

~~SECRET~~

MFR 04016485

Memorandum for the Record

Event: Interview of Tim Gossfeld
Type of Event: On-the-Record Interview
Date of interview: 12/10/03
Date memo prepared: 12/16/03
Special Access Issues: None
Prepared by: John Roth
Team Number: 4
Location: Chicago FBI office
Classification: ~~Secret~~
Present, non-Commission: Tim Gossfeld and Sean O'Neil
Participants-Commission: John Roth, Douglas Greenburg and Serena Wille

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

Gossfeld was the supervisor of the International terrorism squad responsible for the investigation of BIF and GRF, until January 2002. Gossfeld has been a special agent for approximately 19 ½ years. He is a graduate of the University of Wisconsin, and prior to joining the FBI worked in local law enforcement, primarily in undercover narcotics investigations, for approximately 4 ½ years. He started with the FBI in the Knoxville RA, doing general criminal work, and ultimately was transferred to New York, where he engaged in IT investigations. In December 1995, he was transferred to FBI HQ, where he was a SSA, specializing primarily in the IRA and European terrorist groups. In January 1998, he was assigned to Chicago as a supervisor of CT-1, the counterterrorism squad. He supervised CT-1 until January of 2002, at which time he was assigned to supervise a white collar squad.

When asked to describe the Chicago charities case, he said that GRF was an example of a vibrant intelligence investigation. [redacted] the original case agent, recruited sources, [redacted] 9/11 Law Enforcement Sensitive [redacted] sufficient to be able to get FISA coverage. It was clear that the charities were not humanitarian, but out of necessity were engaged in humanitarian activities.

Wall – primary purpose

Gossfeld stated that FISAs play a major role in the most important and successful of the intelligence cases. Unfortunately, FISA authority, as construed prior to 9/11, required that the primary purpose be intelligence gathering as opposed to criminal. Gossfeld noted

~~SECRET~~

1

~~SECRET~~

that the statute itself does not mention primary purpose, but that the NSLU and [redacted] read that into the statute because of a fear of intermingling criminal and intelligence information. Ultimately, the rule was that you couldn't have the criminal and intelligence agents talking to each other.¹

Gossfeld believed that the only prohibition or requirement for the wall was when there was an open criminal case at the same time. Gossfeld indicated that he had participated in cases in which FISA cuts were used in a criminal case. Unfortunately the internal, self-imposed standard for use of intelligence information in a criminal case was that you basically had to have stand-alone evidence of a crime taking place on the FISA in order to use it.

One problem was the constant back and forth with headquarters, and the fact that the FBI "couldn't get an accurate FISA package out the door." There was no training of anyone in headquarters with regard to FISA, and a general lack of headquarters leadership on the issue. Part of the problem was that the HQ agents would make extensive edits to the field agents' LHMs, instead of merely adjusting the format to fit in the affidavit. Another issue was the fact that there was the requirement to link the terrorist to a foreign power. The problem was that these investigations were never that neat, in that you couldn't always directly tie someone to a specific foreign power.

The BIF and GRF case agents prior to 9/11 always wanted to open a criminal case, even with a wall, but thought that doing so would have an adverse impact on being able to get a FISA. Gossfeld noted that [redacted] "Vulgar Betrayal" investigation because there was an open criminal money laundering case. As a result, all Chicago agents were cautious about opening criminal matters on ongoing intelligence investigations.

9/11 Classified Information

Takedown of BIF and GRF

In response to a question, Gossfeld related the following concerning the GRF takedown. On the day before Thanksgiving, he was informed by FBI personnel in the SIOC that the intelligence community believed that there may be a connection between GRF and UTN, which was a terrorist group that purportedly counted among its members Pakistani nuclear weapons scientists. This connection was developed through a search conducted of a UTN subject in New Jersey, who had checks written to GRF. On December 6, Gossfeld was informed that the intelligence community believed that GRF had the ability or was to be the conduit to explode a nuclear device on US soil. The IC was convinced that this was to take place before the end of Ramadan. Gossfeld characterized this as

¹ Gossfeld stated that the March 2003 Attorney General procedures, as well as the FISA appellate opinion, were monumental in changing the procedures.

~~SECRET~~