

# **EXHIBIT A**



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ABRAMS INSTITUTE FOR FREEDOM OF EXPRESSION

## Yale Law School

January 26, 2021

Stephanie Carr, Chief,  
OSD/JS FOIA Requester Service Center, Office of Freedom of Information  
1155 Defense Pentagon  
Washington, DC 20301-1155

**Re: FOIA Request 21-F-0483 on behalf of Journalist Raymond Bonner**

To Whom It May Concern:

We represent journalist Raymond Bonner. We submitted on his behalf through your FOIA portal a request for the following records:

1. The audio recording of the **August 23, 2016** Periodic Review Board hearing concerning Abu Zubaydah (also known as Zayn Al Abidin Muhammad Husayn).
2. Any video recording and any photographic images of the **August 23, 2016** Periodic Review Board hearing concerning Abu Zubaydah (also known as Zayn Al Abidin Muhammad Husayn)
3. The audio recording of the **February 4, 2020** Periodic Review Board hearing concerning Abu Zubaydah (also known as Zayn Al Abidin Muhammad Husayn).
4. Any video recording and any photographic images of the **February 4, 2020** Periodic Review Board hearing concerning Abu Zubaydah (also known as Zayn Al Abidin Muhammad Husayn)

This request was assigned Case No. 21-F-0483. We are submitting this letter to be sure you are aware of the requests for expedited processing and a fee waiver that were also sought in the electronic submission.

**Expedited Processing**

Pursuant to 5 U.S.C. § 552(a)(6)(E), Mr. Bonner requests expedited processing for this request because of an urgent need to inform the public about a federal government activity. The treatment of detainees taken into American custody as part of the U.S War on Terror—in particular the fates of detainees who were captured in the aftermath of September 11 and remain in custody nearly two decades later—is a matter of ongoing and urgent public concern. The past treatment and current status of Abu Zubaydah remains a frequent subject of national and international reporting. *See, e.g.,* Peter Bergen, *Exclusive: More drawings allege CIA's horrific treatment of Abu Zubaydah*. CNN (February 13, 2020), <https://www.cnn.com/2020/02/12/opinions/bergen-more-drawings-allege-cias-horrific->

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treatment-of-abu-zubaydah/index.html; Sheren Khaleel, *Guantanamo parole board reviews case of 'forever prisoner' Abu Zubaydah*, Middle East Eye (February 4, 2020), <https://www.middleeasteye.net/news/guantanamo-parole-board-reviews-case-forever-prisoner-abu-zubaydah>; Greg Myre, *For Ex-FBI Interrogator Ali Soufan, Sept. 11 Still Frames His Life*, WAMU (September 11, 2020), <https://wamu.org/story/20/09/11/for-ex-fbi-interrogator-ali-soufan-9-11-still-frames-his-life/>. Moreover, Mr. Bonner seeks this information for use in a documentary about Abu Zubaydah and his detention, the release of which will coincide with the 20th anniversary of the September 11 attacks this year. The records are needed as soon as possible for inclusion in the documentary. Mr. Bonner and his counsel certify that the information above is true and correct to the best of their knowledge, pursuant to 5 U.S.C. § 552(a)(6)(E)(vi).

### **Request for a Waiver of Fees**

Mr. Bonner also requests a waiver of search and review fees because he is a “representative of the news media.” 5 U.S.C. § 552(a)(4)(A)(ii)(II). Mr. Bonner is a Pulitzer Prize-winning investigative journalist and author with over 35 years of professional experience.

Throughout his career, he has reported and written for major publications, including *The New York Times*, *The New Yorker*, *The Atlantic*, *The New York Review of Books*, and *The New York Times Book Review*. He is currently a contributing writer for ProPublica, which has published several of his articles regarding the detention of and legal proceedings involving Abu Zubaydah. He has also written extensively about international security, the U.S. War on Terror, and U.S. detention practices at Guantanamo Bay, Cuba.

Mr. Bonner meets the statutory definition of a “representative of the news media” as an individual who “gathers information of potential interest to a segment of the public, uses [his] editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.” 5 U.S.C. § 552(a)(4)(A)(ii). Mr. Bonner’s current role in the production of a documentary about Abu Zubaydah and as a contributing writer for ProPublica make clear he “can demonstrate a solid basis for expecting publication.” 5 U.S.C. § 552(a)(4)(A)(ii)(III).

If a fee waiver is denied, please contact us before incurring fees in excess of \$100.00.

Please let me know if these requests need to be separately directed to any other unit within the Department of Defense. Thank you for your prompt attention.

Very truly yours,

A handwritten signature in black ink that reads 'David Schulz'.  
David Schulz

## Submit New Request

### Requester Details

To modify request details please update your requester profile or contact the our office for assistance.

#### David Schulz

Media Freedom & Information Access Clinic  
Yale Law School, Box 208215  
127 Wall St  
New Haven, 06511  
Phone 917-733-9014  
david.schulz@yale.edu

Requester Default Category: Educational or Non-Commercial Scientific

### Custom Fields

Requester Control # :  
Previous Address 2 :

### General Information

Request Type FOIA  
Requester Category News Media

### Shipping Address

Street1 Yale Law School, Box 208215  
Street2 127 Wall St  
City New Haven  
State Connecticut  
State (Other)  
Country United States  
Zip Code 06511

### Request Information

Description Document  
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08/01/2016

Date Range for Record  
Search:From  
Date Range for Record  
Search:To  
Consent  
Proof of Identity

01/26/2021

**Fee Information**

Willing Amount \$100

**Billing Address**

State (Other)

**Other Information**

State (Other)

**Custom Fields**

Requester #