

# **Exhibit 3**



## Department of Energy

Washington, DC 20585

November 22, 2022

Kevin Schmidt  
Director of Investigations  
Americans for Prosperity Foundation  
1310 N. Courthouse Road, Ste. 700  
Arlington, VA 22201

Via email: [KSchmidt@afphq.org](mailto:KSchmidt@afphq.org)

Re: HQ-2023-00209-F

Dear Mr. Schmidt,

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

1. All internal and external communications (e-mail, text, instant messaging, calendar items, etc.), including attachments (memos, guidance documents, directives, etc.), that contain the keywords:
  - a. ("Strategic Petroleum Reserve" OR "SPR") AND ("election" OR "midterm")
    - i. Time period: March 1, 2022 to the present.
  - b. ("OPEC" OR "Saudi") AND ("election" OR "midterm") AND ("delay" OR "November" OR "December" OR "deal" OR "agreement" OR "understanding")
    - i. Time period: March 1, 2022 to the present.
  - c. "Export" AND ("ban" OR "restrict") AND ("crude" OR "refined product" OR "diesel" OR "gas")
    - i. Time period: June 1, 2022 to the present.
  - d. "Jones Act" AND ("New England" OR "Governor" OR "Waiver" OR "LNG" OR "diesel" OR "heating oil")
    - i. Time period: June 1, 2022 to the present.

Sent to or by the following DOE employees, including through any alias accounts:

- a. Secretary Jennifer M. Granholm
- b. Deputy Secretary David M. Turk
- c. Chief of Staff Christopher Davis
- d. Former Chief of Staff Tarak Shah
- e. White House Liaison David Berrios
- f. Former White House Liaison/ Office of Clean Energy Demonstrations  
Caroline Grey



Upon completion of the search and review of records located, you will be provided a response.

In your letter, you asked for a waiver of all fees associated with the processing of your 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), Section 1004.9(b)(3), as a “news media” requester. Requesters in this category are charged fees for duplication only and are provided 100 pages at no cost.

Pursuant to 10 CFR 1004.9(8), I have reviewed the information you provided in the request to support your request for a fee waiver. I have determined that the information satisfies the criteria considered for a waiver of fees. A waiver, therefore, is appropriate for any fees that may be incurred because the subject of the request relates to a government activity, and information about the activity could lead to greater understanding by the public about the matter. You have also demonstrated the ability and intent of your organization to disseminate the information to the public in a form that can further understanding of the subject matter.

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.

Please refer to the above referenced number in any communications about the request. If you have any questions about the processing of your request, you may contact Charlita Ablakwa, or me 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 C.  
Morris**

Alexander C. Morris  
FOIA Officer  
Office of Public Information

Digitally signed by  
Alexander C. Morris  
Date: 2022.11.22 15:18:20  
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