

Exhibit 9



Department of Energy

Washington, DC 20585

April 22, 2022

C. Peter Sorenson
Sorenson Law Office
PO Box 10836
Eugene, Oregon 97440

Via email: petesorenson@gmail.com

Re: HQ-2022-00153-F

Dear Mr. Sorenson:

This is a supplemental interim 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:

1) Any reports, training manuals or documents, policy directives, and emails to and from any American academic institutions including but not limited to administrators, employees, grant recipients or administrators, associated unions, and businesses or commercial entities working with academic intuitions; regarding the “China Initiative” and/or those records that relate to federal funding or grants and the following laws and/or their contents generally:

- a. 18 U.S.C. § 371 – Conspiracy
- b. 18 U.S.C. § 666 – Theft or bribery concerning programs receiving federal funds
- c. 18 U.S.C. § 1001 – Unlawful statements or entries generally
- d. 18 U.S.C. § 1343 – Wire Fraud
- e. 18 U.S.C. § 1512(c)(1)-(2) – Alteration, destruction, mutilation, or concealment of records; obstruction of official proceedings
- f. 18 USC § 1542 – False statement in application and use of passport
- g. 18 U.S.C. § 1546 – Fraud and misuse of visas, permits, and other documents
- h. 18 U.S.C. § 1831 – Economic espionage
- i. 18 U.S.C. § 1832 – Theft of trade secrets

2) All records pertaining to the agency’s communications to or from American academic institutions, associations or groups representing academics, unions representing university or college staff and employees, businesses or academic activities on American academic institutions’ campuses that include any of the following word combinations:

- a. “Chinese” and/or “China” + “Non-traditional collector(s)”



- b. “Chinese” and/or “China” + “Non-traditional Intelligence collector(s)”
 - c. “Chinese” and/or “China” + “conflict(s) of interest(s)”
 - d. “Chinese” and/or “China” + “conflict(s) of commitment(s)”
 - e. “Chinese” and/or “China” + “Falsifying”
 - f. “Chinese” and/or “China” + “Failing to report”
 - g. “Chinese” and/or “China” + “Misleading statement(s)”
 - h. “Chinese” and/or “China” + “Obscure(d) affiliation”
 - i. “Chinese” and/or “China” + “Funding restriction(s)”
 - j. “Chinese” and/or “China” + “Restriction(s) of fund(s)”
 - k. “Chinese” and/or “China” + “Restriction(s) of funding”
 - l. “Chinese” and/or “China” + “Restriction(s) to fund(s)”
 - m. “Chinese” and/or “China” + “Restriction(s) to funding”
 - n. “Chinese” and/or “China” + “Fraud”
 - o. “Chinese” and/or “China” + “Defraud”
 - p. “Chinese” and/or “China” + “Scheme to defraud”
 - q. “Chinese” and/or “China” + “Scheme to conceal”
 - r. “Chinese” and/or “China” + “Conceal(ing)”
 - s. “Chinese” and/or “China” + “Conceal(ed)”
 - t. “Chinese” and/or “China” + “Foreign support”
 - u. “Chinese” and/or “China” + “Economic Espionage”
 - v. “Chinese” and/or “China” + “Theft”
 - w. “Chinese” and/or “China” + “Theft of trade secret(s)”
- 3) Records containing statistics or data concerning the number of instances or reports of grant fraud initiated per year, month or any other time period, as well as any statistics or data concerning race, ethnicity, and or the national origin of those involved in these instances or reports.
- 4) Records containing statistics or data concerning the race, ethnicity, and or the national origin of those targeted by currently open or closed investigations as part of the “china initiative” or violations of any of the federal laws listed above as part of request.
- 5) Records relating to the agency’s expenditures, budget, allocation of funds, or other monetary distributions relating to the enforcement of the federal laws listed above as part of request (1), or laws, regulations, or rules relating to them or their general purpose.

In a phone call with Jennifer Goldsmith, of my office, confirmed over email on April 18, 2022, you amended your request to “1) all electronic communications, including attachments, to and from the Department of Justice headquarters and the following Department of Energy officials, whether acting, appointed or confirmed, mentioning “China Initiative”:

Secretary of Energy
Chief of Staff to the Secretary of Energy
Deputy Secretary of Energy
Chief of Staff to the Deputy Secretary of Energy
Under Secretary for Science

Under Secretary for Nuclear Security and Administrator of NNSA (National Nuclear Security Administration)

Assistant Secretary of Energy for International Affairs

Director of Economic Impact and Diversity

General Counsel

2) all electronic communications, including attachments, to and from the Federal Bureau of Investigation headquarters and the following Department of Energy officials, whether acting, appointed or confirmed, mentioning "China Initiative":

Secretary of Energy

Chief of Staff to the Secretary of Energy

Deputy Secretary of Energy

Chief of Staff to the Deputy Secretary of Energy

Under Secretary for Science

Under Secretary for Nuclear Security and Administrator of NNSA (National Nuclear Security Administration)

Assistant Secretary of Energy for International Affairs

Director of Economic Impact and Diversity

3) We wish to delete other aspects of the request previously submitted and assigned FOIA request HQ-2022-00153.

II. TIME FRAME OF THIS REQUEST

For this amended request, we request records created or received between January 20, 2017 and the present (i.e. throughout the time of the agency's search)."

Some records that may exist at DOE responsive to your amended request are under the jurisdiction of DOE's National Nuclear Security Administration (NNSA). For this reason, I have partially transferred your request to NNSA to conduct a search of its files for responsive records and provide you with a response.

If you have questions about the processing of your request under NNSA, you may contact Ms. Christina Hamblen, FOIA Officer at that location, at foiofficer@nnsa.doe.gov, at (866) 747-5994, or by mail at U.S. Department of Energy, NNSA Albuquerque Complex, Office of General Counsel, FOIA/PA, P.O. Box 5400, Albuquerque, NM 87185.

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.

If you have any questions about the processing of this request or this correspondence, you may contact Ms. Jennifer Goldsmith of my office at:

MA-46/Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20585
202-586-5955

I appreciate the opportunity to assist you with this matter.

Sincerely,

Alexander C. Morris
FOIA Officer
Office of Public Information