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Draft Memorandum for the Record

DECLASSIFIED UNDER AUTHORITY OF THE INTERAGENCY SECURITY CLASSIFICATION APPEALS PANEL, E.O. 13526, SECTION 5.3(b)(3) ISCAP APPEAL NO. 2012-048, document no. 1 DECLASSIFICATION DATE: July 8, 2015

Event: Interview of former FBI asset
Type of Event: On-the-Record Interview
Date of interview: 6/2/04
Date memo prepared: 6/6/04
Special Access Issues: None
Prepared by: John Roth
Team Number: 4
Location: Embassy Suites, Tyson's Corner
Classification: Secret
Present, non-Commission: former FBI asset, Bob Sinton, Esq., FBI translator (Houston Field Division), FBI control agent, FBI 9/11 commission agent
Commission: John Roth and Doug Greenburg

This memorandum provides a summary of the most important points covered in the above-entitled interview, but is not a verbatim account. The memorandum is organized by subject and does not necessarily follow the order of the interview. The witness provided all of the information in this memorandum during the interview, except where noted by square brackets. (U)

Background

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The purpose of this interview was to attempt to resolve the discrepancies between former FBI translator Behrooz Sarshar and FBI agent [redacted] concerning information disclosed by the asset to [redacted] in the summer of 2001. See interview of [redacted] team 6, 3/4/2004 and interview of Behrooz Sarshar, team 6, 2/12/2004, and [redacted] EC, case number 220A-WF-183714, Serial 2425, 7/25/2001. See also Team 6 memorandum to the Commissioners April 12, 2004. (S)

Because of the extraordinary sensitivity of the asset and the nature of his reporting in areas other than al Qaeda-related terrorism, the Commission agreed to conditions set forth in the May 29, 2004 letter to General Counsel Daniel Marcus, primarily directed at assurances that his identity, as well as details concerning other aspects of his reporting to the FBI, remain confidential. Additionally, although the Commission staff has learned of the actual identity of the asset through other sources, the FBI would not confirm the asset's identity to the Commission. In a pre-briefing, the FBI stressed to Commission staff that they believed that compromising the asset's identity could risk the safety of the asset and his family both in Iran and the United States. (U)

At the beginning of this interview, the asset indicated that he understands English and can speak some English, but is more comfortable using a translator. [Note: At the Commission's request, the FBI flew a translator in from the Houston Field Office.] The Staff explained the purpose of the interview and the conditions the Commission agreed to regarding the confidentiality of his identity, and assured the asset that his identity would

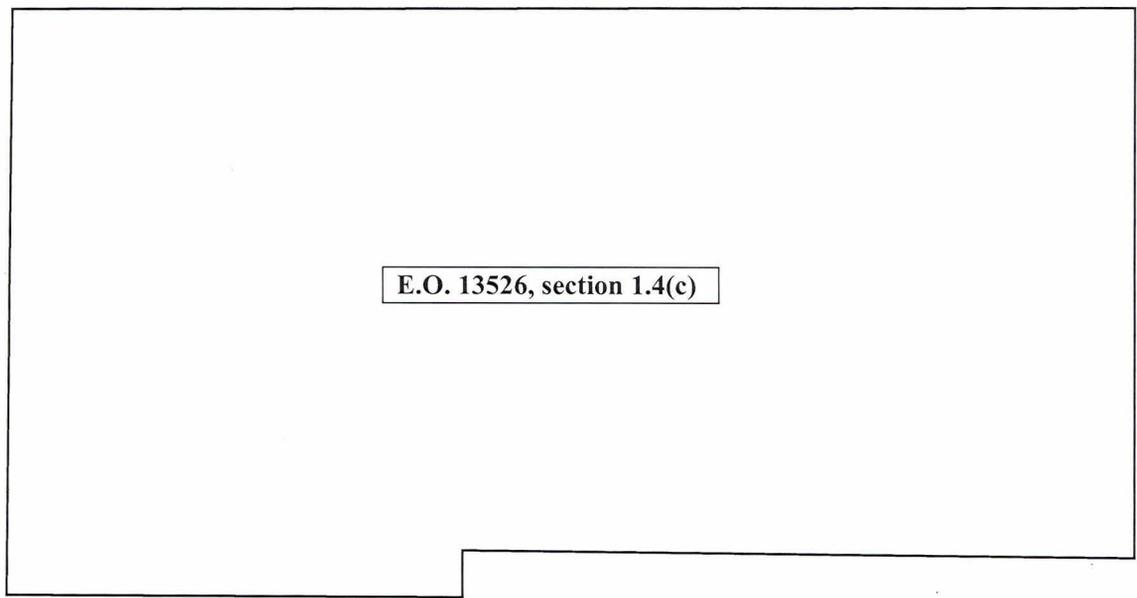
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be protected. The asset appeared to be calm during the course of the interview and did not hesitate to give information. (U)

Asset's information in the summer of 2001



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Approximately 5 to 6 weeks before the 9/11 attacks, the asset received faxed information from the [redacted] subsource that there was a group of Middle Easterners living in Hamburg who were receiving training in how to fly small aircraft. After receiving such training, according to this information, they were going to damage American interests somewhere in the world. The information did not indicate how the damage was to occur, and the asset surmised that they intended to hit an embassy or military base, perhaps in Germany. He also understood the information to mean that they were going to fly an airplane into something. The asset stressed to Commission staff that these were his conclusions, and he did not receive specific information to that effect. When asked, the asset indicated that, despite the fact that this was a [redacted] subsource, the information was exclusively concerning Hamburg, not any other cities or areas. [Note: [redacted]'s EC indicates that the terrorists were located in Frankfurt, Milan (Italy) and Austria. Also note: The asset did not indicate that he reported to the FBI that these were Usama Bin Ladin-related individuals.] (S)

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The asset had previously scheduled a meeting with his FBI handler, [redacted] which was to occur in about 5 or 6 days. At that meeting, which took place at the asset's home, the asset read from the fax concerning the information he had received. Also present was FBI language specialist Behrooz Sarshar (the asset's relationship with Sarshar is described below), who translated for the agent. During that meeting the asset described to the translator the above information. He remembered that Sarshar used a Japanese word for what the asset was trying to tell the agent, and the asset asked what it meant. Sarshar replied that it meant suicide mission in Japanese. When asked by Commission staff, the asset said that he did not describe the attack as a suicide attack.

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The asset stressed that he would give the agent raw information without assessing whether it was true. In response, the agent, who the asset described as the best FBI agent he had ever worked with, tasked the asset to find out as much information from his subsource as he could concerning this. The asset indicated that the agent and he discussed this for approximately one-half hour. The asset had no specific recollection about the nature of the discussion. (S)

The asset subsequently contacted his subsource by telephone, but received no further information. In a follow up meeting between the source, the translator and the agent, the sourced passed on the fact that no further information was available. When asked by the Commission staff of the source of subsource's knowledge, the asset indicated that the

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There was no other discussion of this information until after 9/11. The source indicated he had talked to the agent after 9/11, and discussed this information. According to the asset, the agent said that he had passed on the information. The asset said that he did not discuss this with anyone else until he talked to FBI counsel Bob Sinton about 10 days ago. Additionally, the asset said he has never discussed this with any other person, including Sarshar. (S)

The asset indicated to Commission staff that he stopped working for the FBI about two years ago. He stated that he did not want to work anymore. (S)

Asset's relationship with Sarshar

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The asset indicated that he has known Sarshar since approximately 1980, when Sarshar operated a sports club [redacted]. Additionally, Sarshar knew the asset's brother [redacted]. [Note: Sarshar was a former police colonel in Iran; [redacted]] [redacted] The asset did not know that Sarshar worked for the FBI. Sarshar had said that he worked for Immigration; it was only after the asset began providing information and Sarshar showed up to translate did he realize that Sarshar worked for the FBI. The asset indicated that while he knew Sarshar, he would not pass information to him independently of the agents. (S)

The asset's only knowledge of Sarshar's difficulties was that the asset knew that Sarshar went to court, but did not know what it was about. Sarshar said that he no longer worked for the FBI. He last saw Sarshar about two months ago. (S)

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Background from FBI

After the interview was concluded and the asset was excused and had left the room, Bob Sinton, the FBI counsel, indicated that he had interviewed the asset in preparation for this interview. Sinton indicated that the asset had told him that the subsource's source of knowledge was that the subsource had overheard a conversation [redacted] between an otherwise unknown Afghani and some other person regarding this. (S)

Additionally, Sinton reported that he had reviewed the asset's file and discovered that the asset had reported on Usama Bin Ladin on two other occasions. [Note: Sinton indicated that there is an outstanding Commission request for the asset's file.] (S)

Lastly, Sinton indicated that the asset was deactivated because the information that he was giving was becoming less and less useful, primarily as a result of the passage of time since he had been in Iran and that they were not getting information they couldn't get from other sources. For the FBI, the last straw occurred when an FBI translator alerted the control agent that he was translating something that was a verbatim report taken from a newspaper. When the FBI cut him off (he was a paid informant) the asset was displeased. (S)

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