



Department of Energy
Washington, DC 20585

July 1, 2020

Mr. Austin Evers
American Oversight
1030 15th Street NW
Suite B255
Washington, D.C. 20005

Via e-mail: foia@americanoversight.org

Re: HQ-2019-01362-F

Dear Mr. Evers:

This is a 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:

All communications (including emails, email attachments, and calendar invitations) between (a) Secretary Rick Perry (or anyone communication on his behalf, such as a scheduler or assistant, including Stanley Gerdes), or Chief of Staff Brian McCormack, and (b) any of the individuals and entities listed below:

- a. Jeff Miller (including but not limited to the email address jeff@millerstrategies.com)
- b. Any person using an email address ending in @millerstrategies.com

Please provide all responsive records from August 1, 2017 - January 1, 2018, and from August 1, 2018 through the date the search is conducted.

Your request was assigned to DOE's Office of Executive Secretariat (ES) and Office of Management (MA) to conduct a search of their files for responsive documents. DOE started its search on June 29, 2020, which is the cut-off date for responsive documents. DOE completed its search but did not locate any documents 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 to your request for ES or MA. Pursuant to



10 C.F.R. § 1004.7(b)(2), I am responsible for the determination that no responsive records exist in those offices.

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-1, 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 to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line (this is the preferred method by the Office of Hearings and Appeals). The appeal must contain all of 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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

The FOIA provides for the assessment of fees for the processing of requests. *See* 5 U.S.C. § 552(a)(4)(A)(i); *see also* 10 C.F.R. § 1004.9(a). In our September 19, 2019 letter, you were advised that your request was placed in the "other" category for fee purposes. Requestors in this category are provided two free hours of search time and 100 pages at no cost. In that same letter, we informed you that your fee waiver was granted. Thus, no fees will be charged for processing your request.

If you have any questions about the processing of the request or this letter, you may contact Mr. Craig Greenberg, or me, at:

MA-46/Forrestal Building
1000 Independence Avenue, S.W.,
Washington, D.C., 20585
(202) 586-7504.

I appreciate the opportunity to assist you with this matter.

Sincerely,

Alexander C.
Morris

Digitally signed by
Alexander C. Morris
Date: 2020.07.01
13:17:22 -04'00'

Alexander C. Morris
FOIA Officer
Office of Public Information