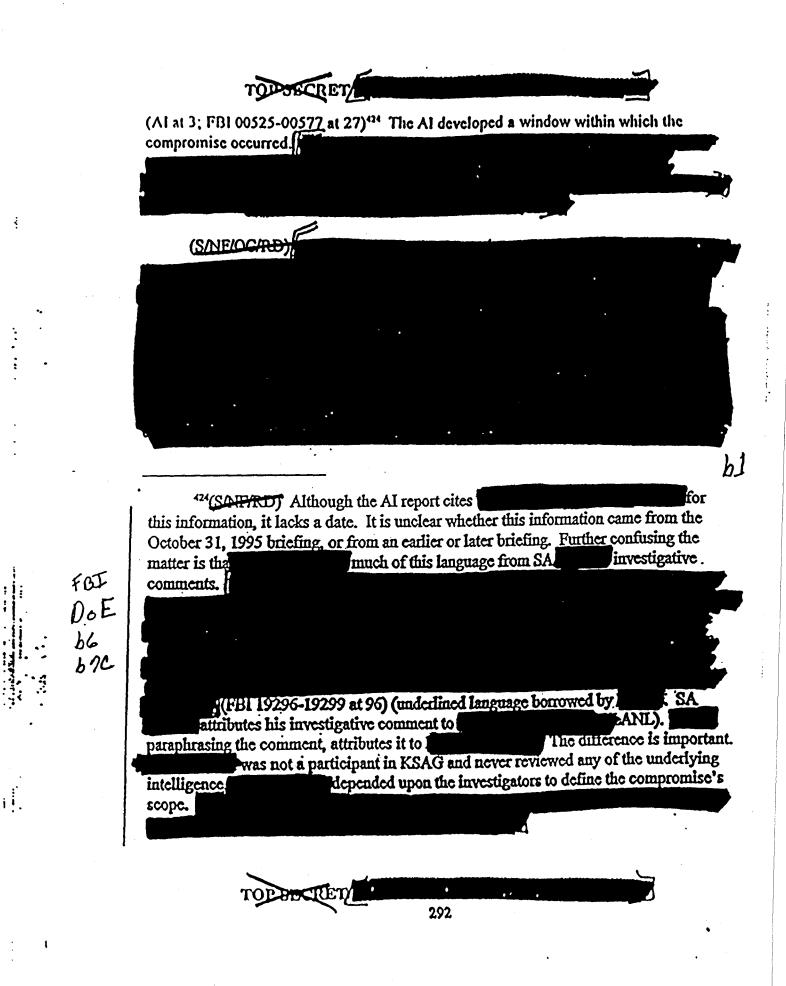
plan. In its place, several participants recall

this initial meeting, listed "Key Questions" presented by four questions are who chaired in the minutes. These

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(DOE 4272-4273 at 72)

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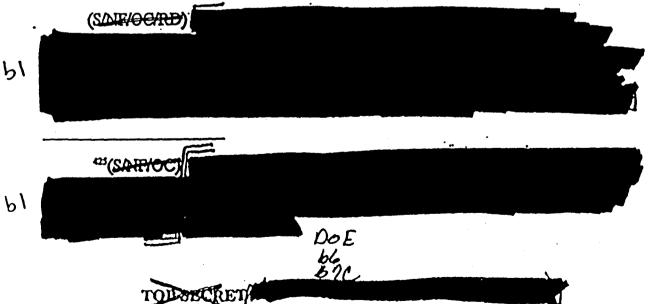
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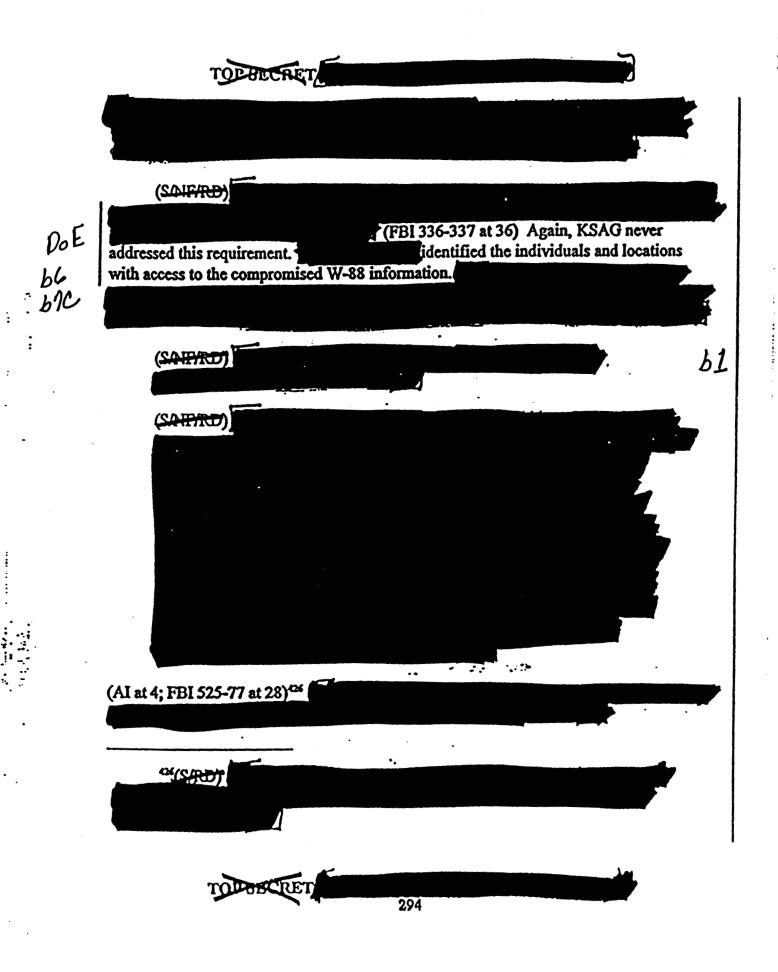
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This is an example where the walk-in document acted as a mirror, reflecting what the analysts already expected to see.



(K) (SATF) The OEI working group did not "identify the specific documents that contain the compromised data." (FBI 336-337) This failure is significant because had KSAG searched for such documents, and had the results of that search been communicated to the such documents and had the investigators would have appreciated the broad dissemination of the compromised information.<sup>425</sup>





(SANFARD) It is true that LANL was not the only DOE location mentioned in the AI, but LANL was clearly emphasized as the likely location of the compromise by the Chinese. In the final report, LANL is subdivided into individual groups and offices, while the other locations are not subdivided.<sup>427</sup> The report breaks LLNL into three divisions (A, B and W), but they are all eliminated in the final report.

entirely (Defense Program elements) or the AI simply records that no records were located.<sup>429</sup>

LANL became the focus as a direct result of how defined the scope of the compromise.

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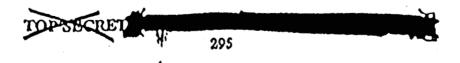
<sup>427</sup>(U) The language identifying various locations of the compromise comes from SA **Sector** investigative plan for the subsequent full investigation by **Sector** and placed in the final AI report. Although not taken verbatim, **Sector** selected portions, deleted **Dok** others and attributed the source for the information to **Sector** 

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## (AI at 35; FBI 00559)

(5) Travel Management System (FTMS), which identifies DOB Federal/Contractors travel Management System (FTMS), which identifies DOB Federal/Contractors traveling to foreign countries did not exist during the period for the period for the period in question there was no specific DOB requirement to document and permanently retain such information." (AI at 5; FBI 529) Thirty-one pages later, for the records a similar response for Rocky Flats. (AI at 36; FBI 560) Neither location is identified in the final report as requiring further investigation.



It was impression that some of KSAG's members from LANL, including thought LANL was the probable site of the compromise. Every time the discussion would move away from LANL, these members would bring it back to LANL. That focus didn't make sense to

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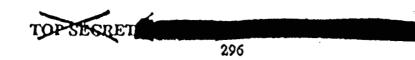
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The FBI readily accepted both this predicate and abbreviated suspect list and, until December 1998, never questioned the accuracy of the briefing or final AI report. Had the investigators been accurately briefed, they could have begun to identify the documents which were the likely source of this compromise. The current investigation, begun only recently, may be able to identify the documents which were compromised. This investigation, deferred for three years due to an inaccurate briefing, now must occur with the associated publicity and still greater passage of time. KSAG deserves recognition for rapidly evaluating the available intelligence and producing a one and one-half page assessment which has survived the test of time.



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Unfortunately, because KSAG's assessment conflicted with

it was never disseminated.<sup>430</sup> The briefing given to the investigators has not survived the test of time.

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H. (S) Missed opportunities to discover the inaccuracies in the OEI briefing

(SAH) There were a number of occasions when the investigators might have realized that the OEI briefing was inaccurate.<sup>431</sup> Five missed opportunities occurred prior to the AI's completion. The first missed opportunity occurred in August 1995, when the LANL liaison FBI agent learned of and reported to FBI-HQ the debate within KSAG. The second missed opportunity occurred when the investigators visited LLNL on December 4-7, 1995, and spoke with briefed KSAG on the particulars of and was aware of in the walkin document. The third missed opportunity was when SA reviewed the supporting intelligence for the predicate on December 19, 1995. The fourth opportunity occurred when the FBI received the walk-in document . The fifth opportunity occurred when at LANL, sought access to the walk-in document in conjunction with the investigators' visit to LANL in February 1996. During this visit, at suggestion, the investigators and future case agent were briefed by concerning the dissemination of W-88 information.

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briefing to Deputy Secretary Charles Curtis on May 17, 1996, also never left DOE. Deputy Secretary Curtis could not recall why the FBI were not at the briefing. (Deputy Secretary Curtis 1/24/00)

<sup>(3)</sup>(SOIPAD) This section should not be understood to shift responsibility from OEL, which ultimately is accountable for inaccurately briefing the investigators as to the compromise's scope.

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1. (U) Missed opportunity #1

the FBI's liaison to LANL, based in Sante Fe, New (SATT) SA Mexico, became aware of the debate within KSAG during a telephone conversation with a LANL counterintelligence officer on August 10, 1995. This source repeated information obtained from Diane Soran, deceased, who was then the supervisor of many LANL employees detailed to the OEI working group, KSAG. SA repeated this information in a communication to FBI-HQ on August 22, 1995. "Lawrence Livermore National Laboratory (LLNL) individuals (NFI) and CIA personnel (NFI) familiar with the information which initiated DOE efforts in Kindred Spirit believe it is not unreasonable for the PRC, on its own, to do what was claimed in the document in the possession of the CIA. LANL individuals involved in the DOE damage assessment do not feel this way, and want to do more assessment. LLNL and the CIA believe DOE is dealing with a non-issue, and the CIA has told this to DOE HQ." (AQI 2944-2946 at 45, AGO 191-193) The cable continues: "The issue is whether the PRC could have arrived at the information, as contained within the document in CIA possession, on its own without b 1 outside help, (Id.) The communication repeats hearsay and contains several errors. However, it does place the FBI on notice that there are conflicting opinions among the experts reviewing the intelligence. It identifies and also identifies although confusing his role

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work.432 (Id. at 46)

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ы <sup>102</sup>(S)<sup>2</sup> DOE's Office of Counterintelligence has recently noted that this cable was never provided to DOE prior to late 1999. (FBI 19224-19233)

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(N) (SANF) SA **Control** followed his August 22, 1995 cable with another dated October 10, 1995. This second communication again relied upon the LANL counterintelligence officer repeating information learned from Soran.<sup>43</sup> Written a month after KSAG had provided its written assessment **Control** it states that:

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1. (SATF) The damage assessment report is complete, and somewhat of a consensus was reached. The report was provided to

2. (ATTF) The bottom line is the PRC possibly could have come up with the information in question without help, but such possibility is not probable.

3. (SATF) If information were provided to the PRC, the time period is such that a leak cannot be limited to any particular laboratory or organization.

Oct (AOI 2964-2965 at 65) Soran revealed that the KSAG report was provided W W , although no specific

individual is identified and this cannot be verified.

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(W) (SANF) Thus, by October 10, 1995, the FBI had in its files, at both Headquarters and in the field, communications raising a number of very important leads. They identified a "damage assessment report" that was never given to the FBI; provided the names of two prominent weapons designers who participated in KSAG; identified the wide dissemination of the leaked information ("the time period is such that a leak cannot be limited to any particular laboratory or organization"); suggested the CIA and LLNL did not agree with DOB HQ or LANL and suggested that the PRC might have accomplished their achievements indigenously. Had these leads been pursued by the FBI, the problems identified in this report could have been avoided.

<sup>(1)</sup>(U) Unfortunately, because Soran is deceased, we are unable to determine the source of her information. Soran related these facts to the source of her information. It was to keep him appraised of the progress in DOE's evaluation of the intelligence in Washington.

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2. (U) Missed opportunity //2

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(u) (8) The second missed opportunity occurred at LLNL. During the AI, the investigators made trips to LLNL and LANL to review PRC visitor records, employee travel records and to identify employees with access to the W-88 design. The week of December 4, 1995, DEI/CID) and SA (FBI) met with b6,bX at LLNL to begin this process. The investigators identified records they wanted assembled for their review during a later trip<sup>434</sup> and generally discussed their investigative plan. (DAG 808)

LLNL, where he has been employed He is a expertise in weapons design and tor testing.433

434(8) would make this return trip on April 9 to 18, 1996, without SA who had been given a new assignment by FBI-HQ ad decided against would return and made the trip 005 delaying the trip to LLNL until June when SA alone. On April 9, 1996, interviewed to obtain the "salient information" captured in the AI. See AI at 18, FBI 00542.

61 435(SATF) While investigating utilize

(AI at 39)

case.

prior to their retirement from the FBL, assess the scientific information in the

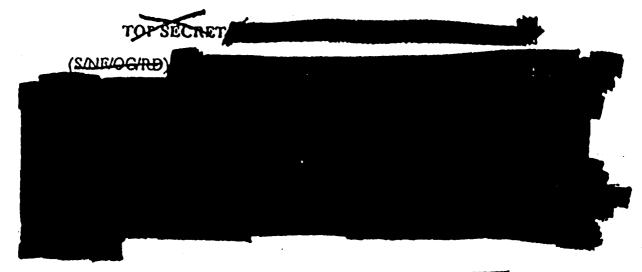
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upon retiring from the FBI and assuming counterintelligence responsibilities at LLNL, brought into the office to assist them with both the science and institutional history. This association reflects the effective utilization by of a scientist to guide and inform an investigation at a national laboratory. There would not be any parallel in the Wen Ho Lee investigation at LANL. This vacuum impacted the FBI investigation of Wen Ho Lee in a number of significant ways, including explaining LANL's computer system, questioning the assumptions associated with the predicate, and identifying other scientists who could assist the investigation.

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<sup>436</sup>(U) This review occurred in early August 1995. (FBI 00678)

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(74) The scope of this search was problematic since the point only reviewed a single vault in the "A" Division at LLNL. There are numerous other vaults at LLNL with a variety of W-88 documents. When interviewed the setimated there would be over a hundred thousand documents in LLNL's vaults. He alone examined one vault and never represented to the search, which he conducted in the vault he thought He was asked to conduct a discreet search, which he conducted in the vault he thought most likely to have the material.

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TODSECRET Ь١ (Al at 35; FBI 559) This was the only time a scientist who had seen the walk-in document and not associated with Trulock's staff, was interviewed during the AI. It underscores the 006 importance of accurately briefing the investigators initially, because security concerns FBY combined with the discreet approach adopted during the AI severely limited the 6,670 would.identify the flawed predicate. possibility that and SA 3. (U) Missed opportunity #3 (SAHAD) The third missed opportunity to identify the inaccurate OEI briefing returned to Washington to get a DOB badge to allow access to occurred when SA DOE facilities. While in Washington, SA to personally review the underlying intelligence reporting SA a former FBI-HQ Unit Chief managing the program, was an experienced agent well with extensive experience in suited for the particular concerns present in this investigation. SA made no notes of his review of this material and when initially interviewed by the AGRT, had forgotten his return trip to Washington just before Christmas to review the supporting intelligence. memorandum to Trulock, dated did recall the trip when shown SA' December 19, 1995, which stated "[o]n December 19, 1995, SSA visited NN-30 and reviewed the appropriate [intelligence] data salient to this inquiry. (DAG 809) 12/14/99) review of the supporting intelligence included (SAIF/OCT SA There is no record of any additional material he reviewed on December 19, 1995. TOPSECRET 302

TOP SECRET, This review had no appreciable impact on his understanding of the compromise's scope. When questioned about in the walk-in document, SA had no recall of seeing the SA explained that he accepted the OEI briefing s exclusive focus on the W-88. He could not explain why the because he could not, when interviewed,

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recall any discussion of them. (1/26/99; 1/26/99; 1/2/14/99) The intelligence, read alone, made little sense to SA the saw nothing within the document that he felt could meaningfully contribute to the AI investigation or suggest additional leads.

## (SANF/OC/RD)

FIF SALE was certain he never reviewed the KSAG bullets. When shown the two-page b6, b% document, SA guickly understood the impact of KSAG's inability to eliminate indigenous development. His own investigative comments, written several months later, identified this as a major outstanding issue.

(FBI 2853) SA

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review of the supporting intelligence

DOE's version was received prior to formal dissemination by the CIA,

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represented the FBI's only access to the raw materials in this investigation.

written bullets.

4. (U) Missed opportunity #4

(SAIE/OC/RD) The fourth missed opportunity during the AI occurred when the FBI received a copy of the walk-in document.

The FBI never received access to KSAG's

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conceded as much from his own review of the document. Nevertheless, the FBI uncritically accepted explained that the FBI presumed that DOE had the appropriate expertise, not readily available anywhere else in the country, to assess the implications of this intelligence. The

FBI was no more prepared to go behind the predicate for this investigation

(SAIF/OC/RD) It was a grave mistake for the FBI not to insist upon a detailed explanation of the underlying intelligence for such an important FCI investigation.

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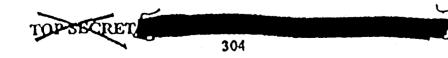
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<sup>®</sup> Nevertheless, despite little prior experience working FCI cases with OEI, the FBI was prepared to accept the OEI evaluation of the intelligence and was not about to test that assessment. This failure to insist upon a complete understanding of the investigation's predicate at its inception cost the FBI years while they pursued an inaccurate predicate. More importantly, it cost the FBI the opportunity to investigate this crime without the publicity that is now irrevocably associated with this matter. This impact cannot be undone regardless of the resources devoted to the case today.

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believes he saw a copy of the walk-in document before its **HTSSA** official dissemination to the FBI, but could provide no further information. 12/15/99)



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5. (U) Missed opportunity IIS

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(W) (SAMF) The fifth missed opportunity to understand the inaccuracies in OEI's briefing occurred when the investigators visited LANL in February 1996. Was concerned that the investigators were not aware of the broad dissemination of data that occurred during a warhead's development in Phase III.<sup>440</sup> Control Suggested that the investigators speak with the investigators of W-88 warhead design information. Who had previously worked with was generally familiar with both the W-88 and LANL's archives. On February 14, 1996, discussed Phase III for the W-88 and roughly outlined the possible locations which would have design information.

nor was he briefed by any member of KSAG as to the group's assessment of the Chinese compromise.

briefing, the investigators met with (SAFFOC) Prior to (FBI Sante Fe) on February and SA notes of this meeting reflect the discussion included the walk-in 13, 1996. SA document. 61 cought the OEI's permission to use the walk-in document (FBI 15869) ceport could be discussed at this meeting. (FBI 677) f and the talked to t LANL tomorrow. with do not need to read the report, but it is alright conclusion was that to discuss the necessary information.").41 for

(1) 40(6) There were seven phases in a warhead's development prior to the nuclear weapons test ban. These phases began with competitive design concepts by LLNL and LANL to fulfill an articulated need from the Department of Defense and ended with deactivation of a warhead. Phase III represented the point at which the winning concept had been selected and tested and was moving to development. It is the point at which numerous contractors begin to see a warhead's design. (11/10/99)

## 41 (SALFOCT Had

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would have been acting in full accordance with the CIA's imposed restrictions on the

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70¥ TOPSESRET DOE (SALEARD) had not reviewed the underlying intelligence. 66 bic of course, had, but his statements at this meeting tracked the October 31, 1995 brieling. FBI 15869 61 (SIOCANF/RD) After th SA. and 5A The information meeting, and SA interviewed however, was only as reliable as the guidance he received provided to concerning the scope of the compromise. Had received a clear and comprehensive understanding of the contents of the walk-in document he could have - at this early date - identified to the AI's investigators those locations where this limited information would have been disseminated. The inaccuracies of OEI's briefing could relied upon the investigators' description have been short-lived. Instead of the Chinese compromise. AI at 5; FBI 529) handling of this intelligence. In a cover letter from Deputy Director for Operations, these restrictions were identified. "No copies of this report may be provided to any organization located outside of the Washington area. The contents of the report ... may not be discussed with members of the Department of Energy's national laboratories." (FBI 00418) On June 19, 1996, after the AI report's release, to review the walk-in document in Washington. later briefed LANL Director Hecker on his own assessment of the walk-in document. (FBI 00675) (71) FOT LANL, and notes reflect both 42 SY SA SNL, as individuals familiar with the W-88's background. Neither were ever DoE Interviewed by the FBI prior to 1999, despite SA presence at this meeting. *b*, when finally interviewed last year, dramatically Both br altered the FBI's understanding of the compromise's scope. PSECRET 305

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His response would have been markedly

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different had the

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did discuss with the investigators the broad dissemination of W-88 information. notes from the investigators the broad dissemination of W-88 information. and test phase, 5-6 years proceed. There is a large number of people have access to development. There is also the engineering group. At these stages the documents would be voluminous." (1997) This revelation never made it to any version of the AI report.

(S/RD) Moreover, the firmly believed SNL to be within the possible venues where a compromise may have occurred, regardless of how the compromise's scope was defined. He recalls making that statement during his briefing to the investigators in 1996. SNL would have access to all the design information as they weaponized the W-88 and would have become a repository for nuclear weapon data afterwards. SNL is one of the choke points that would be expected to have all the

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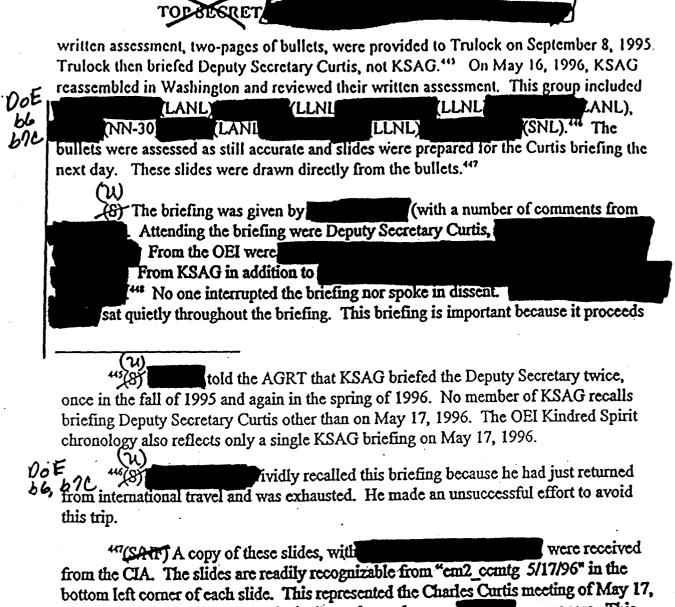
TOPOSCIET FOL This recollection, however, conflicts DOE relevant design material. notes state "Sandia notes of that briefing. SA with SA and h6 hotes state: "Sandia does not get specifics data." (questionable)." (FBI 15870) he written interview states: was asked which other 406) SA US Government agencies, facilities, or contractors would have had access to information He said that, in about the W-88 during the time period addition) (FBI 2852)' Regardless of the conflicting **b**1 recollections from this interview, the fact is that the draft AI report identified SNL as a fentified each possible location where the compromise might have occurred. location as possessing information on the W-88, including DOE HQ, DOE Albuquerque Operations Office (AL), LLNL, SNL and Rocky Flats, in his signed AI report. However, to the FBI. Compare DOE 71 with FBI 531. recalls the investigators' interest in the design history of the (SAD) W-88, particularly the dates when each design change was made. He was unable to did not have access to such information provide this type of information. and is certain he did not attempt to provide it to the investigators.444 about his briefing nor did they provide any never spoke information to him. L. (U) KSAG's briefing of Deputy Secretary Charles Curtis on May 17, 1996 (น) AFIn May 1996, Deputy Secretary Charles Curtis asked to be personally briefed by DOE's experts. KSAG had not previously briefed the Deputy Secretary. KSAG's (2) to follow up on any of these "[8] SA never spoke to to locate documents or generate lists of individuals issues nor did he ask cannot recall SA who worked on any particular part of the weapon. ever contacting him with any question related to the W-88. He simply was not utilized as a resource by the FBI, despite his involvement in the AI. **ECRET** 308

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<sup>47</sup>(SATF) A copy of these slides, with from the CIA. The slides are readily recognizable from "em2\_ccmtg 5/17/96" in the bottom left corner of each slide. This represented the Charles Curtis meeting of May 17, 1996. One slide, entitled "Conclusion" was located among and the own papers. This slide states that "- Compromise of the conclusion" was located among the own papers. This the PRC's strategic nuclear modernization efforts" and "- This technology enables earlier development of road mobile missiles to target the U.S." 1996.00225.

Do E (21) bb 67C (28) respective laboratories. They were satisfied in the continued validity of the bullets and with the slides' accuracy.

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00k DOE's final AI report by just eleven days. The final AI report that became the foundation of the FBI's subsequent FCI investigation reflected 676 It did not reflect the KSAG's conclusions or the

message communicated to Deputy Secretary Curtis.

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(SAHARD) There is unanimous agreement among those interviewed by the AGRT that the Deputy Secretary Curtis briefing accurately summarized KSAG's assessment of the Chinese nuclear weapons program, an assessment that tracked the bullets prepared on September 8, 1995. The May 17, 1996 briefing was organized around a series of twelve slides. The slides are entitled

(Id.)

never been prosecuted for this compromise.

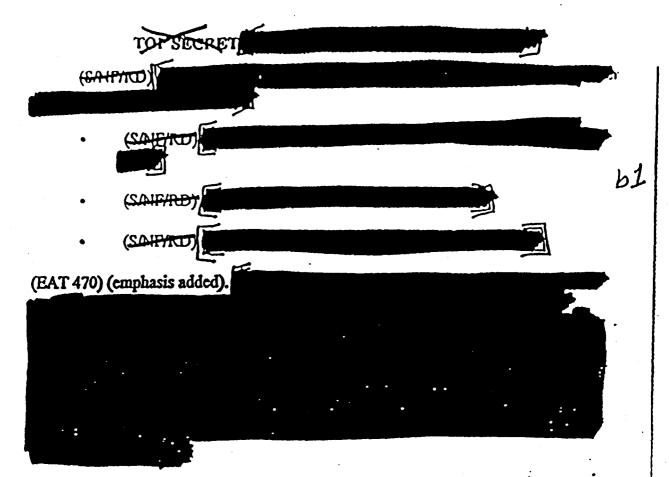
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(N) (8) This correctly represents KSAG's assessment in 1995. Recently this date appears to have been reached in error according to ongoing reviews within DOE. 12/17/99) DOE 66, 692

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(SMF) Unfortunately, the Deputy Secretary's KSAG briefing included only attendees from DOE. The immediate result of this briefing was that the Deputy Secretary of DOE was accurately briefed on KSAG's assessment of the intelligence. This accurate briefing, however, never left DOE, just as the briefing briefing on September 8, 1995 was never communicated outside DOE. At the conclusion of the briefing, Deputy Secretary Curtis tasked Trulock to ensure the FBI were notified and given whatever assistance they required in their investigation.

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told the Deputy Secretary that but for the walk-in document, DOB would not have known of the compromise.

AQI 980. Some described this meeting as DOE vetting within Washington. This meeting has permitted further dissemination of the Deputy Secretary becoming aware that there was also been described as arising due to the Deputy Secretary becoming aware that there was not uniform support within the labs for the Deputy Secretary becoming because he wanted to hear the Deputy Secretary Curtis recalled asking for this briefing because he wanted to hear the scientist's assessment personally.<sup>432</sup> (Curtis 1/14/00)

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of Charles Curtis." (FBI 5336)

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(8) Ministry described the KSAG briefing to the Deputy Secretary in a memorandum to Secretary Richardson dated February 1, 1999. According to Deputy Secretary Curtis requested a detailed, step-by-step review of the intelligence, the analytic conclusions, and key judgments and that review was led by two highly respected Laboratory scientists, presumably referring to Deputy Secretary Curtis was sufficiently satisfied with the results of the review to direct OEI to proceed with briefings for the Assistant National Security Advisor, DCI, Chairman, Joint Chiefs of Staff, and others. (FBI 5334-5339 at 35) This description

remained silent in front of the scientists and Deputy Secretary.

(5)<sup>432</sup>(24)(F) Deputy Secretary Curtis recalled always hearing what he called "a buzz" about disagreements within the national laboratories on various matters. Such disagreement was not unique to this evaluation and was not atypical to any review conducted by multi-lab panels. When asked whether questions

Secretary said it did not. The Deputy Secretary was aware of the DCI's skepticism with the walk-in document in late 1995 when they discussed was a response to a request briefing. (Curtis 1/14/00) was a response to a request from the Deputy Secretary to afford him the opportunity to discuss questions directly with the weapon designers who had served on the [KSAG] chaired by (DOE 4386) to Secretary Richardson that "the broader study group was reconvened in 1996 to revalidate the results at the request

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seems to suggest that this May 17, 1996 briefing was principally conducted to ensure that 66,6× DOE's credibility was not damaged by within Washington.

(SAIP/ICD) Whatever motivated this briefing, its lesson never left the Forrestal Building. No formal report resulted, no letter was sent to the FBI, nor were there any meetings between the Deputy Secretary and the FBI. Instead,

Eleven days later

the final AI report was transmitted to the FBI

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ない J. (SAVF) The reexamination of the predicate in light of the CIA's withdrawal of the walk-in document.



(SAIP/OC)

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TOPSECRET 00F " (FBI 489) (FBI 485-488 at 86)) (Id. at 87). SSA explained that although he was alerted to the issue by the CIA, he deferred action until the CIA and DOE completed their review of the predicate. 12/15/99) (Id. at 88). ; 1 (SAIP/OC) On July 29, 1996, the CIA formally issued a communication alerting the earlier recipients of the walk-in document of the CIA's intention to 453 (SATF) In stark contrast with the late dissemination to the FBI of the walk-in 61 document, the CIA is to be commended for the rapid transmission of this information to note, dated May 16. 1996 states: FOI . the FBL .SSA 6,670 ..... 454 (SAIFAD) DOF 1. .66 670 TOPOECRET 314

FOC) After receiving the CIA's **SSA** ordered FBI-AQ to suspend the full investigation on Wen Ho Lee pending DOE's reexamination FBI-AQ, dated July 31, 1996, SSA of the predicate. In a note to SSA wrote

<sup>66</sup> (Id, at 5)

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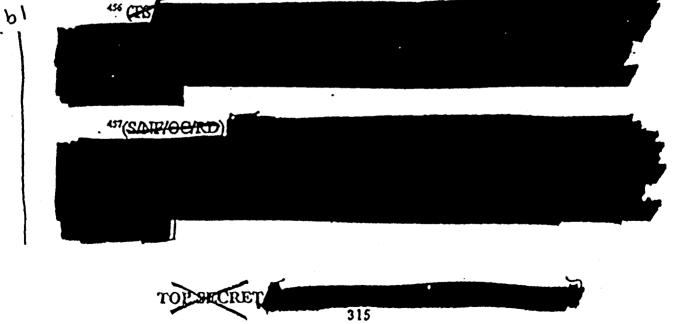
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This DOE conclusion was a major basis for above full FCL AQ should temporarily suspend investigative activity until DOE HQ and FBI HQ can sort out this new information. (S)"457 (AQI 992) SSA suspended the full investigation pending DOE's revalidation of the underlying predicate and a review of the matter by OIPR.

 $(\mathbf{r})$ (ATTHOC) This reexamination of the walk-in document by OEI was limited to a b6, 67 c small group including Recently wrote Secretary

> 455 (CITIT) See FBI 11638 to FBI 11644. The FBI, apparently accepting the CIA's warning, did not seek prior to 1999 to question this source for additional leads relevant to the Kindred Spirit investigation.



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reference to the OEI's reexamination of the predicate subsequent to the CIA's alert.

(FBI 5334-39) In an apparent

(Id, at 36)

(SAIF/OC) On August 19, 1996, OEI met with the FBI to reaffirm the predicate and provide a letter from the to Section Chief Jerry Doyle, FBI, reaffirming the OEI analysis of the Chinese nuclear weapons program despite the CIA recall/reissue cable. In attendance at this meeting were Chief The Mand Section Chief Doyle. (FBI 662; see also FBI 11725) The OEI Kindred Spirit chronology identifies and as among the attendees, but omits (FBI 675)

We have discussed this judgment with representatives from the respective CIA offices responsible for dissemination of this information and they do not disagree with this assessment.<sup>458</sup> (FBI 668)

investigation. (AQI 1008-1011) ("DOE stands by their original conclusion").

<sup>431</sup>(SAHFOC) Although OEI restricted the number involved in reexamining the walk-in intelligence in light of the CIA's warning, no member of KSAG disagreed with the outcome when interviewed by the AGRT.

The compromise assessed by KSAG in September 1995 remained valid in August 1996 and remains true today. The AGRT will not add to what is already an extensive list of proffered motivations for this behavior (ranging from an inadvertent mistake to testing for a reaction from the United States in an effort to validate particular information in the document).

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K (U) The FBI's inadequate review of the investigation's predicate

(SOIPAD) The FBI understood the OEI assessment to be

After receiving DOE's AI report and opening a full investigation on the Lees, the FBI set a lead to formally record the predicate for this full investigation. This lead resulted in FD-302s recording the interviews of interview included a discussion of the broad dissemination of the compromised information as well as unique design features of the W-88 that the intelligence never demonstrated were compromised. **Mathematical States 19**, 302 attaches the OEI Kindred Spirit chronology which suggests a split within KSAG (whose membership is identified) among the labs and CIA. These interviews did not cause the FBI to question the accuracy of the DOE assessment. Like SA **1995** communications to FBI-HQ, these 302s remained in the case files at FBI-HQ and FBI-AQ without any impact upon the course of this investigation.

(SAHPAD) A conference call between SSA SSA and SA bn June 10, 1996, discussed what immediate steps needed to be taken in this case. SA noted It was requested that this lead be coordinated through of DOE.<sup>#459</sup> (AQI 954-56 at 55) On July 2, 1996, there

was a meeting at FBI-AQ attended by Section Chief and SSA (ASAC), 
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<sup>43</sup>(U) SA the recalls was helpful getting the agents into the Forrestal Building and guiding them once inside. He was not aware that AI. [1/18/00]

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(AQI 957-960 at 59) SSA, and a dentified a series of leads he wanted set at the outset of this investigation. (AQI 957) SSA dentified even told AQ that these leads should be covered in FD-302 format reports shared with Headquarters as opposed to ECs. 12/15/99) Among the listed leads for the field was a "lead for WMFO

handwritten notes, FBI 582) In the EC sent to FBI-HQ to record this meeting, SA wrote "SSA and the also requested a lead be set for WMFO to have the DOE scientist interviewed who did the intelligence analysis. (S)"<sup>461</sup> (AQI 958)

(SAHFRD) On July 23, 1996, SA **Sector Set** the lead to the WMFO. The EC, copied to SSA **Sector** captures several pages of background on the working group's conclusions taken from the final AI report. Among this background material is language lifted verbatim from DOE's final AI report misrepresenting the working group's conclusion.

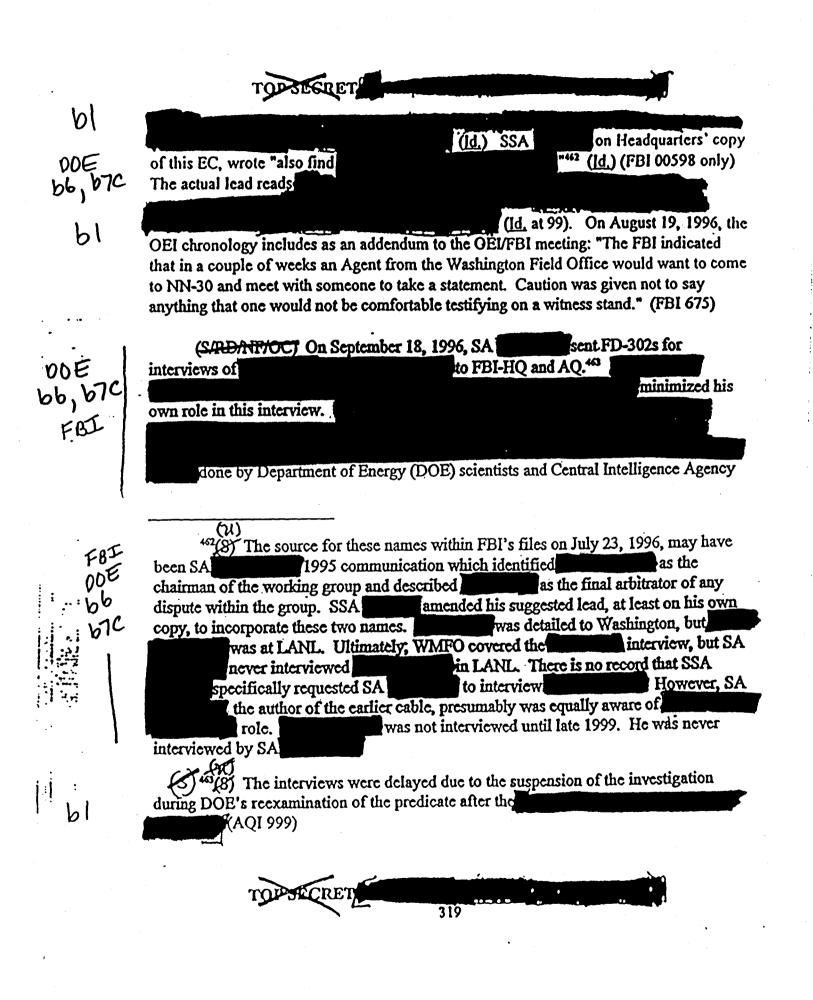
<sup>460</sup>(U) SA more spoke directly with SSA more but recalls receiving a tenpage pamphlet on fission/fusion as background before the interviews. **1118/00**)

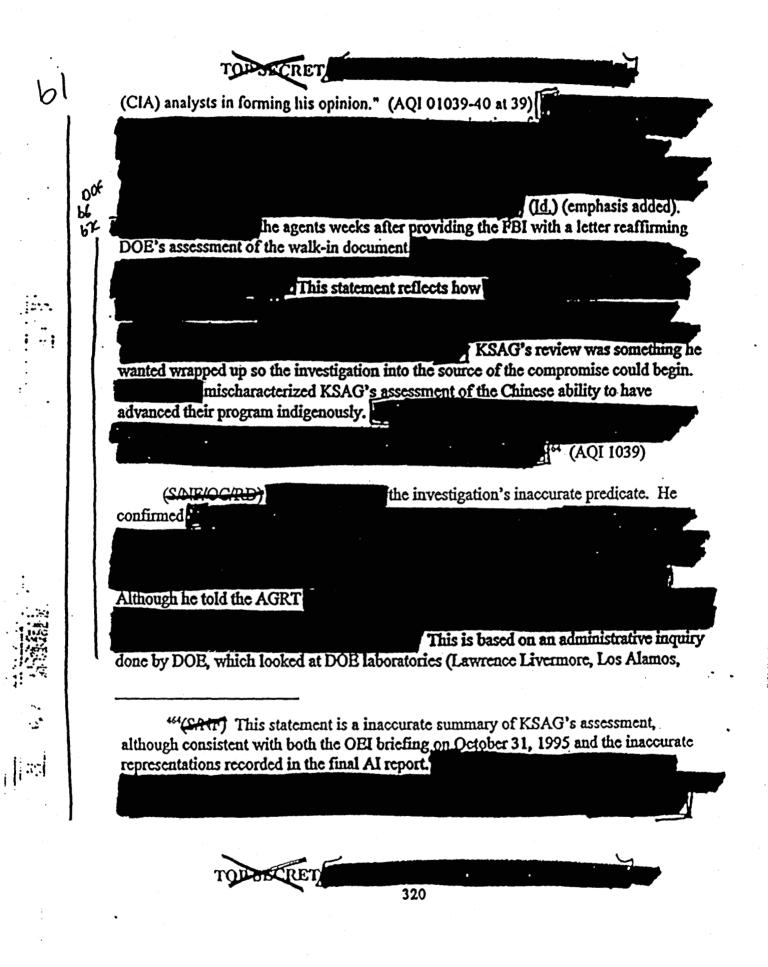
<sup>461</sup>(S) When interviewed, SSA **State of the state of the** 

(12/15/99) While this criticism has merit, it clearly was not included among SSA merit instructions on July 2, 1996. The predicate is vital to this investigation and is an element with which the case agent should have personally familiarized himself. Ultimately, three interviews were conducted by WMFO –

did not. Had SA personally familiar with the OEI briefing, but during interview he would have understood to describe a different assessment – that reached by KSAG – than that briefed to the FBI. interview presented the first, and only, time the FBI spoke with a nuclear scientist who participated in KSAG until just recently.

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Sandia, and Rocky Flats) involved in the development of the W-88. According to

<sup>45</sup> (AQI 1040)

(SAIP/KD)

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predicate's description as recorded by the investigators after the OEI October 31, 1995 briefing. Nothing in conflicted with the inaccurate predicate described in the final AI report. In fact, the interview reinforced the FBI's understanding of the predicate.

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DDE, FOIL (SAIP/RD) On September 13, 1996, the WMFO agents interviewed (who maintained the OEI chronology and presumably recorded the earlier entry cautioning against saying anything one was uncomfortable repeating in a courtroom) had not received notice of the agent's security clearances and was therefore "hesitant to discuss classified matters."466 (AQI 1037)

> 2 identifies SNL as covered during the AI. This is inaccurate. SNL was not among those locations visited during the AL. There is no discussion of SNL in the final AI report. There is no record the investigators reviewed any files from SNL while at the Albuquerque Operations Office in February 1996. of the DOE Albuquerque Operations Office, when interviewed by the DOE IG, stated that called with a list of 25 files from LANL that he wanted pulled so that they could did not identify any SNL files reviewed by the investigators. SA be reviewed. recalled only reviewing LANL files at AL. 12/14/99) (X)

> (8) Neither agent had a Q clearance, although they told lif it was did not insist on the necessary, they would return after obtaining such a clearance. 1/18/00) Had agents obtaining the clearances, but rather spoke generally to them.

In addition, the interviews were previously arranged by SA explained that he believed wanted to keep the interview general and that he was uncomfortable saying anything without first obtaining the approval of his superiors within DOE. (1/18/00) Because referred to his Kindred Spirit chronology during the September 13, 1996 interview, the FBI agents asked for a copy. This request reflects the competence of the agents tasked to cover this lead. (10) told the agents he would ask Trulock to review the chronology and approve its release to the FBI.<sup>467</sup> (AQI 1037)

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(Id.)

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(SAHF/OC/RD) to be told the agents he initially led the working group that assessed the Chinese nuclear weapons program in 1995. (AQI 1041-43 at 41) first concluded in April 1995 that United States nuclear weapon's information had been compromised. (Id.)

authority and utilized the "Los Alamos National Laboratory classification guide." (Id.)

SA Section of the sec

(1) <sup>457</sup>(8) On September 16, 1996, three days later, by secure fax, **Secure** fax, **Secur** fax, **Se** 

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SECRET (SAIF/OCIUD) On September 13, 1996, the FBI interviewed was at DOE Headquarters."

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## (FBI 694-95 at 95; AQI 1046-47 at 47)

(ATT) described the wide dissemination of the compromised information.<sup>470</sup> He specifically identified both contractors and the Department of Defense as potential locations where the compromise may have occurred. "When asked from where and when the Chinese might have acquired the information, for the said it would be very difficult to say, as the W-88 is a deployed system. Deployment means that the plans would be available to various groups of people such as the US Navy (the W-88 is used by the Navy), contractor personnel and other involved personnel apart from the Department of Energy." (Id. at 95 and 46)

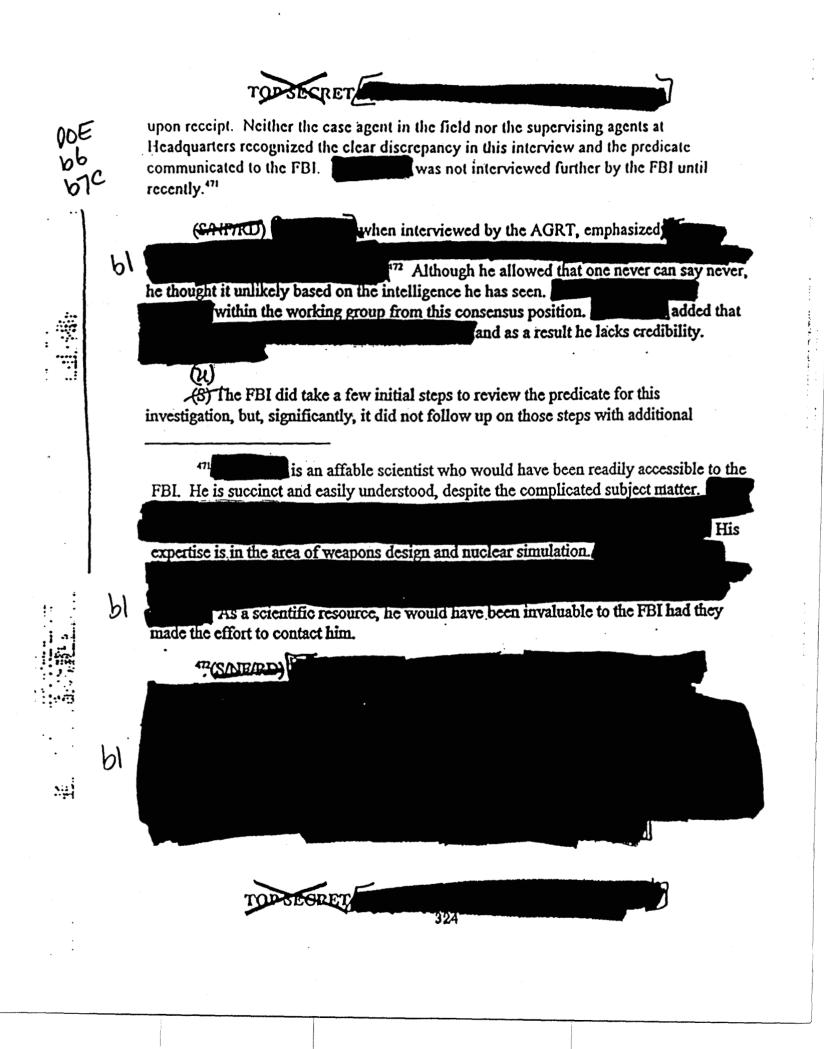
(F) The FBI sought to record the predicate, not challenge it through this lead. This distinction probably explains their failure to react to the content of interview interview.

(U) <sup>461</sup>(8) SA second not recall how the second came to be included within the lead, but thought it was because either what mentioned him during his interview or because SSA what what asked the agents to include only was in Washington. (1118/00)

43(8) This FD-302 is inaccurately classified Secret by the FBL

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(%) SA sepecifically recalled asking about the information's dissemination because that the back that told them that LANL was the likely location for the compromise.



interviews to clarify important conflicts captured in the 302s. Had SA and they would have come to understood the sought out SSA inaccuracies not only in the OEI briefing, but also in the AI report. SA and who was at LANL and not DOE HO SSA failed to interview should have insisted that SA cover this lead like SSA failed to identify the composition of the OEI working group. personally. SA KSAG, so that he would know who at LANL was aware of the Chinese documents and already aware of the compromise. These individuals could have been interviewed without any expansion of the number of individuals aware of the compromise. SA name were mentioned on was present when February 13, 1996. These members should have become resources to guide the FBI investigation at LANL. WMFO covered this lead and interviewed two subjects beyond the one identified by the case agent. The results were recorded on FD-302s and then

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apparently ignored by both the field and Headquarters.

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(4) L. (8) The CIA's independent assessment of the Chinese nuclear weapons program

(SAHYOCIRD) After receiving the AI report on May 28, 1996 and completing the three predicate interviews in September 1996, the predicate for this investigation was left unchallenged until ASAC Lueckenhoff began to question it in December 1998, with one exception. That single exception is a 1997 review of the Chinese nuclear weapons program by the CIA. The CIA's written report was shared with the National Security Council, DOB and the FBI. This Chinese Nuclear Warhead Paper accurately characterizes the walk-in document, a document that the FBI received on

(FBI 12365) The CIA report was provided to the FBI on September 11, 1997. It should have led to a comprehensive reevaluation of the predicate. It did not.

1. (8) An NSC request for a CIA assessment

00 (21) (Artir) In July and August 1997, **Manufacture and August 1997**, **Manufacture and Augu** 

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alarming portrait of Chinese efforts to acquire United States nuclear weapons information.<sup>479</sup>

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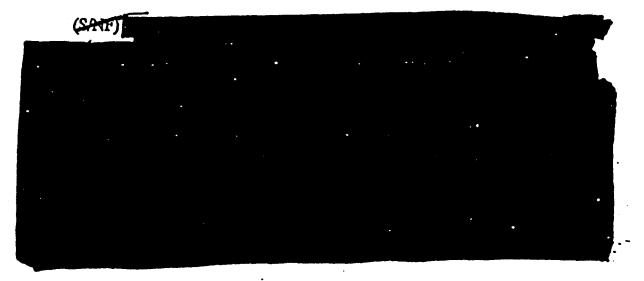
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(2) (3) DOE and CIA records indicate that the second state of the National Security Council ("NSC") during this time period as well. (DOE 3420; EAT 180) On August 5, 1997, Sandy Berger, the President's National Security Advisor, asked for a CIA evaluation concerns. (EAT 180)

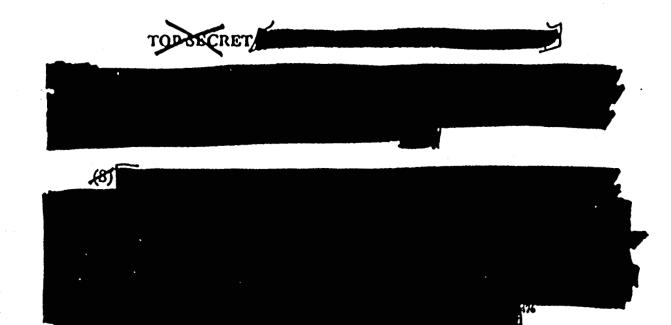
(U)
(B) That evaluation was begun in mid-August and completed by the end of the month. It was delivered to the NSC on September 5, 1997, (EAT 181) and to the FBI on September 11, 1997. (FBI 12388, 12360, 12361)

(X) 2. (S) <u>Background and limitations of the CIA assessment</u>



(A) In one FBI document it was referred to the "nightmare presentation." briefing. (AQI 5337) Another FBI document dubbed it the "nightmare presentation." (FBI 12312)

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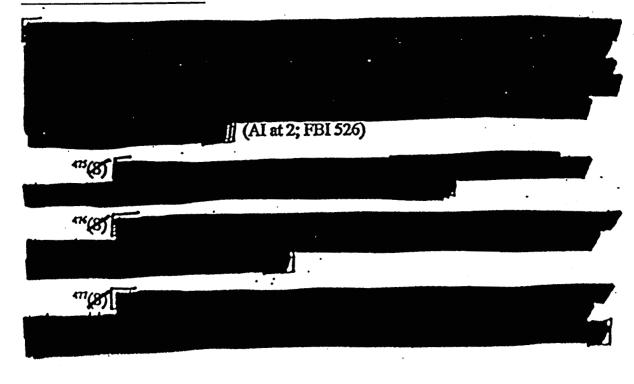
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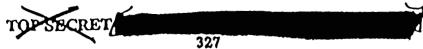
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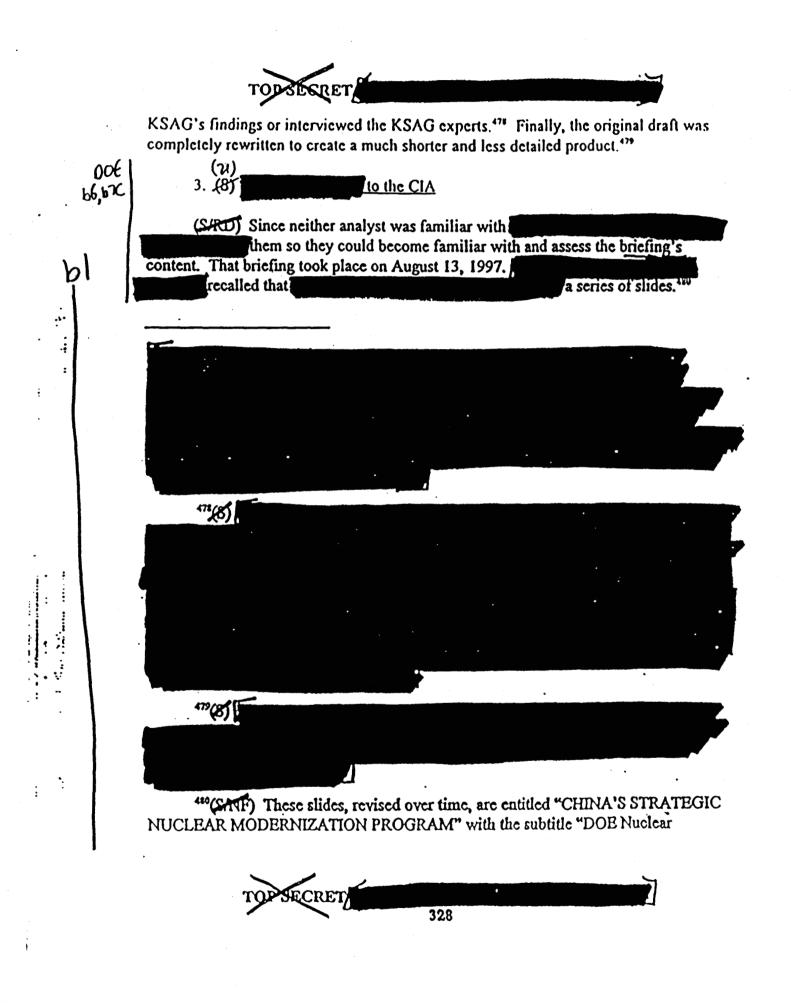
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(2) There were several noteworthy limitations to the CIA assessment. First, the analysts prepared it in just two weeks. Second, it was never intended to confront the second phead on.<sup>477</sup> Third, the analysts never addressed 000 b6, b7c







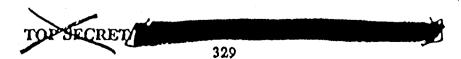
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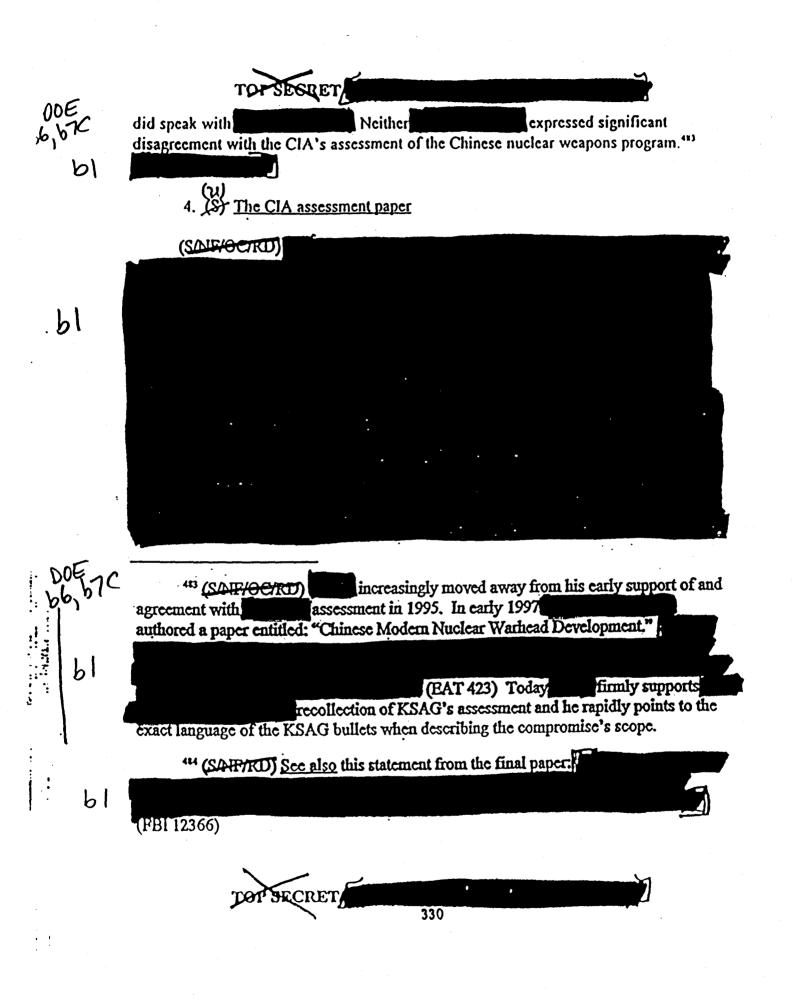
TODOBCRET 6 During the briefing, names to answer any gave questions and provide whatever other assistance the analysts might require. The analysts 005 66 670 Weapons Laboratory Contributions to Chinese Strategic Breakthroughs." The set provided by DOE numbers thirty-four slides, with several repeated slides. (DOE 1870-1903) 416 Chers who received - Attorney General Janet Reno, FBI Director Louis Freeh, Deputy Secretary Charles Curtis and Dan Galington, Deputy 66,676 Counsel, OIPR - each of whom were interviewed by the AGRT, were unable to recall in The CIA analysts, unique because specific detail the representations made by they understood both the topic and available intelligence, were able to recall specific The analysts were also focused on the briefing's representations from content given their assignment.

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(SAIF/OC) The final 1997 CIA position paper, as well as the draft, does adopt a 6, 67C (position closer to that articulated than that of KSAG.

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(SAIF/OC) In addition, it appears that in the pursuit of brevity, much of the qualifying language used by the CIA analysts was removed from the final position paper. 416

415 (SAIF/OC/RD)

416 (SATPACE)

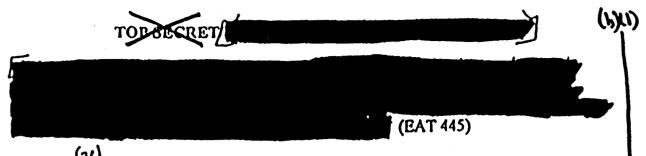
(EAT 439) This observation is deleted in the final paper provided to the

FBI.

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## (72) 5. (8) The FBI addendum to the CIA assessment

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(SANF/RD) In an amazing example of circular reasoning, the CIA's position paper attaches and incorporates a written submission by the FBI. Not only would the FBI fail to recognize

received the On September 4, 1997, CIA FBI's written submission. (EAT 472-476) The attachment summarizes various FBI investigations, including Kindred Spirit: It would also be lost on the FBI when they received the final paper.

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(SAHARD) On September 5, 1997, Section Chief Steve Dillard, Unit Chief A provided an in-depth review of the Kindred Spirit investigation to at the NSC. (Id.) After the briefing, the NSC

## asked the FBI

and SSA

(FBI 1086) This resulted in a time line, dated September 8, 1997, outlining the predicate in support of the FBI's investigation. It was forwarded to the NSC in preparation for the NSC's briefing of NSA Berger on September 9, 1997. (Id.) This outline clearly records the inaccurate briefing given the FBI by OEI on October 31, 1995.

(FBI 13024-26 at 25)

The outline includes important dates relevant to the walk-in document. On September 10, 1997. The requested the appendix to the CIA's position paper from the FBI. OIPR, which had previously approved the oral briefing of the NSC by the FBI (FBI 01085), also approved the dissemination of this information to the NSC on September 11, 1997. (FBI 12388) The appendix was sent to the NSC by facsimile the same day. (FBI 1088)

6. (8)

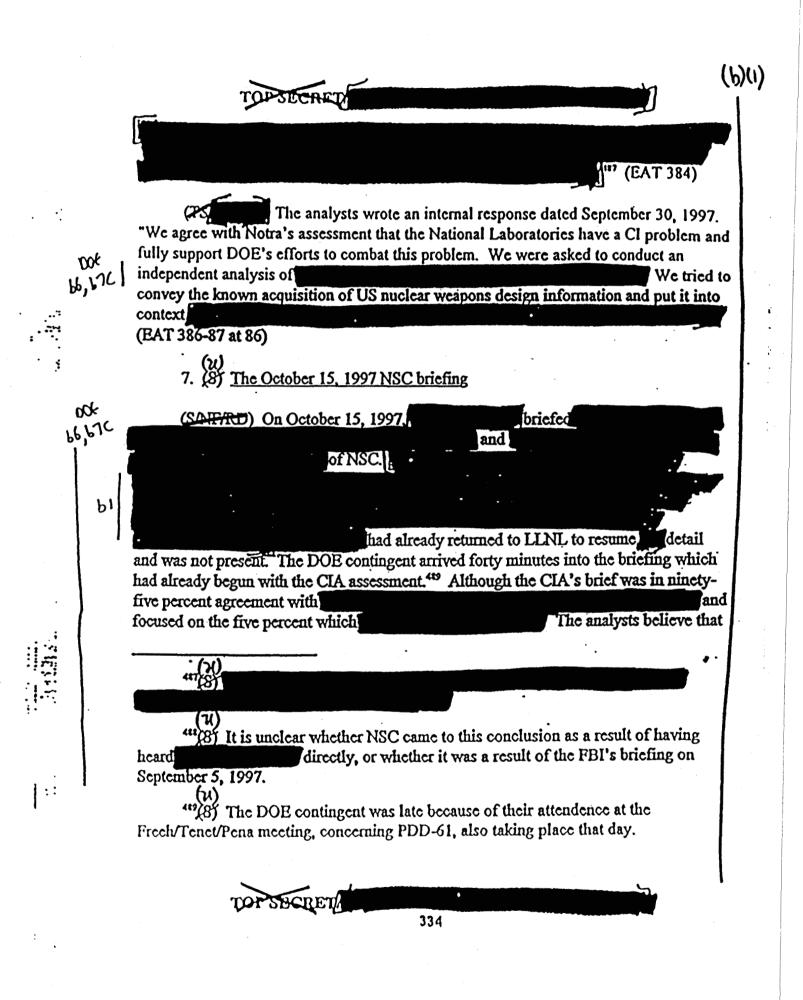
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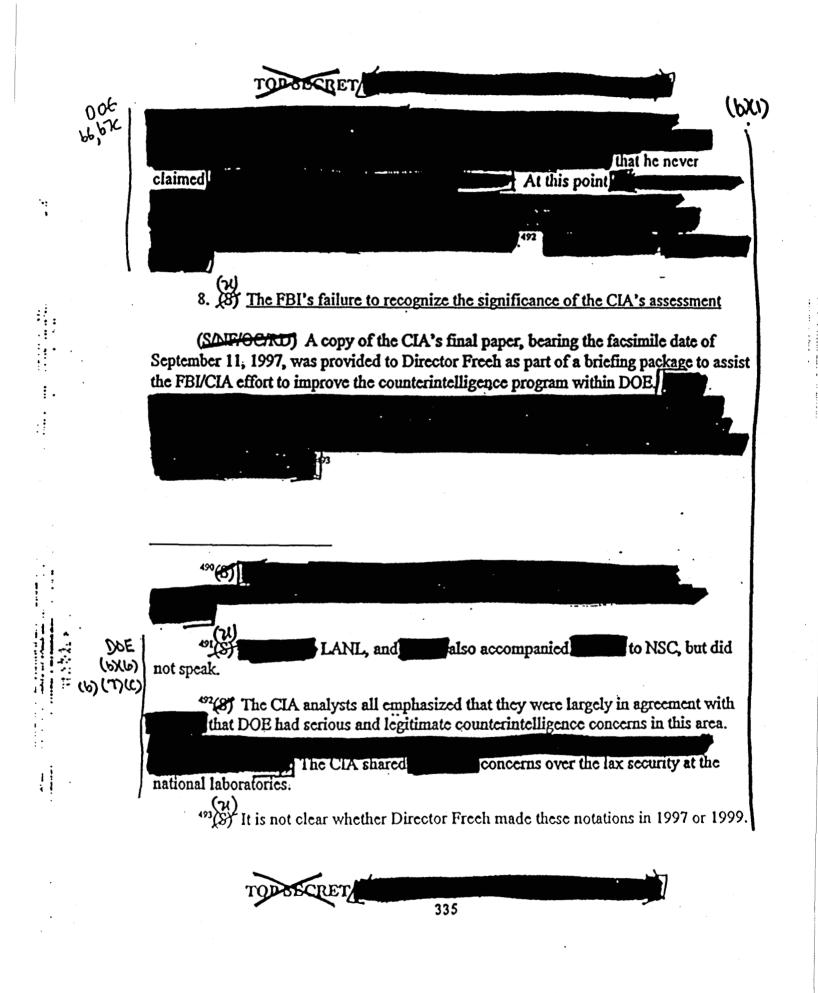
(8) On August 29, 1997, Unit Chief and SSA and SSA attended a CIA meeting to review and contribute to the DI's paper addressing the PRC threat to the labs. (FBI 15752) Trulock was also at this meeting. During the meeting.

CIA analysts

(SAHAD) Sometime between August 29, 1997 and September 11, 1997, Trulock wrote DCI George Tenet a letter which was described by one CIA officer as (FBI 12388) Trulock wrote: "we would be remiss in not expressing our concerns regarding both the overall analysis and several of the key conclusions. In our judgment, the DI paper contains a number of important flaws." (EAT 384-85 at 84) Trulock also wrote:

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(SAIF/RD) Thus, Director Frech recognized that the CIA paper was clearly taking the position and the second 
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(SAHFOC) The CIA's review of China's nuclear weapons program in 1997 represented the last opportunity to correct the predicate as it was communicated to, and accepted by, the FBL

M. (S) The impact of the inaccurate predicate upon the FBI's investigation and current developments

(SAIF/RD) From May 30, 1996 until early 1999, the FBI investigated the wrong crime.

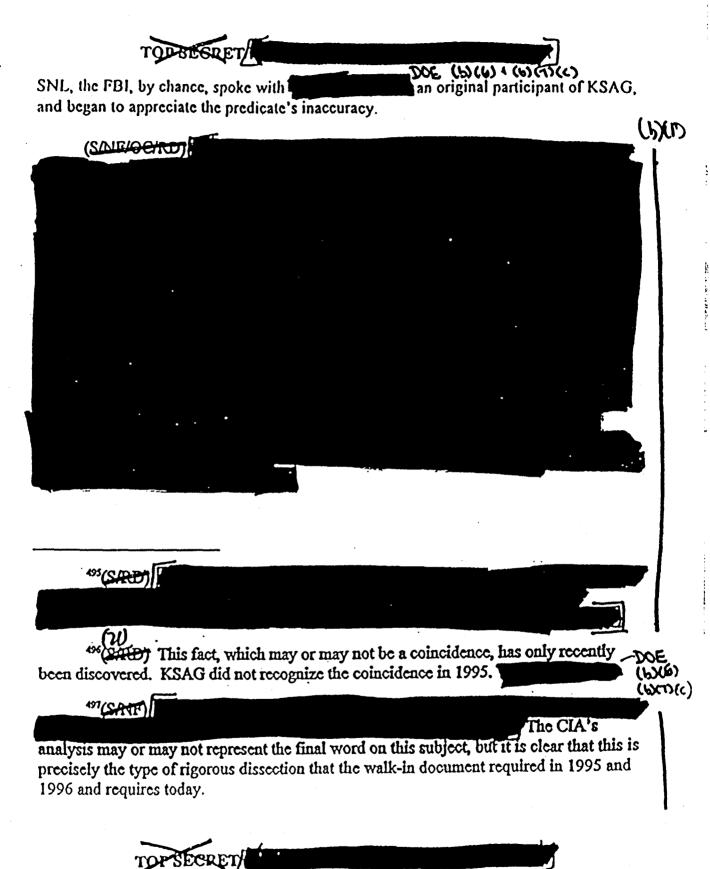
the FBI to improperly narrow the focus of their investigation to LANL due to the associated assumption

error was compounded by the FBI's complete and uncritical acceptance of the AI report's selection of Wen Ho and Sylvia Lee as the subjects of their investigation. The AI was accepted by the FBI until December 1998 when ASAC Lucckenhoff raised serious concerns over its content. The inaccurate predicate survived for months longer. Only in March 1999 did the FBI begin to recognize the error when they first visited SNL. At

<sup>194</sup>(8) There is no indication that the CIA assessment was ever shared with FBI-AQ.

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This effort has already demonstrated a broad dissemination among various DOE components, DOD components and contractors. It has also identified documents disseminated before the 1984 window established by KSAG and utilized by the AI. observed that they "didn't recognize the fact that in the interface documents" this "information is shared with a larger number of organizations." "It was a blind spot" in their 1995 analysis.

(SAIF/OC/RD) Parallel efforts, by the FBI and DOB OCI, are presently underway

These documents were widely disseminated

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within DOE, DOD and the contractors.

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(น) at SNL have identified ASTIF/RDT Similarly. documents in the early 1980s that were widely disseminated which contain the (1)(1)(1) compromised information. In an effort to acquire an accurate understanding of the predicate, the FBI has assembled a task force to interview the original participants of KSAG and identify what information has been compromised and which documents contain that information. This effort, combined with the ongoing review by DOE OCI of W-88 documents to determine which contain the compromised information, should focus the FBI's future investigation on the information which was compromised to the Chinese. These efforts will better define those materials which represent the universe of documents capable of having been the source of the compromise. Whether that will also identify the individual or individuals responsible for the compromise is more difficult to predict.

