

EXHIBIT F



CREATING
Legal Services, Inc.
LAW
ENFORCEMENT
Square
ACCOUNTABILITY &

Main Street
CUNY School of Law
2 Court
Long Island
www.cunyclear.org

City, NY 11101-4356
RESPONSIBILITY

U.S. Department of State
Office of Information Programs and Services
A/GIS/IPS/RL
SA-2, Suite 8100
Washington, D.C. 20522-0208

VIA Certified Mail

Re: Authorization for Release of Records to Another Individual for Fahmi Ahmed Moharam

I, Fahmi Ahmed Moharam, authorize the Department of State to release all records about me to Tarek Ismail, Supervising Attorney at Main Street Legal Services, Inc. I declare, certify, verify, or state that under penalty of perjury under the laws of the United States of America, the foregoing is true and correct.

Fahmi Moharam 4-3-19

Signed

Date

Fahmi Moharam
Print

(t) 718.340.4558 / 718.340.4533
(f) 718.340.4478
(e) cunyclear@law.cuny.edu



Lori Cunningham



Lori Cunningham, Notary Public
Comm. Expires June 16, 2024
Resides in Noble Co., IN
Comm. Number 686444



U.S. Department of State

CONSULAR OFFICES OF THE UNITED STATES OF AMERICA

AUTHORIZATION FOR THE RELEASE OF INFORMATION UNDER THE PRIVACY ACT

In accordance with the Privacy Act (PL 93-579) passed by Congress in 1974, a U.S. Consular Office cannot release any information regarding you to anyone without your written consent except as set forth in the Act. Please complete the authorization below, specifying whom a U.S. Consular Office may contact and to whom to release information with regard to your case. Please return the completed authorization to a U.S. Consular Office. Local language translations are acceptable to facilitate completion of the form in English.

The U.S. Government, by providing the Authorization for the Release of Information Under the Privacy Act Form, cannot under any circumstances compel an individual to complete and submit the form. PLEASE CAREFULLY CONSIDER TO WHOM, AND WHAT INFORMATION IS BEING DISCLOSED.

IMPORTANT: You are not obliged to grant anyone access to information regarding you but failure to provide the information requested on this form may make it more difficult, or impossible, for the Department of State or the U.S. Consular Office to assist you.

Your Full Name *(Last, First, MI)*
 Moharam Fahmi A

Born At: Place of Birth *(City, State/Province, Country)*
 Ibb, Yemen

On: Date of Birth *(mm-dd-yyyy)*
 10/10/1975

SECTION A

I hereby authorize the U.S. Consular Office of the United States of America and the U.S. Department of State to release information regarding me to the following individuals :

Name <i>(Last, First)</i>	Telephone Number	Address	Relationship
Ismail Tarek	7183404141	2 Court. Square Long Island City, NY 11101	Attorney
Walsh Hannah	7183404141	2 Court. Square Long Island City, NY 11101	Attorney
Jennings Wendy	7183404141	2 Court. Square Long Island City, NY 11101	Attorney
Name <i>(Last, First)</i>	Telephone Number	Address	Relationship
Name <i>(Last, First)</i>	Telephone Number	Address	Relationship

IN THE EVENT OTHER PERSONS REQUEST INFORMATION REGARDING MY CASE, INFORMATION CAN BE RELEASED TO THE FOLLOWING:

YES	NO	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Family (Other than Those Listed Under Section A)
<input type="checkbox"/>	<input type="checkbox"/>	Friends (Other than Those Listed Under Section A)
<input type="checkbox"/>	<input type="checkbox"/>	Individual Members of Congress and Staff
<input type="checkbox"/>	<input type="checkbox"/>	Members of the Media
<input type="checkbox"/>	<input type="checkbox"/>	The General Public
<input type="checkbox"/>	<input type="checkbox"/>	Employer

Please review the form before signing. Information will only be released under Section A if requested and if we have your signed authorization.

Fahmi Moharam
 Signature of the Applicant
 (Please Sign in Black or Blue Ink)

Ligonier U.S.A
 City, Country

Fahmi moharam
 Print Your Name

3-31-19
 Date (mm-dd-yyyy)

PRIVACY ACT STATEMENT

This information is needed to assist you in your present need for consular services. The primary purpose for soliciting this information is to establish your citizenship, identity, and entitlement to welfare protection services offered by the U.S. Government.

The U.S. Department of State is committed to ensuring that any personal information received is safeguarded against unauthorized disclosure. The data you provide is subject to the provisions of the Privacy Act (5 U.S.C. 552a). This means that the U.S. Department of State will not disclose the information you provide unless you have given us written authorization to do so, or unless the disclosure is otherwise permitted under the provisions of the Act or in accordance with our routine uses published in Title 22 of the Code of Federal Regulations. The information solicited on this form may be made available as a routine use to other government agencies for law enforcement and administrative purposes.



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CUNY School of Law
2 Court Square
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Office of Information Programs and Services
A/GIS/IPS/RL
U.S. Department of State
Washington, D.C. 20522-8100

VIA CERTIFIED MAIL

April 10, 2019

RE: Freedom of Information Act Request of the United States Department of State

To whom it may concern:

This is a request under the Freedom of Information Act ("FOIA") and Privacy Act of 1974. A notarized Authorization for Release of Records to Another Individual, an Authorization for the Release of Information Under the Privacy Act (Form DS-5505), and a copy of his state-issued ID are attached.

We are legal counsel for Mr. **Fahmi Ahmed Moharam (D.O.B. 10/10/1975; Citizenship: United States)**. Pursuant to the Privacy Act of 1974 (5 U.S.C. §552(A)(b)), we have attached the Authorization for Release of Information Form (Form DS-5505), a notarized Authorization for Release of Records to Another Individual for Fahmi Ahmed Moharam, and a copy of passport.

Background to Request

Mr. Moharam's unexplained placement on the No Fly List has affected his personal and professional life. He has not seen his wife or four of his children in over a year because he is unable to travel to Yemen. His inability to travel has caused him significant financial, emotional, and psychological stress.

As a U.S. citizen, Mr. Moharam is entitled to an explanation of why he has been barred from traveling since October 2017. Mr. Moharam seeks any and all information pertaining to his placement on the "No Fly List."

Materials Requested

We request copies of the following records, documents, data entries, correspondence, reports, memorandums, opinions, written or typed notes, and/or audio recordings (collectively hereinafter "records") that were created, used or maintained by the Department of State pertaining to Mr. Fahmi Ahmed Moharam. These include but are not limited to:

1. Records concerning the investigation which took place that resulted in Mr. Moharam being placed on the No Fly List and subsequently granted a waiver of return:
 - a. Notes taken by and any reports filed by individuals who interrogated Mr. Fahmi Ahmed Moharam between October 15, 2017 and December 31, 2017 at the U.S. Embassy in Jeddah, Saudi Arabia;
 - b. Any audio and/or video recording of the interrogation of Mr. Moharam between October 15, 2017 and December 31, 2017 at the U.S. Embassy in Jeddah, Saudi Arabia;
 - c. A copy of any statements taken from Mr. Moharam at the U.S. Embassy in Jeddah, Saudi Arabia between October 15, 2017 and December 31, 2017;
 - d. Any communications within the U.S. Embassy in Saudi Arabia, between the U.S. Embassy in Saudi Arabia and other U.S. governmental bodies, between the U.S. Embassy in Saudi Arabia and any foreign government, between the U.S. Embassy in Saudi Arabia and any private entity, or between the U.S. Department of State and any of the above regarding the interrogation of Mr. Moharam from October 15, 2017 to December 31, 2017.
2. A copy of all passport applications filed by Mr. Moharam;
3. All e-mails addressed to dihyemyakoob@gmail.com from the U.S. Embassy in Jeddah or from any other Office of the U.S. Government from October 15, 2017 to present concerning Mr. Moharam.
4. All records concerning a Bureau of Diplomatic Security Service investigation of Mr. Moharam including, but not limited to:
 - a. Any audio and or video recording of an interview of Mr. Moharam by agents of the Diplomatic Security Service, including Agents in Jeddah, Saudi Arabia, or any written notes or report of such interview;
 - b. Any communications shared between the Bureau of Diplomatic Security Service and the U.S. Attorneys' Office for the Northern District of Indiana concerning Mr. Moharam from October 15, 2017 to the present;
5. A copy of all communications between the Department of State and United States Department of Homeland Security, including, but not limited to Citizenship and Immigration Services, Transportation Security Administration, and Customs and Border Protection concerning Mr. Moharam from October 15, 2017 to the present.
6. A copy of all communications between the Department of State and the Federal Bureau of Investigations concerning Mr. Moharam.
7. All records created, sent, received, referenced, and/or used in fulfilling and/or responding to this Request.

We request that you search any relevant electronic databases and conduct a hand search of all files containing information pertaining to Mr. Moharam. As FOIA requires, please release all reasonably segregable, non-exempt portions of any responsive documents. 5 U.S.C. § 552(b).

If the records are available electronically, we request that they be provided electronically. Please respond with all applicable documents to:

tarek.ismail@law.cuny.edu

For those records that are not available electronically, please mail them to:

Tarek Ismail
CLEAR – Main Street Legal Services, Inc.
CUNY School of Law
2 Court Square
Long Island City, NY 11101

FEE WAIVER

While this request is subject only to “reasonable duplication charges,” it merits a complete fee waiver because disclosure of the requested information is in the public interest and will likely contribute significantly to public understanding of the operations or activities of the government. 5 U.S.C. § 552(a)(4)(A).

The Creating Law Enforcement Accountability & Responsibility (CLEAR) Project is part of the City University of New York School of Law. The CLEAR Project was created in response to national security and counterterrorism policies and practices affecting Muslim, Arab, and South Asian (MASA) communities in the greater New York City area. The CLEAR Project provides for important unmet legal needs of these communities by: providing support to local community-based organizations serving MASA communities, providing Know-Your-Rights workshops on related issues, and providing legal representation and consultation. Mr. Moharam’s file will help inform our understanding of these programs, and does not serve a commercial interest as it does not relate to commerce, trade or profit. *See McClellan Ecological Situation v. Carlucci*, 835 F. 2d 1282, 1285 (9th Cir. 1987); 6 C.F.R. § 5.11(b)(1). As such, our request for Mr. Moharam’s records is subject only to reasonable duplication fees. 5 U.S.C. §552(a)(4)(A)(ii)(II); 6 C.F.R. § 5.11(c)(1), (3).

Mr. Moharam’s request meets the standards set forth in favor of a public interest fee waiver for duplication fees. Mr. Moharam’s file is “likely to contribute significantly to public understanding” of the DHS TRIP redress process, particularly with regards to its activities which burden MASA communities, and disclosure is not primarily in Mr. Moharam’s commercial interest. *See* 6 C.F.R. § 5.11(k)(1)(i)-(ii). Mr. Moharam’s records will inform CLEAR’s understanding of DHS TRIP’s activities and operations that burden those like Mr. Moharam in the Muslim, Arab and South Asian community who go through extensive screening at the airport without explanation. CLEAR will then widely share this understanding with the MASA communities with whom we work, and those interested in law enforcement and civil liberties.

See e.g., Judicial Watch v. Gen. Servs. Admin., No. Civ.A. 98-2223, 2000 WL 35538030 at 8, 11 (D.D.C. Sept. 25, 2000); *McClellan Ecological Situation v. Carlucci*, 835 F. 2d 1282, 1285 (9th Cir. 1987).

CLEAR frequently serves as a resource for the news media on these issues due to our active role in the local Muslim-community organizing efforts. Accordingly, in this capacity, CLEAR's knowledge of law enforcement practices works to broaden the public's understanding of the work of law enforcement in MASA communities, a topic of great public import. *See* 6 C.F.R. § 5.11(k)(2)(iii); *see e.g., Ramzi Kassem, The Long Roots of NYPD Spying*, *The Nation*, available at <http://bit.ly/1r1qvRP>.

If necessary, CLEAR is willing to pay fees for this request up to a maximum of \$25. If you estimate that the fees will exceed this limit, please inform us before processing this request. Please contact us at 718.340.4141 with any questions or concerns. We look forward to receiving your response within the twenty day statutory time period. Thank you for your consideration.

Sincerely,

Wendy Jennings, *Student Attorney*
Hannah Walsh, *Student Attorney*
Tarek Z. Ismail, *Senior Staff Attorney*

Attachments

We the People

Of the United States,
in Order to form a more perfect Union,
establish Justice, insure domestic Tranquility,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, do herein and establish this
Constitution for the United States of America.



SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

3

PASSPORT
PASSEPORT
PASAPORTE

UNITED STATES OF AMERICA

Type / Type / Tipo : Code / Code / Código : Passport No. / No. du Passeport / No. del Pasaporte

P USA

Surname / Nom / Apellido

MOHARAM

Given Names / Prénoms / Nombres

FAHMI AHMED

Nationality / Nationalité / Nacionalidad

UNITED STATES OF AMERICA

Date of birth / Date de naissance / Fecha de nacimiento

[REDACTED]

Place of birth / Lieu de naissance / Lugar de nacimiento

YEMEN

Sex / Sexe / Sexo

M

Date of issue / Date de délivrance / Fecha de expedición

25 Nov 2015

Authority / Autorité / Autoridad

United States

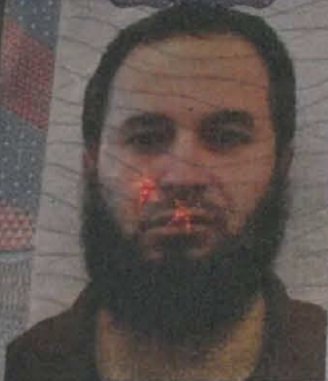
Date of expiration / Date d'expiration / Fecha de caducidad

24 Nov 2025

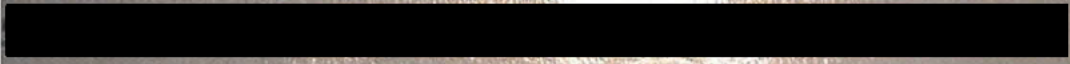
Department of State

Endorsements / Mentionnes spéciales / Añadidos

SEE PAGE 51



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TAREK ISMAIL, ESQ
Main Street Legal Services Inc.

CUNY SCHOOL OF LAW

2 Court Square, Long Island City, New York 11101-4356

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PS Form 3800, April 2013 PSN 7530-02-000-9001

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