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Glenn R. Simpson
Wall Street Journal
via email at glenn.simpson@wsj.com

RE: KINDER-USA AND ISLAMIC CHARITIES

Dear Mr. Simpson:

I read with interest, as attorney for KINDER-USA, your February 23, 2008 article, "Islamic Charities Draw More Scrutiny."

Particularly, I am concerned with the damaging assertion, made without reference to any source or authority, that KINDER-USA is under investigation, presumably for links to terrorism. Your unsubstantiated claim appears in the following paragraph:

"A month after the government shut down many top charities in December 2001, Islamic fund-raisers set up a new group in Toledo, Ohio, called Kindhearts, which the Treasury in 2006 shut down and identified in a public statement as "the progeny of Holy Land Foundation and Global Relief Foundation," two defunct charities that the U.S. designated as supporters of terrorism. Two other charities, Kinder USA and Life for Relief and Development, remain under investigation but have denied any ties to terrorism."

KINDER-USA is a charity, which raises funds for humanitarian relief. Last year, it received its definitive ruling from the Internal Revenue Service, based on agency review, which includes five years of 990 tax returns.

The only investigatory activity that I am aware of took place nearly four years ago when a US attorney subpoenaed business records of KINDER USA. The records were provided. As the grand jury took no action regarding KINDER USA, and as the US Attorney's office in Dallas has not made request for further information, the conclusion reached by me and by my client is that "investigation," if you could call it that, concluded long ago.

Your article is devoid of any substantiation of an ongoing investigation. As implication of an investigation or links to terrorism has a negative impact on charitable fund raising, you have an obligation to your readers, if not to the charity itself, to substantiate your claim with credible sources.

In the absence of substantiation, I expect a retraction or correction.

Sincerely,

John P. Kilroy
Attorney for KINDER USA

cc. Almar Latour, Managing Editor, Wall Street Journal Online at a.latour@wsj.com