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Memorandum for the Record**

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Event: Interview of Roger Simmons
Type of Event: On-the-Record Interview
Date of interview: 4/13/04
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Special Access Issues: None
Prepared by: Doug Greenburg
Team Number: 4
Location: 9-11 Commission, GSA
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Present, non-Commission: Simmons
Participants-Commission: Doug Greenburg, John Roth 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.

Background

Simmons is an attorney based on Frederick, MD. He said he has been a litigator for 32 years, in DC and Maryland. Formerly a partner at Howrey & Simon, he now has a small firm called Gordon & Simmons. He has represented the Global Relief Foundation (GRF) since fall, 2001, when GRF contacted him regarding a potential libel suit against media organizations who reported it was under investigation for funding terrorism. The GRF principles blamed the story on rumors propagated by Rita Katz and Steve Emerson, the latter who they believe received funding from the Mossad. [Simmons filed the suit, which was dismissed by the court].

According to Simmons, GRF was founded in 1992 by Chehade and Rabih Haddad. Chehade graduated from Boston University, where he met his wife.

December Raids

After being retained, Simmons studied documents and interviewed GRF personnel. On December 13, he received a call from GRF telling him that a reporter had called and asked about an impending asset freeze the next day. Simmons flew to Chicago the next morning and was present at GRF HQ when FBI agents arrived. He said 25 agents showed up to conduct a search. The agents refused Simmons' offer to have GRF personnel provide a "guided tour" to the GRF documents and, instead, boxed up everything and hauled it away, including voluminous documents and GRF's computers.

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The agents also searched GRF Director Chehade's apartment. Agents interviewed Chehade for two hours at that time. [REDACTED]

[REDACTED] Simmons said Chehade would not publicly repeat this statement, because it was said off the record, and Chehade was a man of honor who would respect the agent's wishes.

Chehade gave a 3-hour on-camera interview to CNN. Kim Babbit was the producer. Only 90 seconds aired. Simmons believes it lays out the story, but CNN won't produce the tape.

After the interim blocking, OFAC licensed GRF to pay legal fees and to keep a skeletal operation going by paying one or two staff and utility bills. GRF was effectively put out of business, however. The blocking froze about \$900,000. Simmons said GRF's struggles to obtain licenses are laid out in his pleadings (which he provided us). GRF also was allowed to pay certain debts it had already incurred, including vendors and employees. GRF's funds were exhausted about 8 months after the blocking, primarily consumed by legal bills. The organization could not raise more funds, and was, effectively dead. Simmons has continued his legal work. He is paid only through a legal defense fund, for which he occasionally solicits donations through mass mailings, but the fund pays only a fraction of his legal bills.

Allegations and Investigation

Simmons said he believes the allegations against GRF are totally baseless. He has reviewed the books and spoke to GRF's accountant, who he contends can trace GRF funds around the world. He has seen no evidence that GRF supported terror. The FBI never talked to GRF's accountants.

Simmons retained Tom Durkin as local criminal counsel in Chicago. GRF cooperated in the grand jury investigation, by producing witnesses for interviews and testimony.

Simmons described the detention of Rabih Haddad as totally unjust. He knows Haddad to be a good man. For example, before the initial OFAC action, Haddad directed GRF employees not to change potentially misleading information in GRF's files relating to funding "martyrs" in Palestine. (Simmons said the "martyrs" were not suicide bombers, but people injured at Islamic rallies or similar events). Haddad was detained for 19 months, the first 9 in solitary confinement. He was then deported. The case became a cause celebre.

Simmons said the government makes much of contacts between GRF's sister organization, Fondation Secours Mondial (FSM) and convicted al Qaeda terrorist Wadhi El-Hage. He said Nabil Sayadi, the Director of the Belgium operation, had the contact with Hage. According to Simmons, Sayadi explained in an affidavit that Hage contacted him 3-4 times by phone to solicit money for the suppression of mosquitoes in Africa, a cause championed by an African charity with which Hage was affiliated. GRF never

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Simmons suggests that in the future, in lieu of blocking and freezing, the government regulate suspect charities by appointing some type of trustee to supervise the distribution of funds and ensure no support of terrorism. This would be far preferable to destroying the organization in his view.