

MFR 04017185

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MEMORANDUM FOR THE RECORD

Event: [redacted] (FBI Washington Field Office Supervisory Language Specialist) Interview

Type of event: Interview

Date: August 6, 2003

Special Access Issues: None

Prepared by: Lance Cole

Team Number: 6

Location: FBI Washington Field Office

Participants - Non-Commission: FBI Assistant General Counsel Sean O'Neill

Participants - Commission: Lance Cole and Mike Jacobson

Personal Background: [redacted] is a supervisory language specialist ("SLS") in the FBI's Washington Field Office ("WFO"). He is originally from Columbus, Ohio, and attended William & Mary University, graduating in 1994 with a B.A. in International Relations. After graduating from college [redacted] taught English in Japan for two years and then returned to the United States and taught Japanese in the Fairfax County [Virginia] public schools for two years. He applied to the FBI and was hired as a Japanese linguist in the WFO in December 1997.

FBI Experience: In March 2002 [redacted] became an SLS in the WFO, supervising Japanese, Korean, Russian, Serbo-Croatian, and Vietnamese language specialists ("LSs"). He currently supervises 24 LSs. There are currently four SLSs in the WFO, although there will soon be a fifth SLS in the office. Only large offices with many LSs have SLSs; the smaller field offices just have LSs. [redacted] believes that only Los Angeles, Miami, New York, and the WFO are large enough to have SLSs. One of the SLSs in the WFO previously worked as a translator at FBI Headquarters; the other WFO SLSs previously were LSs in the WFO. [redacted] believes one must be a linguist or language specialist to be an SLS - otherwise "you would not know what you need to know" to supervise the LSs and manage their work flow. [redacted] and the other SLSs in the WFO are GS-13 employees. [redacted] believes there is one GS-14 SLS at the FBI [redacted] [redacted] (sp?) in the New York Field Office.

Organization of Language Specialists: [redacted] explained that in the WFO the LSs have their own squad, but in smaller offices the LSs are attached to agent squads. As a practical matter, [redacted] does not think the LSs could be assigned to squads in the WFO. It is better to have

COMMISSION SENSITIVE

all the LSs together serving all the squads – “being our own squad is the only way to go.” The SLSs in the WFO report to Alina Bloom, who is the Supervisory Special Agent (“SSA”) for the squad. [redacted] said he believes it helps to have an agent attached to the squad because as an agent she knows things the LSs do not know and “she can relate to them [agents] in a way I can’t.” Although “there was a lot of disappointment initially” when an agent was named as the SSA for the squad, [redacted] now thinks “it is a positive” to have an agent as squad supervisor. Bloom “puts her focus where she feels it is needed” as supervisor of the squad.

Language Specialists’ Opportunities for Career Advancement: When asked about opportunities for career advancement, [redacted] explained that LSs are classified in the GS-9 to GS-12 range and “top out as a 12.” There are three possible ways to advance beyond a GS-12. One way is to become a “master linguist,” which is a GS-13 position. [redacted] said that position is “designed to be exceptional” and that very few LSs will attain that position – there are only 7 or 8 of them in the WFO. They must complete a detailed application and demonstrate a very high level of proficiency. The application packages for those positions go to the Language Services Division at FBI Headquarters and are checked against stringent objective criteria then sent out for blind review by GS-13 LSs. The process is very arduous, and most applicants are not successful. [redacted] said “there was some disappointment” among the LSs who had “topped out at a 12” when it became clear that the GS-13 level is not generally attainable. He went on to say that there was a “huge backlash” when the difficult criteria of “high level translation” to achieve the GS-13 was announced. None of the LSs [redacted] supervises has applied for the GS-13 classification – “the reality is that it is not attainable” for most of the LSs.

Another option for career advancement, the option pursued by [redacted] is to become an SLS. There are only about 20 of these positions in the FBI, however, because most offices are too small to have enough LSs to justify an SLS position. To attain one of the SLS positions an LS must be prepared to move to another office, and many LSs cannot do that.

The third option open to LSs for career advancement, and the one most often pursued, is to become an analyst. This is what [redacted] has seen happening recently at the WFO, and he thinks it is likely that more of the LSs will be transitioning into analyst positions. Although a new title is being created, the “Language Specialist/Language Analyst” title, that is only a change in title and does not result in any additional compensation. The LSs just signed a new performance plan with their new titles on July 1, 2003. [redacted] believes that “changing the title is a first step” toward retaining LSs, but “nothing else will happen until the new Office of Intelligence gets off the

COMMISSION SENSITIVE

ground" [at FBI Headquarters under Maureen Baginski]. A couple of months ago [] heard that Maureen Baginski was having a meeting for analysts at the auditorium at FBI Headquarters. A couple of his LSs were in the process of transitioning to analyst positions, so [] encouraged them to attend the meeting. They did so, and at the meeting Baginski invited the analysts who attended to send her an e-mail if they had thoughts or suggestions about the new Office of Intelligence. After talking with [] one of the LSs "sent her a nice e-mail" saying that linguists have an important analytical function. He and [] were surprised when Baginski e-mailed back and invited them to meet with her. They did so, and at that meeting Baginski said that "right now it wouldn't make sense" to bring the LSs under the Office of Intelligence. [] understood Baginski to be saying that "she had a big enough chunk to deal with now" in setting up the Office of Intelligence without bringing in the linguists, and not that she was opposed to the idea.

Experience with CIA and NSA Linguists: [] has not had a lot of experience with linguists at other agencies. He has heard that they are paid more – at the GS-13 and GS-14 level – or at least that is the widespread perception among the LSs at the WFO, whether or not it is in fact the case. He also believes, however, that linguists at other agencies have more duties, beyond translation and interpreting, than FBI LSs. [] believes that linguists at other agencies are "providing more systematic analysis" than LSs in the WFO. He thinks linguists at other agencies may have higher educational degrees and more "area knowledge" than FBI LSs. He thinks that at the WFO "some linguists are not analysts" and are only suited to basic translation, while others have a broader view, have more knowledge about other countries, and can do more than just translate. [] knows one GS-14 Language Specialist at NSA, but the person is also a published author.

[] thinks that linguists who "want to move up" will "make the jump" to becoming analysts. Moreover, at the WFO it is difficult to get applicants through the application process to become an LS. The language tests – which include both written and oral translation as well as English skills – and the background checks "weed out 90% of the people" who apply for LS positions. The Intelligence Community has a standard rating scale for linguists, and [] has heard people at the Language Services Division at FBI Headquarters say that the FBI has the best linguists in the Community. Linguists come into the FBI as either a Language Specialist or a Language Monitor ("LM"), depending on their skill level. An LM has a lower rating on the standard rating scale and is assigned to more limited tasks, such as only monitoring oral

COMMISSION SENSITIVE

COMMISSION SENSITIVE

communications without any translation of written communications. He has done an assessment for each linguist as to what their capabilities are, and as to what tasks they can perform. In his program, the LSs are not often asked to do things like interpreting for interviews, maybe once a month or so.

Recruiting and Use of Part-Time Linguists: In addition to the LS/LM distinction, in the WFO some of the linguists are full-time permanent employees and some are part-time contract employees. Of the 116 linguists currently working in the WFO, there are 68 full-time permanent employees and 48 contract employees. Contract LMs are used to fill pressing needs and usually are people who are only available to work a limited number of hours per week and therefore cannot be full-time linguists. Both the permanent and contract linguists have successfully completed the background check process. Most LMs are part-time contract employees, although there is one full-time LM who speaks an Iraqi dialect.

Only the New York Regional Office has a larger pool of linguists than the WFO. Some languages are only covered here in the WFO. If other offices have needs for WFO linguists, they go through the Language Services Division to get WFO linguists assigned to their investigations. Sometimes documents are sent to the WFO for translation, and sometimes linguists are sent to work "on TDY" at other offices if the work cannot be sent to the WFO. Whether or not linguists will be assigned to matters from other offices depends on the priority of the request, which is decided by the Language Services Division. Linguists from the WFO also respond to most overseas incidents, such as embassy bombings. The languages relating to counterterrorism work are currently in high demand, and the supervisors decide who is sent on overseas assignments or assignments to other field offices. Sometimes the nature of the work dictates who must be sent, and other times it is up to the supervisor; [] explained that "we try to be fair" in making the travel assignments.

Contacts With Case Agents: When asked about the linguists working relationships with the case agents, [] said that case agents typically brief a linguist on a case when the linguist is assigned to the case, and the linguist can review the file of "past tech cuts" if there has been prior surveillance. The agent usually will have written an EC explaining what is relevant and what should be minimized. A linguist also may talk with other linguists who have worked on a case previously. The linguists prepare daily "summary reports" that group together individual call write-ups and forward those reports to the case agent. They also will meet with the case agent once a week or once every two weeks (in theory) to review the reports and provide more

COMMISSION SENSITIVE

substantive/analytical information, such as trends across calls. You aren't supposed to do synthesis of the various calls. Instead, they might tell an agent orally something like, "the person is more anxious." [redacted] is trying to put a process in place so that more of the substantive information developed by the linguists can be reported in writing, rather than orally. The LSs have a list in their head of what the agents are interested in.

An LS typically deals with four or five agents. LSs are "smart, inquisitive people" who often want more information about the cases they are working. This sometimes creates "tension" with "need to know and agents' willingness to share" information. The SLS sometimes has to "moderate" these disputes. Linguists can obtain access to ACS as a source of information, but most don't. [redacted] thinks it is "hard to say how much more" linguists might contribute to investigations if they had more information about cases. He does think that the more they know, the more they will provide. He thinks most linguist have adequate information about the cases they are working.

When asked about FISA minimization [redacted] said that at the "logging stage" [when the linguist makes a record of information obtained from FISA surveillance] the linguists include "anything that could be of intelligence value," including information about U.S. persons. At the "indexing stage" when agents put information into ACS, the agents include only information that does have intelligence value. The LSs err on the side of inclusion at the logging stage because it is difficult to know what has intelligence value and what does not. [redacted] said that in close calls "we go upstairs and ask CDC," usually Duncan Wainwright (sp?) to get guidance, for example with attorney-client communications pre and post-indictment. There has been some talk about the LSs producing IIRs. However, FISA information "belongs to the case agent" because only the case agent can disseminate information – an LS would never disseminate information outside the field office. The primary minimization responsibility rests with case agents, not with the linguists. He hasn't seen any IIRs or other such products produced by the case agents in these investigations.

The decision as to whether to renew a FISA would rest with the case agent. On the other hand, if they came across a line that was not productive, he would go to the case agent about this. Each language board now does an evaluation of the lines, in terms of their productivity. They would provide this information to the case agents.

Post-9/11 Work of Language Specialists: [redacted] group does not work on criminal matters because counterterrorism and counterintelligence take priority over criminal matters.

COMMISSION SENSITIVE

[redacted] understands that the priorities, set by FBI Headquarters, are "CT, CI, Cyber, and then four through eight are criminal categories." He also thinks that prior to the 9-11 attacks the top priority was CT, then CI, but priorities were less clearly defined then. If you asked 100 people before 9/11 as to what the Director's priorities were, you would get 100 different answers. Since 9-11 fourteen more Arabic linguists, some of whom are contract employees, have been hired in the WFO.

[redacted] does an annual review of the lines that are monitored and prepares a written report on which are most productive and which should be discontinued. At present the office is "under a 100% FISA coverage mandate from the Director," which means that "every minute of every call" should be monitored. While that is not possible, the linguists try to listen to as much as possible, and they sometimes send things out to other offices to be reviewed. Pre 9/11, they would just and listen to as much as they could. There are more efforts now to capture the unaddressed work and send it to other offices. He has sent some work to HQ. [redacted]

9/11 Classified Information

[redacted] believe the biggest post-9-11 change in his work is that [redacted]

9/11 Law Enforcement Sensitive

[redacted] The minimization process has not changed significantly because even before the 9-11 attacks the linguists would have included non-intelligence information about criminal activity because it might have intelligence value. It would have been up to the case agent to minimize information about criminal activity.

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