



Department of Energy
Washington, DC 20585

May 18, 2021

Allan Blutstein
America Rising Corp.
1500 Wilson Blvd., 5th Floor
Arlington, VA 22209

Via email: ablutstein@americarisingllc.com

Re: HQ-2021-00336-F

Dear Mr. Blutstein:

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 the following:

Emails received by the Acting Secretary from the domain email address "@who.epo.gov" from January 20, 2021, to January 27, 2021.

Your request was assigned to DOE's Office of the Executive Secretariat (ES). The search started on February 8, 2021, which is the cutoff date for responsive records. ES has completed its search and identified sixteen (16) documents responsive to your request. These documents are being released in their entirety.

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 February 8, 2021 letter, you were advised that your request was placed in the “other” category for fee purposes. Requesters in this category are charged fees for entitled to two (2) free hours of search time and are provided 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 the processing of the request or this letter, you may contact Ms. Sandra Brinsley 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

Digitally signed by
Alexander C. Morris
Date: 2021.05.18
14:21:27 -04'00'

Alexander C. Morris
FOIA Officer
Office of Public Information

Enclosures

INDEX
Request #: HQ-2021-00336-F

Final response for Mr. Allan Blutstein for:

**Emails received by the Acting Secretary from the domain email address
"@who.epo.gov" from January 20, 2021, to January 27, 2021.**

DOE's Office of the Executive Secretariat (ES) has located sixteen (16) documents responsive to your request.

- Sixteen (16) documents *are being released in their entirety.*

From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Presidential Memorandum - Scientific Integrity and Evidence Based Policymaking
Date: Wednesday, January 27, 2021 3:57:42 PM

Good afternoon –

Please see [here](#) for a memo signed by President Biden. This Presidential Memorandum on Scientific Integrity and Evidence-Based Policymaking directs agencies to make evidence-based decisions guided by the best available science and data.

The memorandum charges the Director of the Office of Science and Technology Policy (OSTP) with the responsibility for ensuring scientific integrity across federal agencies. The OSTP Director is directed to review the effectiveness of agency scientific-integrity policies and assess agency scientific-integrity policies and practices going forward.

In addition, agencies that oversee, direct, or fund research are tasked with designating a senior agency employee as Chief Science Officer to ensure agency research programs are scientifically and technologically well founded and conducted with integrity.

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

This message does not originate from a known Department of Energy email system. Use caution if this message contains attachments, links or requests for information.

From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Memorandum - President's Council of Advisors on Science and Technology
Date: Wednesday, January 27, 2021 3:53:13 PM

Good afternoon –

Please see [here](#) for a memo signed by President Biden. This order re-establishes the President's Council of Advisors on Science and Technology (PCAST). The PCAST– co-chaired by the President's Science Advisor – will advise the President on policy that affects science, technology, and innovation. The Council will also advise the President on scientific and technical information that is needed to inform public policy relating to the economy, worker empowerment, education, energy, environment, public health, national and homeland security, racial equity, and other topics.

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

Sent from my iPhone

This message does not originate from a known Department of Energy email system.
Use caution if this message contains attachments, links or requests for information.

From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Climate
Date: Wednesday, January 27, 2021 3:39:55 PM

Good afternoon –

Please see [here](#) for a memo signed by President Biden. This Executive Order takes bold steps to combat the climate crisis both at home and throughout the world. In signing this Executive Order, President Biden has directed his Administration to:

- Center the Climate Crisis in U.S. Foreign Policy and National Security Considerations
- Take a Whole-of-Government Approach to the Climate Crisis
- Leverage the Federal Government’s Footprint and Buying Power to Lead by Example
- Rebuild Our Infrastructure for a Sustainable Economy
- Advance Conservation, Agriculture, and Reforestation
- Revitalize Energy Communities
- Secure Environmental Justice and Spur Economic Opportunity

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

Sent from my iPhone

This message does not originate from a known Department of Energy email system.
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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Memorandum on Tribal Consultations
Date: Tuesday, January 26, 2021 3:39:06 PM

Good afternoon –

Please [see](#) here for a memo signed by President Biden. This Presidential Memorandum recommits the federal government to respect Tribal sovereignty and strengthen the Nation-to-Nation relationship between the United States and Tribal Nations

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the US
Date: Tuesday, January 26, 2021 3:37:32 PM

Good afternoon –

Please see [here](#) for a memo signed by President Biden. This Presidential Memorandum takes action to combat xenophobia against Asian Americans and Pacific Islanders by directing HHS and the COVID-19 Health Equity Task Force to consider issuing guidance on best practices to advance cultural competency, language access, and sensitivity towards AAPIs in the COVID-19 response. This Presidential Memorandum also directs DOJ to partner with AAPI communities to prevent hate crimes and harassment against AAPIs.

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Protecting Federal Workers (Schedule F)
Date: Friday, January 22, 2021 5:25:45 PM

Good afternoon –

Please see [here](#) for a memo signed by President Biden. This Executive Order takes steps to protect and empower federal employees who are so essential to this country. It:

- **Restores collective bargaining power and worker protections** by revoking Executive Orders 13836, 13837, and 13839. It goes further to direct agencies to bargain over permissible, non-mandatory subjects of bargaining when contracts are up for negotiation so that workers have a greater voice in their working conditions.
- **Eliminates Schedule F.** Which threatens the critical protections of career employees and provides a pathway to burrow political appointees into the civil service.
- **Promotes a \$15 minimum wage.** The Executive Order directs the Office of Personnel Management to develop recommendations to pay more federal employees at least \$15 per hour.

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

-

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Economic Relief Related to Covid-19 Relief
Date: Friday, January 22, 2021 5:23:04 PM

Good afternoon –

Please see [here](#) for a memo signed by President Biden. The President has issued an Executive Order that will launch an all-of-government effort to provide equitable emergency economic relief to working families, communities, and small businesses across the nation. The all-of-government effort will:

- o **Address the growing hunger crisis facing 29 million Americans -- and as many as 12 million children** – by asking the U.S. Department of Agriculture to consider expanding and extending federal nutrition assistance programs.
- o **Ensure equitable and effective delivery of direct payments -- by asking the Treasury Department to change its delivery structure** and focus on getting relief to the 8 million Americans who still have not received the financial assistance to which they are entitled.
- o **Help approximately 2 million veterans maintain their financial footing** by asking the U.S. Department of Veterans Affairs to consider pausing federal collections on overpayments and debts.
- o **Help ensure that unemployed Americans no longer have to choose between paying their bills and keeping themselves and their families safe from COVID-19** by asking the U.S. Department of Labor to clarify that workers who refuse unsafe working conditions can still receive unemployment insurance.
- o **Enable effective and equitable distribution of government assistance** by establishing an interagency benefit coordination structure.

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Covid Data
Date: Thursday, January 21, 2021 5:50:35 PM

Good afternoon –

Please see [here](#) for a memo signed by President Biden. This Executive Order will enhance the United States’ collection, production, sharing, and analysis of data to track access to vaccines and testing, reopen schools and businesses, and address disparities in COVID-19 infections and health outcomes. And, the federal government will create publicly available dashboards with national and state-by-state level information, consistent with privacy protections on cases, testing, vaccination, and hospital admissions to make real-time information available to policymakers and the public.

Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

Emails ([missing, CNCS, MCC, SSA, USAGM, FHFA, DNI, CIA, NSC, Surgeon General, FEMA, FCC](#))

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Wilkins, Elizabeth W. EOP/WHO](#); [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Ethics
Date: Wednesday, January 20, 2021 11:09:47 PM

Good evening –

Please see [here](#) for a memo signed by President Biden. This Executive Order establishes the Biden-Harris Administration Ethics Pledge, which adopts and builds upon the Obama-Biden Administration’s pledge. It adds a provision that requires appointees to commit to not improperly interfere with Justice Department investigations or prosecutions, consistent with the commitment to Justice Department independence. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Wilkins, Elizabeth W. EOP/WHO](#); [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - A second EO on Modernizing the Regulatory Process
Date: Wednesday, January 20, 2021 11:00:42 PM

Good evening –

Please see [here](#) for a memo signed by President Biden. This Presidential Memorandum directs the Office of Management and Budget, in consultation with federal agencies, to provide recommendations on further action to modernize the regulatory review process, including through consideration of racial justice and the distributional impacts of regulations. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Wilkins, Elizabeth W. EOP/WHO](#); [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Combatting and Preventing Discrimination on the Basis of Gender Identity or Sexual Orientation
Date: Wednesday, January 20, 2021 10:47:22 PM

Good evening –

Please see [here](#) for a memo signed by President Biden. This Executive Order builds on the Supreme Court’s decision *Bostock v. Clayton County* (2020) to ensure that the federal government interprets Title VII of the Civil Rights Act of 1964 as prohibiting workplace discrimination on the basis of sexual orientation or gender identity. It also creates an effective presumption that federal anti-discrimination statutes that cover sex discrimination prohibit discrimination on the basis of sexual orientation or gender identity. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Environmental Actions, including Keystone
Date: Wednesday, January 20, 2021 10:42:56 PM

Good evening –

Please see [here](#) for a memo signed by President Biden. This Executive Order directs an immediate review of all of the previous Administration’s agency actions that are inconsistent with state environmental priorities, it directs the EPA to issue certain environmental regulations, it begins a process to restore the original boundaries for several national monuments, it puts a temporary moratorium on all activities related to the Coastal Plan Oil and Gas Leasing Program in the Arctic National Wildlife Refuge, and it revokes the permit granted for the Keystone XL Pipeline. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Wilkins, Elizabeth W. EOP/WHO](#); [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order - Modernizing Regulatory Process
Date: Wednesday, January 20, 2021 10:22:53 PM

Good evening –

Please see [here](#) for a memo signed by President Biden. This Executive Order addresses regulatory process. It revokes six regulatory Executive Orders issued by the previous Administration. The intent of the order is to identify ways to modernize and improve the regulatory review process. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Wilkins, Elizabeth W. EOP/WHO](#); [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] White House Notification - Rejoining the Paris Climate Accord
Date: Wednesday, January 20, 2021 9:16:51 PM

Good evening –

Please see [here](#) for a memo signed this evening by President Biden. This will initiate the process of the United States rejoining the Paris Climate Accord, to take effect in 30 days. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Wilkins, Elizabeth W. EOP/WHO](#); [Alex, Cristobal J. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Executive Order on Advancing Racial Equity and Support for Underserved Communities
Date: Wednesday, January 20, 2021 9:11:58 PM

Good evening –

Please see [here](#) for a memo signed by President Biden. This Executive Order establishes a whole-of-government approach to advancing equity for people of color and other underserved communities across the federal government. This Order rescinds an Executive Order from the previous Administration that prohibits the federal government from providing race and gender diversity training. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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From: [Ryan, Evan M. EOP/WHO](#)
Cc: [Wilkins, Elizabeth W. EOP/WHO](#); [Isen, Thomas EOP/WHO](#)
Subject: [EXTERNAL] Notification from Biden White House - Regulatory
Date: Wednesday, January 20, 2021 2:13:53 PM
Attachments: [RegulatoryFreeze.pdf](#)

Good afternoon –

Please see the attached Regulatory Freeze memo signed by President Biden’s Chief of Staff, Ron Klain. The memo pauses any regulations recently issued by the previous Administration from moving forward and gives this new Administration an opportunity to review them. It also directs all agencies to confer with the Director of OMB before renewing any regulatory activity. Please notify relevant members within your agency. Let me know if you have any questions by responding to this email.

Thank you,

Evan Ryan
Cabinet Secretary
The White House

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THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Ronald A. Klain
Assistant to the President and Chief of Staff

SUBJECT: Regulatory Freeze Pending Review

The President has asked me to communicate to each of you his plan for managing the Federal regulatory process at the outset of his Administration. In order to ensure that the President's appointees or designees have the opportunity to review any new or pending rules, at the direction of the President, I ask that you immediately take the following steps:

1. Subject to any exceptions the Director of the Office of Management and Budget (the "OMB Director") allows for emergency situations or other urgent circumstances relating to health, safety, environmental, financial, or national security matters, or otherwise, propose or issue no rule in any manner -- including by sending a rule to the Office of the *Federal Register* (the "OFR") -- until a department or agency head appointed or designated by the President after noon on January 20, 2021, reviews and approves the rule. The department or agency head may delegate this power of review and approval to any other person so appointed or designated by the President, consistent with applicable law.
2. With respect to rules that have been sent to the OFR but not published in the *Federal Register*, immediately withdraw them from the OFR for review and approval as described in paragraph 1, subject to the exceptions described in paragraph 1. This withdrawal must be conducted consistent with OFR procedures.
3. With respect to rules that have been published in the *Federal Register*, or rules that have been issued in any manner, but have not taken effect, consider postponing the

rules' effective dates for 60 days from the date of this memorandum, consistent with applicable law and subject to the exceptions described in paragraph 1, for the purpose of reviewing any questions of fact, law, and policy the rules may raise. For rules postponed in this manner, during the 60-day period, where appropriate and consistent with applicable law, consider opening a 30-day comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by those rules, and consider pending petitions for reconsideration involving such rules. As appropriate and consistent with applicable law, and where necessary to continue to review these questions of fact, law, and policy, consider further delaying, or publishing for notice and comment proposed rules further delaying, such rules beyond the 60-day period. Following the 60-day delay in effective date:

- a. for those rules that raise no substantial questions of fact, law, or policy, no further action needs to be taken; and
 - b. for those rules that raise substantial questions of fact, law, or policy, agencies should notify the OMB Director and take further appropriate action in consultation with the OMB Director.
4. Exclude from the actions requested in paragraphs 1 through 3 any rules subject to statutory or judicial deadlines and identify such exclusions to the OMB Director as soon as possible.
 5. Notify the OMB Director promptly of any rules that, in your view, should be excluded from the directives in paragraphs 1 through 3 because those rules affect critical health, safety, environmental, financial, or national security matters, or for some other reason. The OMB Director will review any such notifications and determine whether such exclusion is appropriate under the circumstances.
 6. Comply in all circumstances with any applicable Executive Orders concerning regulatory management.

As used in this memorandum, "rule" has the definition set forth in section 551(4), title 5, United States Code. It also includes any "regulatory action," as defined in section 3(e) of

Executive Order 12866 of September 30, 1993, as amended, and any "guidance document" as defined in section 3(g) of Executive Order 13422 of January 18, 2007, when that order was in effect. Thus, the requirements of this memorandum apply not only to "rules" as defined in section 551(4) of title 5, but also to:

- a. any substantive action by an agency (normally published in the *Federal Register*) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking; and
- b. any agency statement of general applicability and future effect that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue.

The OMB Director will implement this regulatory review, and any communications regarding any matters pertaining to this review should be addressed to the OMB Director. The OMB Director is also authorized to establish a process to review pending collections of information under the Paperwork Reduction Act of 1995, as codified in chapter 35, title 44, United States Code, and to take actions that the OMB Director deems appropriate based on that review, consistent with applicable law.

Should actions be identified that were undertaken before noon on January 20, 2021, to frustrate the purpose underlying this memorandum, I may modify or extend this memorandum, pursuant to the direction of the President, to request that agency heads consider taking steps to address those actions.

The OMB Director is authorized and directed to publish this memorandum in the *Federal Register*.