



Department of Energy
Washington, DC 20585

October 13, 2021

Nathaniel Serslev
Americans for Public Trust
107 S. West St, Suite 442
Alexandria, VA 22314

Via email: info@americansforpublictrust.com

Re: HQ-2021-00317-F

Dear Mr. Serslev:

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:

I seek any and all records as that term is defined under FOIA (5 U.S.C. § 552(f)(2)), and applicable case law (*see, e.g., Forsham v. Harris*, 455 U.S. 169, 193 (1980)), existing in any format whatsoever, including, but not limited to, written correspondence, email correspondence, records of telephone correspondence, records pertaining to in-person meetings, calendar or scheduling entries, videotapes, photographs, computer print-outs, telephone messages, or voice mail messages regarding particular organizations between January 1, 2017 to the present.

In particular, I request the following:

- Any records, logs of correspondence, or communications made during the above stated time period, exchanged between the Department of Energy, Office of Congressional and Legislative Affairs and the domains house.gov and/or senate.gov regarding Ridge-Lane, LP.
- Any records, logs of correspondence, or communications made during the above stated time period which include the domain ridge-lane.com.

Any records, logs of correspondence, or communications made during the above stated time period, exchanged between the Department of Energy, Office of Congressional and Legislative Affairs and the domains house.gov and/or senate.gov regarding Proterra, Inc.

Any records, logs of correspondence, or communications made during the above stated time period which include the domain proterra.com.



In a phone call with Marylenny Iglesias and Lars Hydle, both of my office, confirmed over email on June 9, 2021, you amended your request by waiving the second and fourth bullet points in your original request. You also agreed to waive the portion of your request asking for records of telephone correspondence, records pertaining to in-person meetings, calendar or scheduling entries, videotapes, photographs, computer print-outs, telephone messages, or voice mail messages. You agreed that you were only looking for written correspondence and emails within the date range January 1, 2020 to present. For the written correspondence portion of your request, you agreed to limit your request to any incoming or outgoing letters identified in a search of DOE's EDOCS system, within the date range January 1, 2020 to present, regarding the companies that are the subject of your request "Ridge-Lane" and "Proterra". This system tracks all formal correspondence to and from the Offices of the Secretary, Deputy Secretary, and Under Secretaries of Energy, and is where records of such correspondence are likely to be found. For the email portion of your request, you agreed to limit your request to emails found in an email mailbox search of the staff of DOE's Office of Congressional and Intergovernmental Affairs to or from congressional offices with email domains that contain "house.gov" or "senate.gov" within the date range of January 1, 2020 to present, and containing the terms "Proterra" or "Ridge-Lane".

Your request was assigned to DOE's Office of the Executive Secretariat (ES) and DOE's Office of Office of Congressional and Intergovernmental Affairs (CI) to conduct a search of their files for responsive records. The search started on June 2, 2021, which is the cut-off date for responsive records. DOE has completed its search and has identified two (2) documents responsive to your request. in their entirety, as described in the accompanying index.

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 January 27, 2021, letter, you were advised that your request was placed in the "other" category for fee purposes. Requestors in this category are 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 this request or this correspondence, you may contact me or Marylenny Iglesias at MA-46/Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, or at 202-586-5955.

I appreciate the opportunity to assist you with this matter.

Sincerely,

**Alexander C.
Morris**

Digitally signed by
Alexander C. Morris
Date: 2021.10.13
11:49:44 -04'00'

Alexander C. Morris
FOIA Officer
Office of Public Information

INDEX

Request #: HQ-2021-00317-F

Final response for request from Nathaniel Serslev for:

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search of the staff of DOE's Office of Congressional and Intergovernmental Affairs to or from congressional offices with email domains that contain "house.gov" or "senate.gov" within the date range of January 1, 2020 to present, and containing the terms "Proterra" or "Ridge-Lane".

DOE has completed its search and has identified two (2) documents responsive to your request:

- Two (2) documents *are being released in their entirety*.

From: [Russell, Richard \(Energy\)](#)
To: [Nouri, Ali](#)
Subject: [EXTERNAL] FW: Barrasso Requests Inspector General Review of Secretary Granholm's Investments in Electric Bus Company
Date: Tuesday, April 27, 2021 1:12:47 PM

fyi

From: Durdaller, Sarah (Energy) <Sarah_Durdaller@energy.senate.gov>
Sent: Tuesday, April 27, 2021 1:09 PM
To: Durdaller, Sarah (Energy) <Sarah_Durdaller@energy.senate.gov>
Subject: Barrasso Requests Inspector General Review of Secretary Granholm's Investments in Electric Bus Company



For Immediate Release:
April 27, 2021

Contact: Sarah Durdaller ~202.224.4971
Sarah_Durdaller@energy.senate.gov

Barrasso Requests Inspector General Review of Secretary Granholm's Investments in Electric Bus Company

Ranking Member seeks answers on Energy Secretary's potential conflict of interest.

WASHINGTON, D.C. — U.S. Senator John Barrasso (R-WY) sent a letter to the Inspector General of the U.S. Department of Energy (DOE) requesting a review of a potential conflict of interest involving DOE Secretary Jennifer Granholm's investments in Proterra, Inc. and her promotion of electric vehicles.

Barrasso is ranking member of the Senate Committee on Energy and Natural Resources (ENR).

In the letter, Barrasso expressed his serious concerns regarding Secretary Granholm's involvement in the Biden administration's promotion of electric vehicles, batteries, and charging infrastructure, while she also has significant holdings in the electric bus, battery, and charging company Proterra, Inc.

Read the full letter [here](#) and below.

Dear Inspector General Donaldson:

Last week, numerous media outlets published reports raising questions about a potential conflict of interest between Secretary of Energy Jennifer Granholm's significant investment in the electric bus, battery, and charging company Proterra, Inc. and President Biden's virtual tour of the company on April 20, 2021. I am concerned about this and other potential conflicts of interest

between Secretary Granholm's significant investment in Proterra, Inc. and any activities she may have directly or indirectly participated in within the Biden Administration to promote electric vehicles (including electric buses), batteries, and charging infrastructure.

Disclosures and Commitments Made by Secretary Granholm During Her Nomination Process

During her nomination process, Secretary Granholm represented on her Public Financial Disclosure Report (OGE Form 278e), which she signed on December 22, 2020, and which the Designated Agency Ethics Official and the U.S. Office of Government Ethics signed on January 16, 2021, that she:

- Served as Board Member of Proterra, Inc., for which she received compensation exceeding \$5,000 in a year;
- Held up to \$5 million in vested stock options in Proterra, Inc.; and
- Held 61,042 unvested stock options of a "value not readily ascertainable" that would vest in December 2021 and expire in December 2024.

Secretary Granholm described in her Ethics Agreement letter dated January 16, 2021 to the Designated Agency Ethics Official steps she would take "to avoid any actual or apparent conflict of interest" as Secretary of Energy. Specifically with regard to Proterra, Inc., Secretary Granholm committed to:

- Resign from her position as Board Member of Proterra, Inc. upon confirmation;
- Forfeit her unvested stock options in Proterra, Inc. upon resignation of her position as Board Member of Proterra, Inc.;
- Divest her vested stock options (and resulting stock, if she exercises her vested stock options) in Proterra, Inc. "as soon as practicable but not later than 180 days after [her] confirmation;"
- "[N]ot participate personally and substantially in any particular matter that to [her] knowledge has a direct and predictable effect on the financial interests of Proterra until [she has] divested it, unless [she] first obtain[s] a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualif[ies] for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2) ;" and
- "Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after [her] resignation from [Proterra], [she] will not participate personally and substantially in any particular matter involving specific parties in which [she] know[s] Proterra is a party or represents a party, unless [she is] first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d)."

In connection with her nomination hearing, I asked Secretary Granholm the following question for the record: "With respect to your affiliation with and financial interest in Proterra Inc., please confirm in narrative form the practical limitations that the Committee can expect your ethics agreement to impose upon you, especially as those limitations may bear on DOE's programs that promote or otherwise impact or potentially impact electric transportation, including, for example, the Advanced Technology Vehicles Manufacturing (ATVM) Program. For example, can the Committee assume that you will recuse yourself from matters involving the ATVM Program at least until you can carry out the divestment that you have pledged to make of your interests in Proterra? Should I infer, that you will recuse yourself as appropriate from matters involving electric transportation at least until such time as you divest your interests in Proterra?" Secretary Granholm responded with the following commitment:

- "If confirmed, I will recuse myself from all particular matters that to my knowledge have a direct and predictable effect on the financial interests of Proterra until I have completed the divestiture."

In connection with her nomination hearing, I asked Secretary Granholm the following question for the record: "You have disclosed that you are currently a Member of the Board of Proterra, Inc., a company that is active in the fields of electric transportation and electric storage. In the last week, Proterra has announced its intention to become publicly listed through a merger with

ArcLight Clean Transition Corp. (ArcLight), a special purpose acquisition company (SPAC). It is expected that the company will be valued at \$1.6 billion. Please describe your involvement in the announced merger. Assuming the merger is completed, will you recuse yourself from DOE activities that may bear on or involve ArcLight? To what extent, if any, did President Biden's intention to nominate you as Secretary of Energy impact your participation as a member of Proterra's Board, including its announced merger with ArcLight? Was your nomination discussed at any board meeting or with any members associated with Proterra?" Secretary Granholm responded with the following commitment:

- "If confirmed, I will recuse myself from all particular matters involving specific parties in which ArcLight is a party or represents a party for two years from the date of my appointment, as required by regulation and the Biden-Harris Administration Ethics Pledge. In December, after being nominated, I informed the General Counsel and President of Proterra that I would resign if confirmed."

In connection with her nomination process, Secretary Granholm submitted a U.S. Senate Committee on Energy and Natural Resources (Committee) Statement for Completion by Presidential Nominees (Committee Questionnaire), which she signed on January 21, 2021. She responded "Yes" to the following question: "Have you taken appropriate action to avoid any conflict of interest or any appearance of a conflict interest?" She responded "Please see my ethics agreement letter which describes the steps that will be taken to address any conflicts of interest or appearances of a conflict of interest" to the following question: "To the best of your knowledge, do any of your investments, personal holdings, or other interests present a conflict of interest or an appearance of a conflict of interest?" She responded "Yes" to the following question: "If confirmed, will you adhere to the Committee's recusal policy?" (She reaffirmed her commitment to adhere to the Committee's recusal policy in a follow-up letter to Senator Lisa Murkowski, then-Chairman of the Committee, in a January 25, 2021 letter.) In agreeing to adhere to the Committee's recusal policy, Secretary Granholm committed to:

- "Abide by the recusal requirements imposed by federal conflict of interest laws and the Standards of Ethical Conduct for Employees of the Executive Branch;"
- "Seek the advice of his or her designated agency ethics officer before proceeding whenever faced with a situation that may give rise to any actual or apparent conflict of interest;" and
- "Adhere to the principles of ethical conduct and avoid any actions creating the appearance of violating the Standards of Ethical Conduct for Employees of the Executive Branch."

At her January 27, 2021 nomination hearing, Secretary Granholm responded "There are no conflicts, and I have abided by the Office of Government Ethics' direction" to the following question asked by Senator Joe Manchin, then-Incoming Chairman of the Committee: "Are you aware of any personal holdings, investments, or interests that could constitute a conflict or create an appearance of such conflict should you be confirmed and assume the office which you have been nominated by the President?"

As an appointee in the Biden Administration, Secretary Granholm was required to sign and, upon signing, be contractually bound by, an ethics pledge pursuant to the Executive Order on Ethics Commitments by Executive Branch Personnel issued by President Biden on January 20, 2021 that required her to commit to, among other things:

- "[D]ecision-making on the merits and exclusively in the public interest, without regard to private gain or personal benefit;"
- "[N]ot for a period of 2 years from the date of [her] appointment participate in any particular matter involving specific parties that is directly and substantially related to [her] former employer or former clients, including regulations and contracts."

Activities that Raise Questions about Potential Conflicts of Interest

Secretary Granholm leads the Department of Energy (DOE), which plays a central role in the nation's development of electric vehicles, batteries, and charging infrastructure. During her

nomination process and now on her official biography published on DOE's website, Secretary Granholm has highlighted her extensive background and experience with regard to promoting electric vehicles, batteries, and charging infrastructure. Since her confirmation just two months ago, Secretary Granholm has already personally waged an aggressive, wide-ranging, and tireless public relations campaign to promote electric vehicles, batteries, and charging infrastructure. In her appearances, she has consistently promised enormous federal investment and policy support for the electric vehicle marketplace from DOE and the Biden Administration.

On February 24, 2021, President Biden issued Executive Order 14017, which tasked Secretary Granholm, as incoming Secretary of Energy, with submitting "a report identifying risks in the supply chain for high-capacity batteries, including electric-vehicle batteries, and policy recommendations to address these risks." On March 29, 2021, DOE's Office of Energy Efficiency and Renewable Energy, which Secretary Granholm oversees, issued a Notice of Request for Information on Risks in the High-Capacity Batteries, including Electric Vehicle Batteries Supply Chain.

Secretary Granholm is playing a leading role in promoting President Biden's American Jobs Plan, including with regard to its proposal to spend \$174 billion "to win the EV market." Among other things, the proposal provides point of sale rebates and tax incentives to buy electric vehicles. It establishes grant and incentive programs for state and local governments and the private sector to build a national network of 500,000 electric vehicle chargers by 2030. According to the White House fact sheet, it will "replace 50,000 diesel transit vehicles and electrify at least 20 percent of our yellow school bus fleet through a new Clean Buses for Kids Program at the Environmental Protection Agency, with support from the Department of Energy... These investments will set us on a path to 100 percent clean buses... [It] will utilize the vast tools of federal procurement to electrify the federal fleet, including the United States Postal Service."

At an April 8, 2021 White House Press Briefing hosted by White House Press Secretary Jen Psaki, Secretary Granholm explained her belief that President Biden nominated her to be Secretary of Energy because of her previous efforts as Governor of Michigan to diversify the state's economy by building "car 2.0, which is the electric vehicle – and the guts to that vehicle, the battery." Secretary Granholm stated: "It is a huge distance that we've traveled, and so much of that is thanks to the decision by the federal government to invest in saving the backbone of the manufacturing industry, which was at that point the electric – or the vehicle industry. And the Obama-Biden efforts really made a statement and worked... And so we can do so much more than what we did in Michigan, and this is what the American Jobs Plan is all about."

On April 19, 2021, Vice President Harris toured Thomas Built Buses, a manufacturer of electric school buses, in High Point, North Carolina. The following is prominently displayed on Thomas Built Buses' website: "PROTERRA... Want a partner that can go the distance? Meet Proterra, our partner in production. Designed and manufactured by the best minds in battery engineering, Proterra's lightweight, powerful battery systems have delivered proven performance for millions of real-world miles on transit buses. The battery systems offer unparalleled performance, greater fuel economy and record-breaking range for heavy-duty vehicles. Thomas Built Buses, Daimler and Proterra are co-creating the next generation of school bus operations. Welcome to tomorrow." The website then links to a document that provides more information about the "product partnership" between Thomas Built Buses and Proterra, Inc. On its website, Proterra, Inc. also extensively celebrates and promotes its partnership with Thomas Built Buses.

On April 20, 2021, President Biden virtually toured Proterra, Inc.'s electric bus and battery manufacturing plant in Greenville, South Carolina. According to White House Press Secretary Jen Psaki during the White House Press Briefing that day: "the President will make three stops around the manufacturing plant and speak to employees about different aspects of the company's work, including battery installation, body assembly, and final inspection of the buses." Ms. Psaki continued: "The American Jobs Plan includes a total of \$45 billion to accelerate the adoption of zero-emission transit buses and school buses to achieve the President's goal for all U.S.-made buses to be zero-emissions by 2030. This includes \$25 billion for zero-emissions transit vehicles and \$20 billion for electric school buses." Proterra, Inc. features President

Biden's virtual tour on its website.

Request for Review by DOE'S Office of Inspector General

According to various media reports, the White House has confirmed that Secretary Granholm still holds up to a \$5 million investment in Proterra, Inc. A White House official was cited as confirming that she has "sold some stock, but has not offloaded any of her Proterra shares." A White House official was cited as stating that she is "in the process of selling off all stock in the company" and will have it sold "within the 180-day window permitted by the ethics agreement." A White House official was cited as explaining, "Neither Secretary Granholm nor the Department of Energy were involved in selecting the Proterra plant." DOE, which Secretary Granholm oversees, reportedly did not respond to multiple requests for comment.

I am concerned that activities Secretary Granholm may have been directly or indirectly engaged in within the Biden Administration to promote electric vehicles (including electric buses), batteries, and charging infrastructure may have violated general commitments she made during her nomination process and as she entered the Biden Administration "to avoid any actual or apparent conflict of interest;" to "avoid any actions creating the appearance of violating the Standards of Ethical Conduct for Employees of the Executive Branch;" and to conduct "decision-making on the merits and exclusively in the public interest, without regard to private gain or personal benefit." I am furthermore concerned that Secretary Granholm may have violated specific commitments she made, including commitments to:

- "[N]ot participate personally and substantially in any particular matter that to [her] knowledge has a direct and predictable effect on the financial interests of Proterra until [she has] divested it;"
- "[N]ot participate personally and substantially in any particular matter involving specific parties in which [she] know[s] Proterra is a party or represents a party, unless [she is] first authorized to participate;"
- "[R]ecuse [herself] from all particular matters involving specific parties in which ArcLight is a party or represents a party for two years from the date of [her] appointment, as required by regulation and the Biden-Harris Administration Ethics Pledge;"
- "[N]ot for a period of 2 years from the date of [her] appointment participate in any particular matter involving specific parties that is directly and substantially related to [her] former employer or former clients, including regulations and contracts," pursuant to her Biden Administration ethics pledge.

Proterra, Inc. is a leading manufacturer of electric buses, batteries, and charging stations – and has been described as such by officials within the Biden Administration. Given that status, the up to \$5 million in value of investment that Secretary Granholm continues to hold in Proterra, Inc. is positioned to increase in light of her personal and substantial involvement in an aggressive, wide-ranging, and tireless public relations campaign to promote electric vehicles, batteries, and charging infrastructure; her leadership in promoting President Biden's American Jobs Plan, including its proposal to spend \$174 billion "to win the EV market" (and, as a subset, to spend \$20 billion to support the electric school bus market); and her potential direct or indirect involvement in Vice President Harris' tour of Thomas Built Buses and President Biden's virtual tour of Proterra, Inc.

In light of concerns about a potential conflict of interest associated with Secretary Granholm's significant investment in the electric bus, battery, and charging company Proterra, Inc. that have been highlighted in various media reports and outlined in my letter, I request that DOE's Office of Inspector General promptly initiate a review of Secretary Granholm's ethical, regulatory, and statutory obligations; her relationship with Proterra, Inc. (and with any associated entities, such as Thomas Built Buses and ArcLight); and her or her staffs' participation in or promotion of activities by the Biden Administration to advocate for electric vehicles (including electric buses), batteries, and charging infrastructure. I ask that your office determine the facts surrounding any potential conflicts of interest in connection with this matter, including with regard to the following questions:

- Upon confirmation, did Secretary Granholm resign from her position as Board Member of Proterra, Inc.? Please provide full and complete details.
- If Secretary Granholm resigned from her position as Board Member of Proterra, Inc., did she forfeit any of her unvested stock options in Proterra, Inc. upon resignation of her position as Board Member of Proterra, Inc.? If so, on what date(s), and in what amount(s) and value(s)? Please provide full and complete details.
- Does Secretary Granholm continue to hold any of her unvested stock options in Proterra, Inc.? If so, what amount and value? If so, what are the facts and circumstances surrounding her decision to delay her forfeiture? If so, have there been and do there continue to be any impediments to her ability to forfeit her unvested stock options more than two months after her confirmation? Please provide full and complete details.
- Has Secretary Granholm divested any of her vested stock options (and resulting stock, if she has exercised any of her vested stock options) in Proterra, Inc.? If so, on what date(s), and in what amount(s) and value(s)? Please provide full and complete details.
- Does Secretary Granholm continue to hold any of her vested stock options in Proterra, Inc.? If so, what amount and value? If so, what are the facts and circumstances surrounding her decision to delay her divestment? If so, have there been and do there continue to be any impediments to her ability to divest “as soon as practicable” more than two months after her confirmation? Please provide full and complete details.
- Does Secretary Granholm hold any financial interest in ArcLight? If so, in what form, and what amount and value? Please provide full and complete details.
- Did Secretary Granholm directly or indirectly participate in proposing, planning, or otherwise facilitating Vice President Harris’ tour of Thomas Built Buses, a manufacturer of electric school buses, in High Point, North Carolina? Please provide full and complete details.
- Did Secretary Granholm directly or indirectly participate in proposing, planning, or otherwise facilitating President Biden’s virtual visit of Proterra, Inc.’s electric bus and battery manufacturing plant in Greenville, South Carolina? Please provide full and complete details.
- Did any other DOE employee directly or indirectly participate in proposing, planning, or otherwise facilitating Vice President Harris’ tour of Thomas Built Buses, a manufacturer of electric school buses, in High Point, North Carolina? Please provide full and complete details.
- Did any other DOE employee directly or indirectly participate in proposing, planning, or otherwise facilitating President Biden’s virtual visit of Proterra, Inc.’s electric bus and battery manufacturing plant in Greenville, South Carolina? Please provide full and complete details.
- Has Secretary Granholm directly or indirectly participated in proposing, planning, developing, drafting, promoting, facilitating, or otherwise advocating for electric vehicles (including electric buses), batteries, and charging infrastructure that would benefit Proterra, Inc. or any of her other holdings? Please provide full and complete details.
- Has Secretary Granholm directly or indirectly participated in proposing, planning, developing, drafting, promoting, facilitating, or otherwise advocating for electric vehicles (including electric buses), batteries, and charging infrastructure? Please provide full and complete details.
- Has Secretary Granholm directly or indirectly participated in proposing, planning, developing, drafting, promoting, facilitating, or otherwise advocating for President Biden’s American Jobs Plan? Please provide full and complete details.
- Has Secretary Granholm directly or indirectly participated in proposing, planning, developing, drafting, promoting, facilitating, or otherwise advocating for the \$174 billion investment in electric vehicles proposed as part of President Biden’s American Jobs Plan? Please provide full and complete details.
- Has Secretary Granholm directly or indirectly participated in proposing, planning, developing, drafting, promoting, facilitating, or otherwise advocating for the \$20 billion investment in electric buses proposed as part of President Biden’s American Jobs Plan? Please provide full and complete details.
- Has Secretary Granholm directly or indirectly communicated with any Biden Administration official at any time about Proterra, Inc., Thomas Built Buses, or electric buses?

Thank you in advance for initiating a DOE Office of Inspector General review of a potential conflict of interest regarding Secretary Granholm's significant investment in the electric bus, battery, and charging company Proterra, Inc. I look forward to your prompt response.

###

<http://energy.senate.gov>

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From: [Vinyard, Ashlee](#)
To: [energycongressionalinquiries](#); [Noll, Elizabeth](#)
Cc: [Echols, Lamar](#); [Gordon, Stephen](#)
Subject: [EXTERNAL] Letter to Secretary Granholm
Date: Wednesday, May 12, 2021 2:32:44 PM
Attachments: [Letter to DOE on Proterra.pdf](#)

Good afternoon,

Please see the attached letter to Secretary Granholm from Congressman Ralph Norman, Ranking Member of the Subcommittee on Environment on the House Committee on Oversight and Reform. Thank you for your assistance in getting this letter to the Secretary and we appreciate your prompt and full reply. Please acknowledge receipt of this letter.

Thank you,
Ashlee

Ashlee Vinyard | Director of Operations
Committee on Oversight and Reform | Ranking Member James Comer
2105 Rayburn | Washington, DC 20515 | (202) 225-5074

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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<https://oversight.house.gov>

May 12, 2021

The Honorable Jennifer Granholm
Secretary
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, D.C. 20585

Dear Secretary Granholm,

I am conducting oversight of a potential conflict of interest relating to your longstanding relationship with Proterra, Inc. At the time of your confirmation as Secretary of the Department of Energy (DOE), you held a multi-million-dollar stake in the company and served on the board of directors.¹ President Biden recently participated in a virtual event promoting the company, raising questions about how the White House selected Proterra, Inc. for a presidential event, particularly when it appears that you still have a financial stake in the company.²

According to media reports, President Biden participated in a virtual tour of a Proterra, Inc. facility on April 20, 2021 in South Carolina to promote the Administration's green car initiative.³ The company is "a leader in the design and manufacture of zero-emission electric transit vehicles and EV technology solutions for commercial applications."⁴ This week it was reported that you received an Office of Government Ethics (OGE) certificate of divestiture that would allow you to divest over 240,000 shares of Proterra stock, but according to a DOE official the sell-off of the stock has not occurred yet.⁵ Despite scrutiny of your Proterra, Inc. holdings

¹ Brittany De Lea, *Jennifer Granholm: What to know about Biden's energy secretary pick*, FOX BUSINESS (Jan. 25, 2021), <https://www.foxbusiness.com/energy/jennifer-granholm-bidens-energy-secretary-pick>

² Brittany De Lea, *Biden takes virtual tour of company that Energy Secretary Granholm held multimillion-dollar stake in*, FOX BUSINESS (Apr. 20, 2021), <https://www.foxbusiness.com/energy/biden-tour-company-energy-secretary-granholm-stake>

³ *Proterra hosts President Biden for Virtual Tour of EV Manufacturing Facility*, PROTERRA (Arl 20, 2021), <https://www.proterra.com/proterra-video/proterra-hosts-president-biden-for-virtual-tour-of-ev-manufacturing-facility/>

⁴ *Our Story*, PROTERRA (viewed on May 10, 2021), <https://www.proterra.com/company/>

⁵ Jeremy Dillon, *Granholm prepares to unload electric bus company stock*, E&E NEWS (May 11, 2021), https://www.eenews.net/greenwire/2021/05/11/stories/1063732247?utm_campaign=edition&utm_medium=email&utm_source=eenews%3Agreenwire

during your Senate confirmation hearing and by media reports, the White House still decided to promote the company with a presidential event.⁶ This is concerning.

As the Secretary of Energy, it also appears that you are involved with decisions and issues that directly conflict with your ownership of Proterra, Inc. Specifically, one of the priorities of the Biden Administration's Department of Energy is electric vehicle technology.⁷ The White House issued Executive Order 14017 on February 24, 2021, directing the incoming Secretary of Energy to submit, "a report identifying risks in the supply chain for high-capacity batteries, including electric-vehicle batteries, and policy recommendations to address these risks."⁸ If you are carrying out that Executive Order as intended, your ownership of Proterra, Inc. is even more troubling and raises questions about whether the company receives any preferential treatment from DOE.

While you claim to have been uninvolved with President Biden's virtual visit to Proterra, Inc., you have spent much of your time as Secretary of DOE actively pushing a public relations campaign to endorse electric vehicles, batteries and charging infrastructure.⁹ I want to ensure that you are taking your ethics requirements seriously, and not using your position to profit financially.

In order for Committee Republicans to better understand if there is a conflict of interest relating to your investment in Proterra Inc. please provide the following documents and information as soon as possible but no later than May 26, 2021.

- (1) All documents and communications from January 20, 2021 to present, related to Secretary Granholm's divestiture of Proterra, Inc. stocks.
- (2) All documents and communications from January 20, 2021 to present, related to the planning of the virtual visit that President Biden took to the Proterra electric plant on April 20, 2021.
- (3) All documents and communications from January 20, 2021 to present, between the Department of Energy and the White House regarding President Biden's American Jobs Plan.
- (4) All of Secretary's Granholm's OGE Form 278E filings.

⁶ *Id.*

⁷ Niraj Chokshi, *Biden's Push for Electric Cars: \$174 Billion, 10 Years and a Bit of Luck*, THE NEW YORK TIMES (Mar. 31, 2021), <https://www.nytimes.com/2021/03/31/business/biden-electric-vehicles-infrastructure.html>

⁸ News Release, The White House, Executive Order on America's Supply Chains (Feb. 24, 2021)

⁹ Robert Walton, *DOE will spend billions on electric vehicle R&D in jobs fight with China, Granholm says*, UTILITY DIVE (Mar. 10, 2021), <https://www.utilitydive.com/news/doe-will-spend-billions-on-electric-vehicle-research-in-jobs-fight-with-china/596441/>

The Honorable Jennifer Granholm

Page 3

May 12, 2021

(5) All OGE 278-T forms filed by Secretary Granholm related to Proterra, Inc.

To ask any follow-up or related questions, please contact Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



Ralph Norman
Ranking Member
Subcommittee on Environment

cc: The Honorable Ro Khanna, Chairman
Subcommittee on Environment