



## Department of Energy

Washington, DC 20585

August 3, 2021

Austin R. Evers, Esq.  
American Oversight  
1030 15<sup>th</sup> Street, NW, Suite B255  
Washington, DC 20005

Via email: [foia@americanoversight.org](mailto:foia@americanoversight.org)

Re: HQ-2020-00489-F

Dear Mr. Evers:

This is the final response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You requested:

At the beginning of 2020, former Secretary Rick Perry joined the board of the general partner that controls Energy Transfer LP, a natural gas and propane pipeline transport company responsible for the Dakota Access Pipeline.<sup>1</sup> Energy Transfer LP's history of lobbying DOE while Mr. Perry was the Secretary of Energy has raised questions about the ethics of Mr. Perry's new position.<sup>2</sup>

American Oversight submits this request to shed light on whether and to what extent Mr. Perry or any other representative of Energy Transfer LP have communicated with DOE leadership since Mr. Perry's resignation.

American Oversight requests that DOE produce the following records within twenty business days:

All email communications (including emails, email attachments, complete email chains, and calendar invitations) between (a) any of the DOE officials specified below and (b) former Secretary Rick Perry, and/or any employee or representative of Energy Transfer LP, including but not limited to any person communicating from an email address ending with the domain "energytransfer.com", "sunocologistics.com", "millerstrategies.com", or "owendc.com".

Specified DOE Officials:

- I. Secretary Dan Brouillette
- ii. Anyone currently serving in the capacity of Chief of Staff, scheduler, or assistant



- iii. Under Secretary Mark Menezes
- iv. Samuel Buchan, Special Adviser
- v. William Cooper, General Counsel
- vi. Jonathan Wetzel, White House Liaison

Please produce all responsive records from December 1, 2019, through the date the search is conducted.

In the March 20, 2020 e-mail with Andrew Ferencevych of this office, you agreed to substitute the phrase, “[a]nyone currently serving in the capacity of Chief of Staff, scheduler or assistant”, with the names “James Colgary, Ashley Hebert, Matthew Johnson.” Further, in the April 9, 2020 e-mail with Mr. Ferencevych, you requested DOE search for “Rick Perry” and “Richard Perry” in the To, From, CC and BCC fields as well as in the subject and body field.

Your request was assigned to DOE’s Office of the Chief Information Officer (CIO) to conduct a search for requested emails with an end date of April 14, 2020. CIO completed its search but did not locate any records responsive to your request.

Therefore, pursuant to Title 10, Code of Federal Regulations (C.F.R.) § 1004.4(d), I am unable to provide any responsive documents for CIO. Pursuant to 10 C.F.R. §1004.7(b)(2), I am responsible for the determination that no responsive records exist.

The adequacy of the search may be appealed within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to Director, Office of Hearings and Appeals, HG-I, L’Enfant Plaza, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal by e-mail to [OHA.filings@hq.doe.gov](mailto:OHA.filings@hq.doe.gov), including the phrase “Freedom of Information Appeal” in the subject line (this is the method preferred by the Office of Hearings and Appeal). The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE’s records are situated, or (4) in the District of Columbia.

You may contact DOE’s FOIA Public Liaison, Alexander Morris, FOIA Officer, Office of Public Information, at 202-586-5955, or by mail at MA-46/Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, 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, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

For purposes of assessment of any fees, you have been categorized under the DOE regulation that implements the FOIA at Title 10, Code of Federal Regulations (CFR), Section 1004.9(b)(4) as an “other” requester. Requesters in this category are charged fees for search and duplication only and are provided two hours of search time and 100 pages at no cost. DOE’s processing costs did not exceed \$15.00, the minimum amount at which DOE assesses fees. Thus, no fees will be charged for processing your request.

If you have any questions about this letter or the processing of your request, you may contact me or Ms. Natonne Kemp of my office at:

MA-46/Forrestal Building  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585  
(202) 586-5955.

I appreciate the opportunity to assist you with this matter.

Sincerely,

ALEXANDER  
R MORRIS

Digitally signed by  
ALEXANDER MORRIS  
Date: 2021.08.03  
09:05:03 -04'00'

Alexander C. Morris  
FOIA Officer  
Office of Public Information