



U.S. Department of Justice

United States Attorney
Eastern District of Michigan

Michael C. Martin
Assistant United States Attorney

211 West Fort Street, Suite 2001
Detroit, Michigan 48226-3211
Telephone: (313) 226-9670
Facsimile: (313) 226-2372
E-mail: Michael.C.Martin@usdoj.gov

May 18, 2010

Mr. Haytham Faraj
5626 Cambourne Road
Dearborn Heights, MI 48127

RE: United States v. Hamama (08-20314)

Dear Counsel,

At the last hearing on this case on April 7, 2010, the Court ordered the government to provide you with an outline of the evidence it intends to proffer to the Court at the hearing to admit the Iraqi Intelligence Service documents, which is scheduled for June 1, 2010.

The government will proffer evidence from the following witnesses or sources:

- (1) Robert D. Smego. The evidence from Mr. Smego is described in more detail on page seven of the Government's Motion to Admit Documents. In addition, a transcript of Mr. Smego's testimony in *United States v. Najib Shemami* has been produced to you. A summary of Mr. Smego's professional experience is enclosed with this letter.
- (2) A former Iraqi Intelligence officer that is known to you by the pseudonym, Mr. Sargon. The government has provided you with copies of Mr. Sargon's testimony regarding the authenticity of IIS documents in previous criminal cases. You have also been provided an FBI report of interview with Mr. Sargon pertaining to the documents at issue in this case. The evidence from Mr. Sargon is described in more detail on page six of the Government's Motion to Admit Documents.
- (3) FBI reports of interviews of the defendant on June 27, 2006; June 30, 2006; September 21, 2006; November 20, 2008; and November 21, 2008. You have been provided copies of these reports and some of the pertinent portions are summarized on page six of the

Government's Motion to Admit Documents.

- (4) A former Iraqi government official who observed the defendant meet Jabbar Hamza at the Iraqi Mission to the United Nations on several occasions in the mid-1990s. This former Iraqi government official was also shown Exhibit 1.2 and identified the handwriting as belonging to Hamza. A copy of an FBI report of interview with this witness is enclosed with this letter.
- (5) Financial records that corroborate some of the IIS documents. These financial records are described in detail on pages three and four of the Government's Motion to Admit Documents. The financial records have also been produced to you in discovery.
- (6) A former Iraqi Intelligence Service officer who has reviewed government's Exhibit 1 and concluded that the documents are authentic IIS documents for the reasons stated in the FBI report of interview on March 17, 2010, which was produced to you on April 27, 2010.
- (7) The IIS documents contained in Exhibit 1 in many instances are self-corroborating because they cross-reference one another.

Sincerely,

BARBARA L. MCQUADE
United States Attorney

A handwritten signature in black ink that reads "Mike Martin". The signature is written in a cursive, slightly slanted style.

Michael C. Martin
Assistant United States Attorney

encl.

D. Robert Smego

Personal Profile

I have over nine years of experience as an analyst working within the US Department of Defense. I am capable of reading, writing, and speaking Modern Standard Arabic. Drawing from my military service and overseas-deployed experience, I tend to be exceptionally dedicated to maximizing production while streamlining efficiency.

Education

B.S., Criminal Justice, Southern Illinois University, Carbondale, Illinois, 1995

Modern Standard Arabic, Defense Language Institute, Monterey, California, 2000

Professional Experience

Private Defense Contractor

Senior Analyst

May 2003-present

- Serves as an analyst, cultural advisor, and information management officer within US Embassy, Iraq.
- Conducted research and analysis regarding the United Nations Oil-for-Food (OFF) Program. As a subject matter expert on the former Iraqi regime, answered requests for information from various government organizations, specifically, providing information in response to Congressional inquiries. Utilized analytic and linguistic skills to sift immense volumes of Arabic documents and provide gold-standard translations used for official purposes.
- Served as the principle analyst and translator for the US House Energy and Commerce Committee during its investigation of the how Saddam's regime used the UN OFF Program. Triaged over 23,000 pages within a matter of weeks to identify and translate 59 items of specific interest to the client. Subsequently testified before the Committee's open hearing, The United Nations Oil-for-Food Program: Saddam Hussein's Use of Oil Allocations to Undermine Sanctions and the United Nations Security Council, on May 16, 2005.
- Lived nine months in Baghdad as an analyst, writer, and editor within the analysis center of the Iraq Survey Group (ISG). Served as one of the principal authors of the first chapter of the Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD for Mr. Charles Duelfer, CIA's Special Advisor to ISG. Again, utilized linguistic and analytic skills to interview the elite of the former Iraqi regime, as well as assist in document exploitation, and site survey missions. As an author of the report, "wrote the book" on the former regime's intelligence and security apparatuses, neither of which had ever been defined accurately in such detail. Investigated links to terrorist groups, described the structure and activities of the former regime, and decoded Saddam Hussein's intentions regarding weapons of mass destruction. Specifically requested to participate as one of four key editors on the ISG's final report.
- Provided analysis of industrial military and materiel production capabilities. Authored core products that provided the community insight to a specific nation's industrial infrastructure. Translated and authored products based on open source information available only in Arabic.

United States Army

Analyst

June 1998 - June 2003

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/11/2009

On 09/02/2009, [REDACTED] was interviewed by FBI Special Agents Thomas Rankin and [REDACTED]. After being informed of the identity of the interviewing agent and the purpose of the interview, [REDACTED] provided the following information:

[REDACTED] was shown several photos, and identified a photograph of Issam HAMAMA as Sam HAMAMA. [REDACTED] admitted to having a cordial relationship with Sam HAMAMA for several years. [REDACTED] explained HAMAMA would often visit the Iraqi Mission to the United Nations (IMUN) in New York, NY. HAMAMA authored a local Iraqi news magazine, and sent copies to the IMUN [REDACTED]

[REDACTED]. HAMAMA would often visit another Diplomat at the IMUN, JABBAR HAMZA, who was known to be a high ranking official in the Iraqi Intelligence Service (IIS), in New York, but had the title of Diplomat. HAMZA and other IIS officials were located on the 3rd floor, which was off limits to other IMUN employees. [REDACTED]

[REDACTED] HAMAMA's visits to the IMUN started in approximately 1994 and continued for several years.

[REDACTED] was shown several documents from the IIS discussing HAMAMA. [REDACTED] admitted to recognizing HAMZA's hand writing because of Al-Joborri's past experience from working with HAMZA and often seeing his handwriting.

[REDACTED]

Investigation on [REDACTED]

at [REDACTED]

File # [REDACTED]

Date dictated [REDACTED]

by SA Thomas Lee Rankin

by [REDACTED]

97A-DE-82426

Continuation of FD-302 of [REDACTED], On 09/02/2009, Page 2

[REDACTED]

[REDACTED]

254t1r01.302