

EXHIBIT 5

1099 NEW YORK AVENUE, NW SUITE 900 WASHINGTON, DC 20001-4412

JENNER & BLOCK LLP

May 1, 2019

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VIA EMAIL

Arnetta Mallory, FOIA Initiatives Coordinator
Patricia Matthews, FOIA Public Liaison
National Security Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Room 6150
Washington, D.C. 20530-0001

Re: Freedom of Information Act Request

Dear Ms. Mallory and Ms. Matthews:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, *et seq.*, I write on behalf of Huawei Technologies Co., Ltd., and Huawei Device USA Inc. (collectively, “Huawei,” or “the Company”) to request the following from the National Security Division of the Department of Justice:

- All communications with the White House—including the President and any White House officials—pertaining to the Department of Justice’s investigation or prosecution of Huawei or Meng Wanzhou, the allegations against Huawei and Ms. Meng in the indictment issued in *United States v. Huawei Technologies Co., Ltd., et al.*, 18-CR-457 (S-2) (AMD) in the Eastern District of New York (the “EDNY Indictment”), the United States-China trade relationship, or 5G technology or competition (with reference to Huawei), dated on or between January 1, 2017 and the present.
- All communications with any other Department of Justice component or federal agency pertaining to the United States’ investigation or prosecution of Huawei or Meng Wanzhou or the allegations in the EDNY Indictment, dated on or between January 1, 2017 and the present.
- All communications with any Member(s) of Congress or their staff, including but not limited to Senator Tom Cotton, Senator Marco Rubio, Congressman Michael Conaway, or Senator James Risch, pertaining to Huawei or Meng Wanzhou, dated on or between January 1, 2017 and the present.

May 1, 2019

Page 2

- All materials and communications pertaining to Attorney General Sessions's China Initiative announced on November 1, 2018, and any planning stages or review of the Initiative, including materials and communications pertaining to the legal basis for or legality of the Initiative, dated on or between January 1, 2018 and the present. *See* Attorney General Jeff Session[s]'s China Initiative Fact Sheet (Nov. 1, 2018), <https://www.justice.gov/opa/speech/file/1107256/download>.
- All communications with representatives or employees of telecommunications company Ericsson, or any of its subsidiaries or affiliates, or telecommunications company Nokia Corporation, or any of its subsidiaries or affiliates, pertaining to Huawei or Meng Wanzhou, the United States' investigation or prosecution of Huawei or Ms. Meng, the allegations in the EDNY Indictment, or any United States policy pertaining to 5G technology, dated on or between August 1, 2012 and February 28, 2013, or on or between January 1, 2017 and the present.
- All communications with representatives or employees of Cisco Systems, Inc.; Motorola Solutions, Inc.; Motorola Mobility LLC; Nortel Networks Corp.; T-Mobile, Inc.; Quintel Technology Ltd.; InterDigital, Inc.; Lemko Corp.; Akhan Semiconductor Inc.; Qualcomm Incorporated; AT&T Inc.; HSBC Bank USA, N.A.; HSBC Holdings PLC; or any of their subsidiaries or affiliates, pertaining to Huawei or Meng Wanzhou, the United States' investigation or prosecution of Huawei or Ms. Meng, the allegations in the EDNY Indictment, or any United States policy pertaining to 5G technology, dated on or between January 1, 2017 and the present.
- All communications with Reuters journalists including Babak Dehghanpisheh, Karen Freifeld, Marcus George, Julie Gordon, Grace Li, James Pomfret, Steve Stecklow, or Chyen Yee Lee, pertaining to Huawei or Meng Wanzhou, including how any disclosures from HSBC or its federally appointed Corporate Compliance Monitor, Michael Cherkasky, contributed to the case against Huawei or Ms. Meng, dated on or between August 1, 2012 and February 28, 2013, or on or between October 1, 2018 and the present.
- All materials and communications pertaining to the meeting(s) reportedly held between Members of Congress—including Congressman Dutch Ruppersberger, Congressman Devin Nunes, Congresswoman Michele Bachmann, and Congressman Adam Schiff—and senior officials of Huawei, including Ren Zhengfei, in or around Hong Kong in May 2012. *See* House Permanent Select Comm. Intelligence, *Investigative Report on the U.S. National Security Issues Posed by Chinese Telecommunications Companies Huawei and ZTE* 9 (Oct. 8, 2012), <https://www.hsdl.org/?abstract&did=722516>.
- All communications with the Royal Canadian Mounted Police, the Canada Border Services Agency, or any other Canadian authorities or agencies that participated in the

May 1, 2019

Page 3

investigation or arrest of Meng Wanzhou, dated on or between January 1, 2018 and the present.

The term “materials” as used in these FOIA requests includes, but is not limited to, papers, instruments, data, documents, records, reports, memoranda, letters, agreements, employee notes, meeting notes, transcripts, and other documentary evidence, whether in paper form or stored on audiotape, videotape, computer, electronic, magnetic, or any other media. The term “communications” as used in these FOIA requests includes, but is not limited to, correspondence, emails, letters, faxes, and messages of any kind, including text, voicemail, video, or other electronic messages.

References to “Huawei” as used in these FOIA requests includes Huawei Technologies Co., Ltd.; Huawei Device USA Inc.; Huawei Device Co., Ltd.; FutureWei Technologies, Inc.; HiSilicon Technologies Co., Ltd.; and any U.S.-based subsidiaries or affiliates of the same.

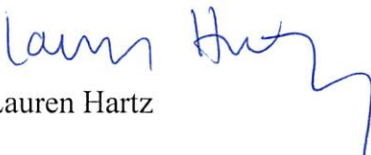
This is a commercial-use request. I agree on behalf of Huawei to pay all reasonable search, review, and reproduction costs incurred in connection with the processing of this request, but please contact me in the event that these costs will exceed \$1,000 so I can better understand the nature of the costs.

I request expedited processing of this request on the ground that the EDNY Indictment, the arrest of Ms. Meng, the United States-China trade relationship, and 5G technology and competition have been the subjects of widespread and exceptional media interest, and the information sought by this request involves possible questions about the government’s integrity that affect public confidence, as well as matters of general public and economic interest. I further request that a copy of the documents described above be provided by June 1, 2019, or alternatively, that you please contact me if you anticipate this request’s processing extending beyond that date.

Please send a copy of the requested documents to LHartz@Jenner.com where possible, and otherwise to Lauren Hartz, Jenner & Block LLP, 1099 New York Ave., NW, Suite 900, Washington, DC 20001-4412.

Thank you in advance for your assistance.

Sincerely,

A handwritten signature in blue ink that reads "Lauren Hartz". The signature is written in a cursive, flowing style.

Lauren Hartz