EXHIBIT E

U.S. Department of Justice

Criminal Division

Office of Enforcement Operations *Washington, D.C. 20530*

VIA Electronic Mail

February 11, 2022

Ms. Carrie Decell
Knight First Amendment Institute at Columbia University
Suite 302
475 Riverside Drive
New York, NY 10115
Carrie.decell@knightcolumbia.org

Request No. CRM-301699723
Subject: Spyware developed or provided by NSO group

Dear Ms. Decell:

This acknowledges receipt of your Freedom of Information Act request dated February 2, 2022, seeking records maintained by the Criminal Division. Your request was received in this Office on February 2, 2022. The request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

☒ Your request has been received by the Freedom of Information Act/Privacy Act Unit and we are searching the section(s) most likely to maintain responsive records.

☒ Because your request presents "unusual circumstances" (See 5 U.S.C. § 552(a)(6)(B)(i)-(iii)), we are extending the time limit to respond to your request an additional ten days as provided by the statute.

☒ We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether the processing of your request will result in any assessable fees.

☒ We have not yet made a decision on your request for preferred fee status. We will do so after we determine whether the processing of your request will result in any assessable fees.

☐ Your request for expedited treatment has been:

☐ Granted. Accordingly, your request has been assigned to a Government Information Specialist in this Office and we will respond to your request as soon as practicable.

☒ Denied. You request expedited treatment pursuant to the second standard enumerated in the Department of Justice's regulations. Under the second standard, you must show that there is "[a]n urgency to inform the public about an actual or alleged Federal Government activity, if made by a person primarily engaged in disseminating information." 5 U.S.C. § 552(a)(6)(E)(v)(II). See also 28 C.F.R. § 16.5(e)(1)(ii) (2019). Based on the information you have provided, I have determined that your request for expedited processing under this standard should be denied. This Office cannot identify a particular urgency to inform the public about an actual or alleged federal government activity beyond the public's right to know about government activities generally

Additionally, requesters seeking expedited treatment are required to submit a statement explaining in detail the basis for their request for such treatment. See 28 C.F.R. § 16.5(e)(3) (2019). This statement must be certified to be true and correct. See id.; see also 5 U.S.C. § 552(a)(6)(E)(vi). You have not provided such a statement.

If you are not satisfied with the Criminal Division's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: https://www.justice.gov/oip/submit-and-track-request-or-appeal. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be some delay in the processing of your request.

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records

Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

FOIA/PA Unit
Criminal Division
U.S. Department of Justice