

# United States Department Of Energy Refuses To Comply With FOIA Request For Tesla Motors Documents For Nearly A Decade - ILLEGAL CORRUPTION

By Dawson Linister

In recent court filings, energy company Exxon, found that the Obama Department of Energy was running a crony payola scam with California and New York Senators, (per these filings):

<https://www.courthousenews.com/wp-content/uploads/2018/01/ExxonDepositions.pdf>

[https://www.youtube.com/watch?v=uY\\_Tn1ibmF4&feature=youtu.be](https://www.youtube.com/watch?v=uY_Tn1ibmF4&feature=youtu.be)

These Senators and their crony technology CEO financiers were making billions of dollars betting insider trading cash on "Green Energy".

A related case has had a Freedom of Information Act (FOIA) case filed with the Department of Energy FOIA office since as early as 2007. The Department of Energy FOIA office has refused to

comply with the request on orders from Obama White House officials.

It is now 2018, though, and Obama can only pull his strings from his Washington DC mansion as a private citizen. Donald Trump now has the reigns of the White House.

To test these assertions our reporters checked on example Department of Energy FOIA #'s FOIA-2009-000035, filed January 18, 2009 by The American University and FOIA-2009-000254 filed by XP Vehicles and Limnia. All of the requesting organizations have been in constant contact with DOE since 2009 and DOE certainly knows how to respond to them. DOE simply has refused to respond to every FOIA requestor who has requested a copy of Tesla Motors Department of Energy funding application documents. By law, these documents are now supposed to be a matter of public record.

At the very least, a FOIA document request should certainly reveal the history behind the routes that billions of taxpayer dollars disappeared into.

Numerous parties have stated that Obama's DOE, FBI, SEC and FTC covered up the fact that Elon Musk got his cash as a crony political payola scam, arranged by California Senators on The Take. The Musk cash was said to be part of a complicated felony organized crime campaign financing payoff to fund Obama's election.

These charges, if proven, expose a great crime against the U.S. public. Why else would the Energy Department illegally refuse to comply with FOIA requests for the Tesla funding records?

The FOIA process provides a comprehensive list of remedies against agencies and individuals for erroneously withholding requested information. The remedies that are available under the FOIA include:

- an order for injunction[i];
- writ of mandamus or a civil action in the nature of mandamus;
- an order for damages (recognized only in some states); and
- an order for production of agency records[ii].

Any person denied a copy or examination of a public record can enforce his/her rights and privileges by a petition for mandamus or injunction. A petition for injunction must be filed with a circuit court having jurisdiction in the county in which such rights and privileges are denied. The petition must be supported by an affidavit showing good cause. Such a petition will be heard within seven days from petition date[iii].

However an injunction will not be granted in cases where it appears that the acts complained of have already been committed and that there is no proof to show that such conduct will continue in future. This is because injunctive relief is an extraordinary remedy and injunctive relief is available only to prevent a threatened harm and not to redress harm that has already occurred[iv].

Failure by a public body to provide public information is clearly duty violation and in such cases, statutory mandamus is the appropriate remedy. A writ of mandamus is governed by equitable principles. Normally a writ of mandamus will not be awarded if the exercise of such discretion would contravene the overall scheme of a state open records act.

In order to get a writ of mandamus, a plaintiff must satisfy the following:

- that there is no statutory exception or common-law limitation[v];
- that there is no specifically stated contrary reason submitted by a guardian of the public record;
- that there is a legal duty on the part of the public body to perform a non-discretionary act[vi];
- that there is a demand for performance of such act[vii]; and
- that there is a refusal to perform an act demanded[viii].

In cases where there is fear of future violations injunction will be the proper remedy. Mandamus will not be an adequate remedy in such cases because a writ will not prevent future harm[ix].

Generally, provision as to penalty is available under the FOIA for withholding information. Such penalty will not be imposed if in a trial court's opinion the document is one that should not be disclosed.

Provision as to money damages are not provided under the FOIA. Therefore, courts generally do not grant a cause of action for money damages[x].

Similarly comprehensive and punitive damages are also not recognized under the FOIA of some states. As an exception to this general rule, some states have recognized the right for compensatory damages under FOIA. However punitive damage is awarded under some public-records laws if there is arbitrary delay and unlawful refusal to issue or disclose copies of public

record by a public authority. Willful or unlawful refusal to applicants' requests by a government official or agency is also subjected to punitive damages.

Generally, under states public-records laws, a minimum of \$100 and other actual costs are awarded as damages for non fulfillment of an applicant's request[xi]. Thus, a person seeking a right to inspect or to receive a copy of a public record will be awarded with reasonable attorney's fees and other costs of litigation[xii].

Before granting a relief under FOIA, a court will look into the effect of such disclosure or non disclosure upon the public[xiii]. Once a decision has been taken by a court, it can be reversed only on the ground of abuse of the court process or that the decision was based on an erroneous legal principle.

## **U.S. Dept. of Energy Refuses To Comply With Over A Decade Of Legal**

## **FOIA Requests To Release Elon Musk's Crony Funding Application**

### **Documents**

**By Susan Tsakis**

It is illegal for the U.S. Government to refuse to comply with Freedom of Information Act requests.

History has proven that most delays in delivering FOIA request data have been because compromised government employees

are running cover-ups or trying to make sure all of the incriminating data is shredded.

In the case of Elon Musk and his taxpayer financed companies: Tesla, SolarCity and SpaceX, charges have been levied that the Department of Energy paperwork proves that Secretary of Energy Steven Chu rigged the applications in Musk's favor in order to payoff crony graft deals with Musk and his Silicon Valley venture capitalists.

Since 2007, The U.S. Department of Energy has been sitting on FOIA requests from Bright Automotive, Limnia, Inc, ZAP Motors, Aptera and other companies. The DOE provided other materials but specifically avoided disclosing the Elon Musk papers.

Witnesses from inside the Department of Energy, The Silicon Valley tech community, former Tesla employees and other insiders have sworn that The Department of Energy staff rigged the process so that ONLY Elon Musk and his Obama financiers could get the money, while helping to sabotage Musk's competitors.

These witnesses say that release of the un-manipulated set of Elon Musk's application and review documents prove that an organized crime and corruption effort financed Musk. They claim that the documents are being hidden because they prove that the Obama Administration engaged in massive crony finance crimes.

Anyone who doubts the assertions can file their own FOIA with the U.S. Department of Energy at:

<https://www.emcbc.doe.gov/About/FOIA>

Department of Energy  
Environmental Management Consolidated Business Center  
ATTN: FOIA/PA Requester Service Center

250 E. 5th Street, Suite 500  
Cincinnati, OH 45202  
Fax: (513) 246-0524  
Email: [foiaoffice@emcbc.doe.gov](mailto:foiaoffice@emcbc.doe.gov)

And at:

[This link for a Freedom of Information Act request electronically.](#)

You may also mail in your FOIA request to the following address:

FOIA Requester Service Center  
1000 Independence Avenue, SW  
Mail Stop MA-46  
Washington, DC 20585

Or by facsimile at (202) 586-0575. If you have any questions, please give us a call at (202) 586-5955.

Anyone filing a FOIA should request:

*"All funding application documents, materials, emails, meeting records and reviewer notes pertaining to funding applications with the Department of Energy by Elon Musk and companies owned and controlled by Elon Musk"*

Former Department of Energy staff and witnesses state that those records have been kept in 4 file boxes at the U.S. Department of Energy on Independence Avenue in Washington, DC.

Those who have attested to these corruption deeds have stated that multiple copies of the incriminating documents exist in other locations.