

EXHIBIT 21



U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

Lauren Hartz, Esq.
Jenner & Block LLP
1099 New York Avenue
Suite 900
Washington, DC 20001
lhartz@jenner.com

Re: Appeal No. DOJ-AP-2020-000653
Request No. DOJ-2019-004384
MWH:RCS

VIA: Email

Dear Lauren Hartz:

You attempted to appeal on behalf of your clients, Huawei Technologies Co., Ltd., and Huawei Device USA Inc., from the failure of the Initial Request Staff (IR Staff) of the Office of Information Policy to respond to their Freedom of Information Act request for access to specific records concerning the Department of Justice's investigation or prosecution of Huawei, a named third party, or former Attorney General Jeff Sessions' China Initiative.

Department of Justice regulations provide for an administrative appeal to the Office of Information Policy only after there has been an adverse determination by a component. See 28 C.F.R. § 16.8(a) (2019). As no adverse determination has yet been made by the IR Staff, there is no action for this Office to consider on appeal.

As you may know, the FOIA authorizes requesters to file a lawsuit when an agency takes longer than the statutory time period to respond. See 5 U.S.C. § 552(a)(6)(C)(i). However, I can assure you that this Office has contacted the IR Staff and has been advised that your clients' request is currently being processed. If your clients are dissatisfied with the IR Staff's final response, they may appeal again to this Office.

This Office has forwarded a copy of your letter to the IR Staff. You should contact the IR Staff's Requester Service Center at (202) 514-3642 for further updates regarding the status of your request.

If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

3/10/2020

X 

Matthew W. Hurd
Acting Chief, Administrative Appeals Staff
Signed by: MATTHEW HURD