



Department of Energy
Washington, DC 20585

04/06/2020

Austin Evers
American Oversight
1030 15th Street, NW
Suite B255
Washington, DC 20005

Via email: foia@americanoversight.org

Re: HQ-2020-00226-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:

Copies of any materials passed by Secretary Perry (or other DOE officials part of his delegation) to President Zelensky (or other Ukrainian government officials part of his delegation) during their meeting on or about May 20, 2019. Testimony provided as part of the U.S. House of Representatives' ongoing impeachment inquiry suggests, at a minimum, a list of "people [Secretary Perry] trusts" to "seek advice on energy sector reform" was passed to President Zelensky during a meeting between Perry and Zelensky on May 20, 2019, and would be responsive to this request.

Your request was assigned DOE's Office of the Executive Secretariat (ES) to conduct a search of its files for responsive documents. ES began its search on February 27, 2020, which is the cut-off date for responsive documents ES has completed its search and 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 records for ES. Pursuant to 10 C.F.R. § 1004.7(b)(23), I am responsible for the determination that no responsive records exist in ES.

The adequacy of this 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 method preferred 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.

In your request, you requested a waiver of all fees associated with processing of this request. 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), § 1004.9(b)(3), as an “other” requester. Requesters in this category are entitled to two (2) free hours of search time and 100 free pages. In your November 25, 2019 letter, we informed you that your fee waiver has been approved. 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 Mrs. Michelle Burgess or me at:

MA-46/ Forrestal Building
1000 Independence Avenue, S.W.
Washington, D.C. 20585
(202) 287-6733.

I appreciate the opportunity to assist you with this matter.

Sincerely,

Alexander C.
Morris

 Digitally signed by Alexander C.
Morris
Date: 2020.04.06 13:51:30 -04'00'

Alexander C. Morris
FOIA Officer
Office of Public Information