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Yale Law School

January 30, 2021

VIA EFOIPA PORTAL

Michael G. Seidel
Section Chief, Record/Information
Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843

Re: FOIA Request on behalf of Journalist Raymond Bonner

To Whom It May Concern:

We represent journalist Raymond Bonner, and make this Freedom of Information Act request on his behalf. Mr. Bonner seeks:

1. All records created between March 30, 2002 and July 15, 2002, inclusive, authored by FBI Agent Ali Soufan.
2. All records created between March 30, 2002 and July 15, 2002, inclusive, which refer or pertain to Abu Zubaydah (also known as Zayn Al Abidin Muhammad Husayn).

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 an ongoing 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-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/>.

Expedited processing is needed because Mr. Bonner seeks these records for use in a documentary about Abu Zubaydah, the release of which will coincide with the 20th



anniversary of the September 11 attacks this year. 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 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*. ProPublica 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. Thank you for your attention to this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "David Schulz", is enclosed in a thin black rectangular border.

David Schulz