

Exhibit 4

NATIONAL SECURITY COUNSELORS

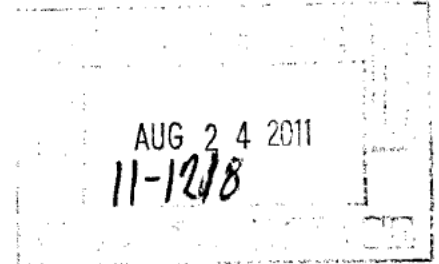
1200 SOUTH COURTHOUSE ROAD
SUITE 124
ARLINGTON, VA 22204

TELEPHONE: (301) 728-5908
FACSIMILE: (240) 681-2189

KEL MCCLANAHAN, ESQ., EXECUTIVE DIRECTOR (admitted in NY, DC)
EMAIL: KEL@NATIONALSECURITYLAW.ORG

BRADLEY P. MOSS, ESQ., DEPUTY EXECUTIVE DIRECTOR (admitted in IL, DC)
EMAIL: BRAD@NATIONALSECURITYLAW.ORG

23 August 2011



Delores Barber
Deputy Chief FOIA Officer
Department of Homeland Security
Building 410, STOP-0655
245 Murray Drive, SW
Washington, DC 20528-0655

Re: FOIA/PA Request – Sharif Mobley and Nzinga Islam

Dear Ms. Barber:

This is a request on behalf of my clients, Sharif Mobley, Nzinga Islam, and Reprive UK under the Privacy Act, 5 U.S.C. § 552a, *et seq.*, and the Freedom of Information Act, 5 U.S.C. § 552, *et seq.*, for copies of **all records about Mr. Mobley and Ms. Islam located in the Terrorist Screening Database or the DHS Watchlist Service**. Mr. Mobley is a U.S. citizen currently being held in the Central Security Prison in Yemen for alleged ties to al'Qaeda. *See* <http://www.washingtonpost.com/wp-dyn/content/article/2010/09/04/AR2010090403328.html>. More information about Mr. Mobley and his situation was given to DHS when he filed a FOIA/PA request last year, which you assigned Request No. DHS/OS/PRIV 10-0879. However, I draw your attention to that request only for reference purposes; the scope of this request is only for records about Mr. Mobley and Ms. Islam in the two identified systems. I have attached privacy waivers from my clients.

My clients' identifying information is as follows:

Sharif Yusuf Bayeh X Mobley
SSN – [REDACTED]-5856
DOB – [REDACTED] 1984
City/State of Birth – Vineland, NJ
U.S. Citizen
Last U.S. address: 328 Plymouth Street, Buena, NJ 08310

Nzinga Saba Islam
SSN – [REDACTED]-3571
DOB – [REDACTED] 1987

City/State of Birth – Philadelphia, PA

U.S. Citizen

Last U.S. address: 6616 Musgrave Street, Philadelphia, PA 19119

My clients hereby request a public interest fee waiver and expedited processing for all the reasons set forth in Request No. DHS/OS/PRIV 10-0879, which need not be restated here.

Your cooperation in this matter would be appreciated. If you wish to discuss this request, please do not hesitate to contact me.

Sincerely,



Kel McClanahan

**DECLARATION OF SHARIF MOBLEY
AUTHORIZING PREVIOUSLY FILED FOIA REQUEST
AND ALL FURTHER REQUESTS FOR DOCUMENT DISCLOSURE
SOUGHT BY COUNSEL ON MY BEHALF**

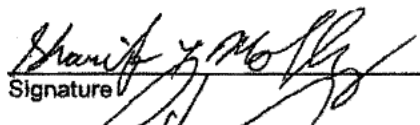
I, Sharif Mobley, hereby declare as follows:

1. My full name is Sharif Yusuf Beyah X Mobley, date of birth [REDACTED] 1984, place of birth Vineland, New Jersey, United States of America.
2. I am a citizen of the United States currently detained at the Political Security Prison in Sana'a, Yemen.
3. Prior to my unlawful seizure and detention, my address in the United States was:
328 Plymouth St BOPIS NJ 08310
4. I hereby authorize Cori Crider, Clive Stafford Smith, Tara Murray, *Reprieve*, and any person or organization assigned by these, my lawyers, to act on my behalf to secure any documents and information that they believe necessary for my defense, and to see whatever redress they believe to be in my interests, in the courts of the United States or in any other available forum.
5. I have reviewed the Freedom of Information Act Request submitted by on my behalf by my counsel and attached to this declaration; that I am the person referenced as the requester in the FOIA request; and that I am indeed seeking these disclosures on my own behalf, through my counsel, for my defense.

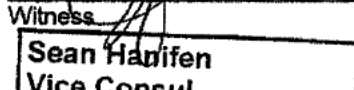
I hereby declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Dated: 8-18-2010

Sana'a, Yemen


Signature

Republic of Yemen)
City of Sana'a) ss.
Embassy of the United States)

Witness

**Sean Hanifen
Vice Consul
U. S. Embassy - Sana'a**

Indefinite

Reprieve, PO Box 52742 T +44 (0)20 7353 4640 info@reprieve.org.uk
London UK, EC4P 4WS F +44 (0)20 7353 4641 www.reprieve.org.uk

Patrons: Alan Bennett, Julie Christie, Martha Lane Fox, Sir John Mortimer,
Gordon Roddick, Jon Snow, Marina Warner.

REPRIEVE

AUTHORIZATION OF REPRESENTATION

I, Cori Crider, am counsel for Sharif Mobley, and have authority to instruct other counsel to act on Mr Mobley's behalf.

I hereby authorize Kel McClanahan and National Security Counselors to act for Sharif Mobley/Reprieve in connection with Mr Mobley's requests for information about himself in the United States. A copy of this authorization shall carry the same weight as an original.

Signed this 18th day of May, 2011.



Cori Crider
Legal Director
Reprieve

Reprieve is a charitable company limited by guarantee registered in England and Wales. Registered Charity No.1114900,
Registered Company No.5777831. Registered Office 2-6 Cannon Street London EC4M 6YH.

Declaration of Nzinga Saba Islam Authorizing The Filing of FOIA Requests For Document Disclosure Sought By Counsel On My Behalf

I, Nzinga Saba Islam, hereby declare as follows:

1. My full name is Nzinga Saba Islam, date of birth [REDACTED] 1987, social security number [REDACTED] 3571, place of birth, Philadelphia, Pennsylvania, United States of America.
2. I am a citizen of the United States currently living in Sana'a, Yemen.
3. Prior to moving to Yemen, my address in the United States was: 6616 Musgrave Street, Philadelphia, PA, 19119
4. I hereby authorize Cori Crider, *Reprive*, Kel McClanahan and *National Security Counselors*, and any person or organisation assigned by these lawyers, to act on my behalf. I further authorize them to file FOIA/PA requests on my behalf, and that any release to them is a release to me.

I do solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true to the best of my knowledge.

Date: 6/19/11

Signature: 

Print Name: Nzinga Islam

Witness:


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Exhibit 5

U.S. Department of Homeland Security
Washington, D.C. 20528



**Homeland
Security**

Privacy Office, Mail Stop 0655

September 20, 2011

Mr. Kel McClanahan
1200 South Courthouse Rd.
Suite 124
Arlington, VA 22204

Re: **DHS/OS/PRIV 11-1218**

Dear Mr. McClanahan:

This is the final response to your August 23, 2011, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), in which you seek all records about Mr. Mobley and Mrs. Islam located in the Terrorist Screening Data Base or the DHS watch list service. Your request was received in this office on August 24, 2011.

Upon review of your request, I have determined that the records you are seeking are not under purview of DHS. The Federal Bureau of Investigation (FBI), which is a component of the Department of Justice, maintains a watch list through its Terrorism Screening Center. You will find information there about the FBI watch list, including frequently asked questions at: http://www.fbi.gov/about-us/nsb/tsc/tsc_faqs. Should you wish to request FBI records, you should direct your request to:

Federal Bureau of Investigations
Record Information/Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843

If you have any questions or would like to discuss this matter, please feel free to contact this office at our toll-free telephone number, 866-431-0486, or at 703-235-0790, and refer to case number **DHS/OS/PRIV 11-1218**.

Sincerely,

A handwritten signature in black ink that reads "Eric Neuschaefer". The signature is written in a cursive style with a large, stylized "E" and "N".

Eric Neuschaefer
FOIA Program Specialist

Exhibit 6



**Homeland
Security**

Privacy Office, Mail Stop 0655

December 13, 2011

Mr. Kel McClanahan
1200 South Courthouse Rd.
Suite 124
Arlington, VA 22204

Re: **DHS/OS/PRIV 11-1218**

Dear Mr. McClanahan:

This letter is in reference to your August 23, 2011 request under the Freedom of Information Act (FOIA) and the Privacy Act to the Department of Homeland Security (DHS), in which you seek all records about Mr. Mobley and Mrs. Islam located in the Terrorist Screening Data Base or the DHS watch list service. Your request was received in this office on August 24, 2011 and assigned case number DHS/OS/PRIV 11-1218. The Department issued a response to your request on September 20, 2011, and stated that the Department had "determined that the records you are seeking are not under purview of DHS."

Upon further review, the Department will process your request for records, and will do so on an expedited basis. We will issue a final response regarding your request no later than December 21, 2011.

If you have any questions or would like to discuss this matter, please contact Judson Littleton, the Department of Justice attorney assigned to this case, at (202) 305-8714 or judson.o.littleton@usdoj.gov.

Sincerely,

A handwritten signature in black ink that reads "James V.M.L. Holzer, I". The signature is written in a cursive style with a large, sweeping flourish over the name.

James V.M.L. Holzer, I, MHR, CIPP/G
Director
Disclosure and FOIA Operations

Exhibit 7



**Homeland
Security**

Privacy Office, Mail Stop 0655

December 21, 2011

Mr. Kel McClanahan
1200 South Courthouse Rd.
Suite 124
Arlington, VA 22204

Re: **DHS/OS/PRIV 11-1218**

Dear Mr. McClanahan:

This is the final response to your August 23, 2011 request under the Freedom of Information Act (FOIA) and the Privacy Act to the Department of Homeland Security (DHS), in which you seek all records about Mr. Mobley and Mrs. Islam located in the Terrorist Screening Data Base or the DHS watch list service. Your request was received in this office on August 24, 2011 and assigned case number DHS/OS/PRIV 11-1218.

The Department issued a response to your request on September 20, 2011, and stated that the Department had “determined that the records you are seeking are not under purview of DHS.” On December 13, 2011, the Department issued a letter stating that upon further review, the DHS would process your request for records, and would do so on an expedited basis and issue a final response regarding your request no later than December 21, 2011.

As stated in the SORN for DHS/ALL-30, the Secretary of Homeland Security has exempted this system of records from 5 USC §552a(d), the access provision of the Privacy Act, as the records contained in this system meet the requirements of 5 USC §552a(k)(1) and (k)(2). Therefore, under the circumstances presented by your request your clients have no access rights to records in this system whether or not responsive records may be contained in the system. Furthermore, insofar as your clients’ rights under the Freedom of Information Act (FOIA), 5 USC §552, are concerned, the Department cannot admit or deny the existence of any such records because that information is exempt from release under 5 USC §552(b)(7)(E). Moreover, if any such responsive records existed, they would be exempt from release under 5 USC §552(b)(1) and (b)(7)(E).

You have a right to appeal our withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, D.C. 20528, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked “FOIA Appeal.” Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.¹

If you have any questions or would like to discuss this matter, please contact Judson Littleton, the Department of Justice attorney assigned to this case, at (202) 305-8714 or judson.o.littleton@usdoj.gov.

Sincerely,

A handwritten signature in blue ink that reads "James V.M.L. Holzer, I". The signature is written in a cursive style with a horizontal line underlining the name.

James V.M.L. Holzer, I, MHR, CIPP/G
Director
Disclosure and FOIA Operations

¹ 6 CFR § 5.11(d)(4).