From: "Schilling, Nicholas (OLP)" <(b) (6) >
To: "Reitz, Aaron (OLP)" <(b) (6) >
Subject: Draft Email to ENRD re: EO Protecting American Energy from State Overreach
Date: Wed, 23 Apr 2025 19:00:05 -0400
Importance: Normal

Aaron,

Below is a draft email to Adam Gustafson, the acting head of ENRD, about the EO, *Protecting American Energy from State Overreach*.

DRAFT Email

Adam,

I was contacted recently about President Trump's April 8 Executive Order 14260, *Protecting American Energy from State Overreach*. During my time in the Texas AG's office, this was something I worked on and am familiar with. The EO directs the Attorney General to take certain actions to halt burdensome and unnecessary state actions related to climate and energy issues. One task was a report to be provided within 60 days of the EO (Saturday, June 7). OLP has begun thinking through a response to the EO. And, after discussing the matter with the DAG, it is my understanding that this EO has not been assigned yet. I would like for OLP to be able to rely upon ENRD's insight when putting together the report. Is there someone on your team that could provide us with assistance?

Nicholas Schilling Jr.
U.S. Department of Justice
Office of Legal Policy, Chief of Staff
(b) (6)
Cell: (b) (6)

From: "Walters, Riley (ENRD)" <(b) (6)>
To: "Haviland, Aaron (OLP)" <(b) (6)>
Subject: RE: DOJ Report re. EO 14260 Protecting American Energy
Date: Fri, 23 May 2025 15:46:00 -0400
Importance: Normal

Hi Aaron,

Thanks for checking in. Adam has the report and will send it along later today.

Have a great weekend and Memorial Day!

Best,
Riley

From: Haviland, Aaron (OLP) <(b) (6)>
Sent: Friday, May 23, 2025 2:34 PM
To: Walters, Riley (ENRD) <(b) (6)>
Subject: RE: DOJ Report re. EO 14260 Protecting American Energy

Hi Riley,

Just wanted to check in to see how the EO 14260 report was going and whether you needed anything from me or OLP generally.

If I don't see you first, have a great long weekend!

- Aaron

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Walters, Riley (ENRD) <(b) (6)>
Sent: Wednesday, April 30, 2025 6:05 PM
To: Haviland, Aaron (OLP) <(b) (6)>
Subject: RE: DOJ Report re. EO 14260 Protecting American Energy

Great! 11:00 AM is perfect; I'll send you a calendar invite. Look forward to working with you on this.

From: Haviland, Aaron (OLP) <(b) (6)>
Sent: Wednesday, April 30, 2025 6:00 PM
To: Walters, Riley (ENRD) <(b) (6)>
Subject: RE: DOJ Report re. EO 14260 Protecting American Energy

Riley,

Looking forward to working with you! Yes, I could connect tomorrow. I have a meeting at 10:00 AM, but I am free to come by your office any time between 11:00 AM and 5:00 PM, whenever is convenient for you.

Aaron

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Walters, Riley (ENRD) <(b) (6)>
Sent: Wednesday, April 30, 2025 5:40 PM
To: Haviland, Aaron (OLP) <(b) (6)>
Subject: RE: DOJ Report re. EO 14260 Protecting American Energy

Nice to meet you, Aaron. Do you have time to connect tomorrow re: this report?

Best,
Riley

From: Reitz, Aaron (OLP) <(b) (6)>
Sent: Tuesday, April 29, 2025 7:19 AM
To: Gustafson, Adam (ENRD) <(b) (6)>
Cc: Schilling, Nicholas (OLP) <(b) (6)>; Haviland, Aaron (OLP) <(b) (6)>; Heminger, Justin (ENRD) <(b) (6)>; Walters, Riley (ENRD) <(b) (6)>
Subject: RE: DOJ Report re. EO 14260 Protecting American Energy

Understood. No problem. Aaron Haviland (cc'd) will likely be OLP's lead attorney on this project, so Riley and Aaron: y'all connect.

On another note, Adam: I am both impressed and disturbed to see you emailing at both 3:20 in the morning and still up at 7am, green-check-light on, still going hard! Hah!

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Gustafson, Adam (ENRD) <(b) (6)>
Sent: Tuesday, April 29, 2025 3:20 AM
To: Reitz, Aaron (OLP) <(b) (6)>; Heminger, Justin (ENRD) <(b) (6)>; Walters, Riley (ENRD) <(b) (6)>
Cc: Schilling, Nicholas (OLP) <(b) (6)>; Haviland, Aaron (OLP) <(b) (6)>
Subject: RE: DOJ Report re. EO 14260 Protecting American Energy

Hi Aaron,

We look forward to working with you on this. We haven't yet put pen to paper on the 60-day report for this E.O., but we're actively engaged on the State Overreach project. Riley Walters is our new Counsel who will be coordinating ENRD's work on such reports.

Adam

Adam Gustafson
Acting Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
(b) (6) (cell)
(b) (6)

From: Reitz, Aaron (OLP) <(b) (6)>
Sent: Monday, April 28, 2025 4:04 PM
To: Gustafson, Adam (ENRD) <(b) (6)>; Heminger, Justin (ENRD) <(b) (6)>
Cc: Schilling, Nicholas (OLP) <(b) (6)>; Haviland, Aaron (OLP) <(b) (6)>
Subject: DOJ Report re. EO 14260 Protecting American Energy

Adam and Justin,

Great meeting with y'all last week to discuss EO 14260 *Protecting American Energy from State Overreach*.

You mentioned that y'all were already underway on preparing a report under Section 2(c) of the EO. Can you introduce Nicholas and me to your lead lawyer on this report so we can begin coordination/integration?

Thanks so much!

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: "Gustafson, Adam (ENRD)" <(b) (6) >
To: "Schilling, Nicholas (OLP)" <(b) (6) >
Cc: "Reitz, Aaron (OLP)" <(b) (6) >, "Roth, Yaakov M (CIV)" <(b) (6) >, "Bove, Emil (ODAG)" <(b) (6) >, "Bhirud, Ketan (ODAG)" <(b) (6) >, "Kambli, Abhishek (OASG)" <(b) (6) >, "Harvey, Judy (ENRD)" <(b) (6) >
Subject: Draft Report re EO 14260 (State Overreach)
Date: Sat, 24 May 2025 11:22:24 -0400
Importance: Normal
Attachments: State_Overreach_Report_-_UNREDACTED_-_Version_for_OLP_5_24_25.docx

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Nicholas,

Here is ENRD's draft (with input from CIV) of the Attorney General's 60-day report to the President in response to E.O. 14260, "Protecting American Energy from State Overreach." The report

- outlines actions DOJ is taking
- recommends actions the President can take, and
- recommends legislative action

to combat state and local laws that burden energy development and may be preempted by federal law or otherwise unlawful.

This is due June 7.

Adam

Adam Gustafson
Acting Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
(b) (6) (cell)
(b) (6)

From: "Schilling, Nicholas (OLP)" <(b) (6)>
To: "Gustafson, Adam (ENRD)" <(b) (6)>
Cc: "Reitz, Aaron (OLP)" <(b) (6)>, "Roth, Yaakov M (CIV)" <(b) (6)>, "Bove, Emil (ODAG)" <(b) (6)>, "Bhirud, Ketan (ODAG)" <(b) (6)>, "Kambli, Abhishek (OASG)" <(b) (6)>, "Harvey, Judy (ENRD)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Tue, 27 May 2025 08:46:04 -0400
Importance: Normal

Thank you, Adam. We will take a look and get back to you as soon as possible.

I hope you enjoyed a bit of the holiday weekend,
Nicholas

From: Gustafson, Adam (ENRD) <(b) (6)>
Sent: Saturday, May 24, 2025 11:22 AM
To: Schilling, Nicholas (OLP) <(b) (6)>
Cc: Reitz, Aaron (OLP) <(b) (6)>; Roth, Yaakov M (CIV) <(b) (6)>; Bove, Emil (ODAG) <(b) (6)>; Bhirud, Ketan (ODAG) <(b) (6)>; Kambli, Abhishek (OASG) <(b) (6)>; Harvey, Judy (ENRD) <(b) (6)>
Subject: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24883.1

From: "Haviland, Aaron (OLP)" <(b) (6)>
To: "Reitz, Aaron (OLP)" <(b) (6)>
Cc: "Schilling, Nicholas (OLP)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Tue, 27 May 2025 17:37:39 -0400
Importance: Normal
Attachments: State_Overreach_Report_-_UNREDACTED_-_Version_for_OLP_5_24_25_-_OLP_Edits.docx

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Aaron,

ENRD asked for OLP's feedback on the report it drafted pursuant to EO 14260 (*Protecting American Energy from State Overreach*). This report is due to the President no later than June 7, so ENRD needs to submit it for review by the ASG, the DAG, and the AG **by the end of this week**.

I read through the report a few times and think it is very thorough, well-organized, and consistent with the President's policy vision as articulated in EO 14260 and elsewhere. The report covers all the information requested by the EO: ENRD provides a comprehensive summary of its current and planned enforcement efforts against state and local governments imposing obstacles to energy production, and it offers several creative suggestions for further action by both the President and Congress.

I marked up the report with several stylistic, non-substantive edits in the attached document. Unless there is anything else you would like us to contribute to this report, I recommend that we send this document back to Adam Gustafson ((b) (6)) for his consideration.

- Aaron H.

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Schilling, Nicholas (OLP) <(b) (6)>
Sent: Saturday, May 24, 2025 12:20 PM
To: Haviland, Aaron (OLP) <(b) (6)>
Subject: Fw: Draft Report re EO 14260 (State Overreach)

FYI

Nicholas Schilling
(b) (6)
Sent from my phone; please excuse any errors.

From: Gustafson, Adam (ENRD) <(b) (6)>
Sent: Saturday, May 24, 2025 11:22:24 AM
To: Schilling, Nicholas (OLP) <(b) (6)>
Cc: Reitz, Aaron (OLP) <(b) (6)>; Roth, Yaakov M (CIV) <(b) (6)>; Bove, Emil (ODAG)

<(b) (6) >; Bhirud, Ketan (ODAG) <(b) (6) >; Kambli, Abhishek (OASG)
<(b) (6) >; Harvey, Judy (ENRD) <(b) (6) >
Subject: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24883.1

From: "Schilling, Nicholas (OLP)" <(b) (6)>
To: "Reitz, Aaron (OLP)" <(b) (6)>
Cc: "Haviland, Aaron (OLP)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Thu, 29 May 2025 15:53:17 -0400
Importance: Normal

Yes, it is.

My answer to Adam would be: (b) (5)

From: Reitz, Aaron (OLP) <(b) (6)>
Sent: Thursday, May 29, 2025 3:52 PM
To: Schilling, Nicholas (OLP) <(b) (6)>
Cc: Haviland, Aaron (OLP) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

This is the report that Haviland is taking another pass at, right?

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Gustafson, Adam (ENRD) <(b) (6)>
Sent: Thursday, May 29, 2025 11:26 AM
To: Schilling, Nicholas (OLP) <(b) (6)>
Cc: Reitz, Aaron (OLP) <(b) (6)>; Harvey, Judy (ENRD) <(b) (6)>; Heminger, Justin (ENRD) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Nicholas,

Do you know whether (b) (5) ? If so, we should make some edits to (b) (5) .

Adam

Adam Gustafson
Acting Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
(b) (6) (cell)
(b) (6)

From: Schilling, Nicholas (OLP) <(b) (6) >
Sent: Tuesday, May 27, 2025 8:46 AM
To: Gustafson, Adam (ENRD) <(b) (6) >
Cc: Reitz, Aaron (OLP) <(b) (6) >; Roth, Yaakov M (CIV) <(b) (6) >; Bove, Emil (ODAG) <(b) (6) >; Bhirud, Ketan (ODAG) <(b) (6) >; Kambli, Abhishek (OASG) <(b) (6) >; Harvey, Judy (ENRD) <(b) (6) >
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24872.1

From: "Haviland, Aaron (OLP)" <(b) (6)>
To: "Reitz, Aaron (OLP)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Thu, 29 May 2025 15:53:57 -0400
Importance: Normal

Yes, I am working on some additional edits now. (b) (5)

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Reitz, Aaron (OLP) <(b) (6)>
Sent: Thursday, May 29, 2025 3:52 PM
To: Schilling, Nicholas (OLP) <(b) (6)>
Cc: Haviland, Aaron (OLP) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24867.1

From: "Reitz, Aaron (OLP)" <(b) (6)>
To: "Gustafson, Adam (ENRD)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>
Cc: "Harvey, Judy (ENRD)" <(b) (6)>, "Heminger, Justin (ENRD)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Thu, 29 May 2025 16:03:16 -0400
Importance: Normal

Hey Adam. We're tinkering with it just a bit longer and have a few easy suggestions.

Regarding (b) (5), but we should (b) (5).

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Gustafson, Adam (ENRD) <(b) (6)>
Sent: Thursday, May 29, 2025 11:26 AM
To: Schilling, Nicholas (OLP) <(b) (6)>
Cc: Reitz, Aaron (OLP) <(b) (6)>; Harvey, Judy (ENRD) <(b) (6)>; Heminger, Justin (ENRD) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24867.1

From: "Haviland, Aaron (OLP)" <(b) (6)>
To: "Reitz, Aaron (OLP)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Thu, 29 May 2025 22:06:57 -0400
Importance: Normal
Attachments: State_Overreach_Report_-_UNREDACTED_-_Version_for_OLP_5_24_25_-_OLP_Edits_05.29.2025.docx

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Aaron and Nicholas,

Attached please find an updated draft of suggested edits to ENRD on their EO 14260 report (due to the White House on June 7). As discussed, I added a few substantive recommendations for ENRD's consideration. Happy to discuss tomorrow.

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Reitz, Aaron (OLP) <(b) (6)>
Sent: Wednesday, May 28, 2025 7:20 PM
To: Haviland, Aaron (OLP) <(b) (6)>
Cc: Schilling, Nicholas (OLP) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Thanks. You two fellas connect on what Nicholas and I discussed today, and send an updated draft at your convenience.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Haviland, Aaron (OLP) <(b) (6)>
Sent: Tuesday, May 27, 2025 5:38 PM
To: Reitz, Aaron (OLP) <(b) (6)>
Cc: Schilling, Nicholas (OLP) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24868.1

From: "Reitz, Aaron (OLP)" <(b) (6)>
To: "Schilling, Nicholas (OLP)" <(b) (6)>, "Haviland, Aaron (OLP)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Fri, 30 May 2025 15:18:10 -0400
Importance: Normal

Approved to send to ENRD. Please ensure OLP is given credit on whatever gets sent up and on any official publications.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Schilling, Nicholas (OLP) <(b) (6)>
Sent: Friday, May 30, 2025 10:10 AM
To: Haviland, Aaron (OLP) <(b) (6)>; Reitz, Aaron (OLP) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Thanks, Aaron H. I've made some minor formatting changes in the attached and added a brief three sentence conclusion section. I've also attached a report cover page that can be added at the PDF stage.

AAG Aaron, as a reminder, this report is due to the White House next Friday, so ENRD probably needs to have it today to be able to get it to ODAG, OASG, and the AG.

From: Haviland, Aaron (OLP) <(b) (6)>
Sent: Thursday, May 29, 2025 10:07 PM
To: Reitz, Aaron (OLP) <(b) (6)>; Schilling, Nicholas (OLP) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #25133.1

From: "Haviland, Aaron (OLP)" <(b) (6)>
To: "Gustafson, Adam (ENRD)" <(b) (6)>
Cc: "Reitz, Aaron (OLP)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>, "Roth, Yaakov M (CIV)" <(b) (6)>, "Bove, Emil (ODAG)" <(b) (6)>, "Bhirud, Ketan (ODAG)" <(b) (6)>, "Kambli, Abhishek (OASG)" <(b) (6)>, "Harvey, Judy (ENRD)" <(b) (6)>, "Adams, John (ENRD)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Fri, 30 May 2025 15:34:44 -0400
Importance: Normal
Attachments: State_Overreach_Report_-_UNREDACTED_-_Version_for_OLP_5_24_25_-_OLP_Edits_05.30.2025.docx; State_Overreach_Report_Cover_Page.docx

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Adam,

For your consideration, attached please find some suggested edits in tracked changes to the EO 14260 report from OLP.

Best regards,
Aaron H.

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Gustafson, Adam (ENRD) <(b) (6)>
Sent: Saturday, May 24, 2025 11:22:24 AM
To: Schilling, Nicholas (OLP) <(b) (6)>
Cc: Reitz, Aaron (OLP) <(b) (6)>; Roth, Yaakov M (CIV) <(b) (6)>; Bove, Emil (ODAG) <(b) (6)>; Bhirud, Ketan (ODAG) <(b) (6)>; Kambli, Abhishek (OASG) <(b) (6)>; Harvey, Judy (ENRD) <(b) (6)>
Subject: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24883.1

From: "Reitz, Aaron (OLP)" <(b) (6) >
To: "Schilling, Nicholas (OLP)" <(b) (6) >
Subject: last week agenda
Date: Tue, 03 Jun 2025 09:43:00 -0400
Importance: Normal
Attachments: ODAG-OLP_Weekly_Agenda_(05.28.2025).docx

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

Removed per scoping agreement

2. For DAG awareness

Removed per scoping agreement

b. With OLP:

Removed per scoping agreement

vi. OLP reviewing ENRD's report on states' overreach in energy/env (EO 14260)

Removed per scoping agreement

From: "Schilling, Nicholas (OLP)" <(b) (6) >
To: "Reitz, Aaron (OLP)" <(b) (6) >
Subject: Draft Agenda for Tomorrow's DAG Meeting
Date: Tue, 03 Jun 2025 12:03:59 -0400
Importance: Normal
Attachments: ODAG-OLP_Weekly_Agenda_(06.04.2025)_Draft.docx

Aaron,

Attached is a draft agenda for tomorrow's meeting with the DAG.

Nicholas Schilling Jr.
U.S. Department of Justice
Office of Legal Policy, Chief of Staff
(b) (6)
Cell: (b) (6)

ODAG-OLP Weekly Meeting
June 4, 2025

Removed per scoping agreement

2. **For DAG awareness**

Removed per scoping agreement

~~vii.~~viii. OLP ~~reviewing~~ reviewed ENRD's report on states' overreach in energy/env (EO 14260) due to POTUS on Fri., June 6

Removed per scoping agreement

Removed per scoping agreement

From: "Adams, John (ENRD)" <(b) (6)>
To: "Haviland, Aaron (OLP)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Tue, 03 Jun 2025 12:05:59 -0400
Importance: Normal

Thanks, Aaron. It does feel like a firehose! Yes, on lunch. I'll swing by to schedule it. I'll get back to you soon on EO 14260.

John K. Adams
Chief of Staff and Senior Counsel
Environment and Natural Resources Division
U.S. Department of Justice
(b) (6) (cell)
(b) (6)

From: Haviland, Aaron (OLP) <(b) (6)>
Sent: Tuesday, June 3, 2025 11:50 AM
To: Adams, John (ENRD) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Hey John,

Hope you're settling in well and don't feel too much like you're drinking from a firehose!

First, just wanted to check in and see if ENRD needed anything more from OLP on the EO 14260 report due to the White House this Friday. We're here to help if you need it.

Second, let me know if you'd like to grab lunch at some point when you've had the chance to settle in. I'm up in room 4226 and have a decent coffee machine—feel free to swing by any time.

- Aaron

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Haviland, Aaron (OLP)
Sent: Friday, May 30, 2025 3:35 PM
To: Gustafson, Adam (ENRD) <(b) (6)>
Cc: Reitz, Aaron (OLP) <(b) (6)>; Schilling, Nicholas (OLP) <(b) (6)>; Roth, Yaakov M (CIV) <(b) (6)>; Bove, Emil (ODAG) <(b) (6)>; Bhirud, Ketan (ODAG) <(b) (6)>; Kambli, Abhishek (OASG) <(b) (6)>; Harvey, Judy (ENRD) <(b) (6)>; Adams, John (ENRD) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24978.1

From: "Baldassarre, Natalie (PAO)" <(b) (6)>
To: "Bhirud, Ketan (ODAG)" <(b) (6)>, "Nies, Matthew (PAO)" <(b) (6)>, "Gustafson, Adam (ENRD)" <(b) (6)>, "Gilmartin, Chad (PAO)" <(b) (6)>, "McGavick, Gates (PAO)" <(b) (6)>, "Jag, Rachel (ODAG)" <(b) (6)>
Subject: Re: [EXTERNAL] Webform submission from: Media Inquiries
Date: Tue, 03 Jun 2025 13:54:51 -0400
Importance: Normal

Thank you!

Get Outlook for iOS

From: Bhirud, Ketan (ODAG) <(b) (6)>
Sent: Tuesday, June 3, 2025 1:44:51 PM
To: Baldassarre, Natalie (PAO) <(b) (6)>; Nies, Matthew (PAO) <(b) (6)>; Gustafson, Adam (ENRD) <(b) (6)>; Gilmartin, Chad (PAO) <(b) (6)>; McGavick, Gates (PAO) <(b) (6)>; Jag, Rachel (ODAG) <(b) (6)>
Subject: RE: [EXTERNAL] Webform submission from: Media Inquiries

The reports that DOJ submits to the president pursuant to executive orders are non-public reports, unless specifically stated otherwise in the EO. I think we can tell her that.

Ketan Bhirud
Associate Deputy Attorney General
U.S. Department of Justice

From: Baldassarre, Natalie (PAO) <(b) (6)>
Sent: Tuesday, June 3, 2025 1:29 PM
To: Nies, Matthew (PAO) <(b) (6)>; Gustafson, Adam (ENRD) <(b) (6)>; Bhirud, Ketan (ODAG) <(b) (6)>; Gilmartin, Chad (PAO) <(b) (6)>; McGavick, Gates (PAO) <(b) (6)>; Jag, Rachel (ODAG) <(b) (6)>
Subject: FW: [EXTERNAL] Webform submission from: Media Inquiries

Flagging re POTUS' Energy EO – let me know if there is somewhere we can point her.

From: United States Department of Justice <no-reply@usdoj.gov>
Sent: Tuesday, June 3, 2025 12:35 PM
To: Press <Press@jmd.usdoj.gov>
Subject: [EXTERNAL] Webform submission from: Media Inquiries

Date:Tuesday, June 3, 2025 - 12:34PM EDT

Name: Denise Cathey

Email: (b) (6)

Topic:U.S. Attorneys

Media Outlet:Argus Media

Deadline:06/05/2025

Inquiry:
My name is Denise Cathey and I'm a reporter covering energy policy and markets for industry publication Argus Air Daily. I'm reaching out to inquire, will the AGs recommendations required by executive order "PROTECTING AMERICAN ENERGY FROM STATE OVERREACH" from 8 April be published on the DOJ website or another federal venue. And has that report already been delivered to the Counsel to the President?

From: "Adams, John (ENRD)" <(b) (6)>
To: "Haviland, Aaron (OLP)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Tue, 03 Jun 2025 14:32:50 -0400
Importance: Normal

Aaron,

You should expect to hear from Adam or someone from our front office today or sometime soon on the draft report. Thanks for following up.

John K. Adams
Chief of Staff and Senior Counsel
Environment and Natural Resources Division
U.S. Department of Justice
(b) (6) (cell)
(b) (6)

From: Haviland, Aaron (OLP) <(b) (6)>
Sent: Tuesday, June 3, 2025 11:50 AM
To: Adams, John (ENRD) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #26694.1

From: "Gustafson, Adam (ENRD)" <(b) (6)>
To: "Bhirud, Ketan (ODAG)" <(b) (6)>, "Baldassarre, Natalie (PAO)" <(b) (6)>, "Nies, Matthew (PAO)" <(b) (6)>, "Gilmartin, Chad (PAO)" <(b) (6)>, "McGavick, Gates (PAO)" <(b) (6)>, "Jag, Rachel (ODAG)" <(b) (6)>
Cc: "Haviland, Aaron (OLP)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>, "Walters, Riley (ENRD)" <(b) (6)>
Subject: RE: [EXTERNAL] Webform submission from: Media Inquiries
Date: Tue, 03 Jun 2025 15:40:22 -0400
Importance: Normal

Thanks, Ketan. That's especially helpful for this report, which will include forward-looking litigation strategy that's not appropriate for publication.

Adam Gustafson
Acting Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
(b) (6) (cell)
(b) (6)

From: Bhirud, Ketan (ODAG) <(b) (6)>
Sent: Tuesday, June 3, 2025 1:45 PM
To: Baldassarre, Natalie (PAO) <(b) (6)>; Nies, Matthew (PAO) <(b) (6)>; Gustafson, Adam (ENRD) <(b) (6)>; Gilmartin, Chad (PAO) <(b) (6)>; McGavick, Gates (PAO) <(b) (6)>; Jag, Rachel (ODAG) <(b) (6)>
Subject: RE: [EXTERNAL] Webform submission from: Media Inquiries

Duplicative Information - See Document ID #28427.1

From: "Heminger, Justin (ENRD)" <(b) (6)>
To: "Haviland, Aaron (OLP)" <(b) (6)>
Cc: "Gustafson, Adam (ENRD)" <(b) (6)>, "Harvey, Judy (ENRD)" <(b) (6)>, "Reitz, Aaron (OLP)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>, "Adams, John (ENRD)" <(b) (6)>
Subject: Draft Report re EO 14260 (State Overreach)
Date: Thu, 05 Jun 2025 16:46:40 -0400
Importance: Normal
Attachments: LPS-_339893-v1-State_Overreach_Report_-_UNREDACTED_-_ENRD_Redline_of_OLP_05_30_2025_Edits_(002).docx
Inline-Images: image001.jpg

Hi Aaron,

Thanks for sharing these edits. A few things in response:

1. (b) (5)
2. (b) (5). Per the executive order, our draft was limited to (b) (5)
3. (b) (5)
4. (b) (5) . Have you considered whether (b) (5) ?
5. **Additions and Edits.** We added (b) (5) . We also tweaked your (b) (5) Finally, we fixed some nits throughout the report.

Please let us know if you'd like to discuss anything further. Thanks for the teamwork!

Best regards,
Justin

Justin D. Heminger
U.S. Department of Justice

Environment and Natural Resources Division | Office of the Assistant Attorney General
(b) (6)

From: Haviland, Aaron (OLP) <(b) (6)>
Sent: Friday, May 30, 2025 3:35 PM
To: Gustafson, Adam (ENRD) <(b) (6)>
Cc: Reitz, Aaron (OLP) <(b) (6)>; Schilling, Nicholas (OLP) <(b) (6)>; Roth, Yaakov M (CIV) <(b) (6)>; Bove, Emil (ODAG) <(b) (6)>; Bhirud, Ketan (ODAG) <(b) (6)>; Kambli, Abhishek (OASG) <(b) (6)>; Harvey, Judy (ENRD) <(b) (6)>; Adams, John (ENRD) <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #24978.1

From: "Haviland, Aaron (OLP)" <(b) (6)>
To: "Heminger, Justin (ENRD)" <(b) (6)>
Cc: "Gustafson, Adam (ENRD)" <(b) (6)>, "Harvey, Judy (ENRD)" <(b) (6)>, "Reitz, Aaron (OLP)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>, "Adams, John (ENRD)" <(b) (6)>
Subject: RE: Draft Report re EO 14260 (State Overreach)
Date: Thu, 05 Jun 2025 17:40:45 -0400
Importance: Normal
Inline-Images: image001.jpg

Hi Justin,

1. Sounds good on (b) (5) Thank you for letting us know.

2 4. We will defer to ENRD on the (b) (5) issue. Your first draft of the report had already addressed many of our ideas for this report on the (b) (5) Hopefully, we can work together on these issues in the future!

5. Your additions and edits (including your edits to our section on (b) (5)) all look great.

Thank you,
Aaron

Aaron P. Haviland
U.S. Department of Justice
Office of Legal Policy
(b) (6)
Cell: (b) (6)

From: Heminger, Justin (ENRD) <(b) (6)>
Sent: Thursday, June 5, 2025 4:47 PM
To: Haviland, Aaron (OLP) <(b) (6)>
Cc: Gustafson, Adam (ENRD) <(b) (6)>; Harvey, Judy (ENRD) <(b) (6)>; Reitz, Aaron (OLP) <(b) (6)>; Schilling, Nicholas (OLP) <(b) (6)>; Adams, John (ENRD) <(b) (6)>
Subject: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #25089.1

From: "Gustafson, Adam (ENRD)" <(b) (6) >
To: "Jorjani, Daniel H. EOP/WHO" <(b) (6) >, (b)(6) Gary Lawkowski , (b)(6) Samuel Adkisson , "Lifton, Daniel M. EOP/WHO" <(b) (6) >
Cc: "Roth, Yaakov M (CIV)" <(b) (6) >, "Reitz, Aaron (OLP)" <(b) (6) >, "Haviland, Aaron (OLP)" <(b) (6) >, "Schilling, Nicholas (OLP)" <(b) (6) >, "Bhirud, Ketan (ODAG)" <(b) (6) >, "Kambli, Abhishek (OASG)" <(b) (6) >
Subject: Draft Report re EO 14260 (State Overreach)
Date: Fri, 06 Jun 2025 19:10:07 -0400
Importance: Normal
Attachments: DRAFT_DOJ_State_Overreach_Report_re_EO_14260_2025-06-06.docx; DRAFT_Public_Fact_Sheet_for_DOJ_State_Overreach_Report_re_EO_14260_2025-06-06.docx

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Dan,

Attached is ENRD's draft (with input from the Civil Division and the Office of Legal Policy) of the Attorney General's 60-day report to the President in response to E.O. 14260, "Protecting American Energy from State Overreach." Due to internal DOJ procedures, formal transmittal to the White House will not be completed by the June 7 deadline.

Even when final, the report itself should not be released to the public, as it discusses litigation strategy. However, we prepared a public version of the executive summary for the WH Comms team, which is also attached and styled as a "fact sheet."

Thank you,

Adam

Adam Gustafson
Acting Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
(b) (6) (cell)
(b) (6)

From: "Jorjani, Daniel H. EOP/WHO" <(b) (6)>
To: "Gustafson, Adam (ENRD)" <(b) (6)>, "Lawkowski, Gary M. EOP/WHO" <(b) (6)>, "Adkisson, Samuel D. EOP/WHO" <(b) (6)>, "Lifton, Daniel M. EOP/WHO" <(b) (6)>
Cc: "Roth, Yaakov M (CIV)" <(b) (6)>, "Reitz, Aaron (OLP)" <(b) (6)>, "Haviland, Aaron (OLP)" <(b) (6)>, "Schilling, Nicholas (OLP)" <(b) (6)>, "Bhirud, Ketan (ODAG)" <(b) (6)>, "Kambli, Abhishek (OASG)" <(b) (6)>
Subject: [EXTERNAL] RE: Draft Report re EO 14260 (State Overreach)
Date: Fri, 06 Jun 2025 19:13:17 -0400
Importance: Normal

Adam – Per usual, superb work by you and your team! Much appreciated. Have a great weekend. -Dan

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From: Gustafson, Adam (ENRD) <(b) (6)>
Sent: Friday, June 6, 2025 7:10 PM
To: Jorjani, Daniel H. EOP/WHO <(b) (6)>; Lawkowski, Gary M. EOP/WHO <(b) (6)>; Adkisson, Samuel D. EOP/WHO <(b) (6)>; Lifton, Daniel M. EOP/WHO <(b) (6)>
Cc: Roth, Yaakov M (CIV) <(b) (6)>; Reitz, Aaron (OLP) <(b) (6)>; Haviland, Aaron (OLP) <(b) (6)>; Schilling, Nicholas (OLP) <(b) (6)>; Bhirud, Ketan (ODAG) <(b) (6)>; Kambli, Abhishek (OASG) <(b) (6)>
Subject: Draft Report re EO 14260 (State Overreach)

Duplicative Information - See Document ID #25086.1

From: "Bhirud, Ketan (ODAG)" <(b) (6) >
To: "Baldassarre, Natalie (PAO)" <(b) (6) >, "Jag, Rachel (ODAG)" <(b) (6) >, "Kapoor, Vetan (ODAG)" <(b) (6) >, "Singh, Aakash (ODAG)" <(b) (6) >, "Gilmartin, Chad (PAO)" <(b) (6) >, "McGavick, Gates (PAO)" <(b) (6) >
Subject: RE: [EXTERNAL] Status of DOJ Report on State Energy Litigation Mandated by April Executive Order
Date: Thu, 07 Aug 2025 16:41:23 -0400
Importance: Normal
Attachments: DRAFT_DOJ_State_Overreach_Report_re_EO_14260_2025-06-06.docx; DRAFT_Public_Fact_Sheet_for_DOJ_State_Overreach_Report_re_EO_14260_2025-06-06.docx
Embedded: Draft_Report_re_EO_14260_(State_Overreach)
Inline-Images: image001.png

The report was submitted to the WH around June 7. Here are what I believe are word versions of the final. I couldn't find the final PDF. You are correct that it's not public. That's what I'd tell the reporter.

Ketan Bhirud
Associate Deputy Attorney General
U.S. Department of Justice

From: Baldassarre, Natalie (PAO) <(b) (6) >
Sent: Thursday, August 7, 2025 4:21 PM
To: Jag, Rachel (ODAG) <(b) (6) >; Kapoor, Vetan (ODAG) <(b) (6) >; Singh, Aakash (ODAG) <(b) (6) >; Gilmartin, Chad (PAO) <(b) (6) >; McGavick, Gates (PAO) <(b) (6) >; Bhirud, Ketan (ODAG) <(b) (6) >
Subject: RE: [EXTERNAL] Status of DOJ Report on State Energy Litigation Mandated by April Executive Order

Also adding Ketan in case this falls under ENRD.

From: Baldassarre, Natalie (PAO)
Sent: Thursday, August 7, 2025 4:18 PM
To: Jag, Rachel (ODAG) <(b) (6) >; Kapoor, Vetan (ODAG) <(b) (6) >; Singh, Aakash (ODAG) <(b) (6) >; Gilmartin, Chad (PAO) <(b) (6) >; McGavick, Gates (PAO) <(b) (6) >
Subject: FW: [EXTERNAL] Status of DOJ Report on State Energy Litigation Mandated by April Executive Order

+ ODAG. This EO does not require the report to be made public. Can we tell the reporter that on background?

From: Kaelan Deese <(b) (6) >
Sent: Thursday, August 7, 2025 4:13 PM
To: Gilmartin, Chad (PAO) <(b) (6) >; McGavick, Gates (PAO) <(b) (6) >; Baldassarre, Natalie (PAO) <(b) (6) >
Subject: [EXTERNAL] Status of DOJ Report on State Energy Litigation Mandated by April Executive Order

Hello, this is Kaelan Deese with the Washington Examiner.

I'm reaching out to confirm the status of the Justice Department's report in response to Executive

Order 14115, signed by President Trump on April 8. The EO directed the DOJ to issue a report within 60 days evaluating the legal impact of state and municipal climate-related litigation on U.S. energy policy and production.

As of this week, it has been more than four months since the order was signed — and nearly two months past the stated deadline.

> (c) Within 60 days of the date of this order, the Attorney General shall submit a report to the President, through the Counsel to the President, regarding actions taken under subsection (b) of this section. The Attorney General shall also recommend any additional Presidential or legislative action necessary to stop the enforcement of State laws identified in subsection (a) of this section that the Attorney General determines to be illegal or otherwise fulfill the purpose of this order.

This comes as state-level litigation is accelerating, including recent oral arguments in the Hawaii climate case and an upcoming hearing later this month in California v. ExxonMobil, both of which could have sweeping implications for the domestic energy sector.

Can the DOJ provide an update on the status of this report or when it is expected to be released?

Appreciate your help. Timing can be flexible for this response if you anticipate being able to get something back to us.

Best,

--

photo

Kaelan Deese
Justice Department Reporter, Washington Examiner

(b) (6)

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