



**U.S. OFFICE OF SPECIAL COUNSEL**  
1730 M Street, N.W., Suite 300  
Washington, D.C. 20036-4505

**The Special Counsel**

July 16, 2025

The President  
The White House  
Washington, D.C. 20050

Re: OSC File No. DI-18-005859

Dear Mr. President:

I am forwarding to you reports transmitted to the U.S. Office of Special Counsel (OSC) by the U.S. Department of Energy (DOE) in response to the Special Counsel's referral of disclosures of wrongdoing involving DOE's Office of International Affairs.<sup>1</sup>

The agency investigation substantiated the allegation that former DOE senior official William N. Bryan was not forthright in his statements to Congress. The investigation further substantiated that, while employed by DOE's Office of International Affairs, Mr. Bryan created the appearance of using his public office to advance his personal business interests. In addition, the agency report noted problems with DOE's handling of international work in Ukraine. DOE did not substantiate the remaining allegations, in spite of contradictory evidence. However, the agency noted improvements to the identified problems. Accordingly, in conformance with 5 U.S.C. § 1213(e), OSC has reviewed the disclosure, agency reports, and whistleblower comments, and I have determined that the reports contain the information required by statute and that the findings appear reasonable only in part.

**Background**

Mr. Bryan worked for DOE as a full-time senior executive through September 2015. After a 25-day retirement, he returned to the agency as a Special Government Employee,<sup>2</sup> until leaving the agency entirely in October 2016. In the last years of his employment with the agency, Mr. Bryan led an international Winter Action Plan Team on behalf of DOE. In that effort, Mr. Bryan worked closely with [REDACTED] and [REDACTED] the

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<sup>1</sup> OSC referred the allegations to then-DOE Secretary Rick Perry for investigation pursuant to 5 U.S.C. § 1213(c) and (d). The DOE Office of Inspector General conducted a joint investigation with the U.S. Department of Homeland Security (DHS) Office of the Chief Security Officer because DHS then employed William N. Bryan, the primary alleged wrongdoer.

<sup>2</sup> Defined at 18 U.S.C. § 202. In its supplemental report, DOE took the position that Mr. Bryan had been improperly classified as a Special Government Employee and should have been treated as a "regular" DOE employee, as discussed later. However, because the agency deemed him to be a Special Government Employee and treated him accordingly, we will refer to him as such in this letter.

founders of a Kiev-based think tank, the Energy Industry Research (EIR) Center, which was alleged to be a cover organization for the business interest of a pro-Russian Ukrainian energy oligarch.

### **Substantiated Wrongdoing**

The agency substantiated that Mr. Bryan, who was then awaiting Senate confirmation for a position with the Department of Homeland Security (DHS), misled Congress during the confirmation process regarding the dates of his employment with DOE; his outside work for ValueBridge Energy Group (ValueBridge) while employed by DOE; and his personal business relationship with [REDACTED].<sup>3</sup> In response, DHS suspended Mr. Bryan's security clearance and proposed its revocation.

Further, DOE found that Mr. Bryan's decision to ignore ethics advice and conduct ValueBridge business in the Ukrainian energy sector with DOE partners [REDACTED] and [REDACTED] "brought the ethics of his character and behavior into question." In a supplemental report, the agency found that Mr. Bryan violated ethics rules by giving the appearance of using his public office for private gain. Specifically, Mr. Bryan cultivated a business relationship with [REDACTED] with whom Mr. Bryan was working while he was a DOE official, and he improperly used his DOE title or position when chairing an energy conference in his personal capacity. While Mr. Bryan's actions are not attributable to insufficient ethics guidance or training, DOE indicated that subsequent enhancements to its ethics training and tracking systems would assist in preventing inadvertent ethical lapses.<sup>4</sup>

Further concerns identified by the agency included that Mr. Bryan was unprepared for foreign relations work, particularly in a diplomatic climate as nuanced and challenging as Ukraine, leaving him susceptible to influence by pro-Russian actors. Additionally, DOE's Washington, D.C.-based employees did not interface well with or give appropriate weight to the concerns of their counterparts in the Department Attaché Office at Embassy Kyiv. In response to these concerns, DOE explained that new leadership in the Office of International Affairs improved coordination with Department of State counterparts and increased communication and coordination among DOE components engaged in international work, mitigating the risk that these scenarios would reoccur.

### **Unsubstantiated Findings**

The agency investigation did not substantiate the allegation that Mr. Bryan altered the substance of the 2015-2016 Winter Action Plan to align with the positions of the EIR Center—which Mr. Bryan knew was a cover organization for the business interest of a pro-Russian Ukrainian energy oligarch—with the understanding that the EIR Center founders, [REDACTED] and [REDACTED] would help him cultivate his commercial interests.

In response, the whistleblower expressed concern that the agency's reasoning appeared to rely on irrelevant considerations. OSC asked the agency for further clarification. Per DOE,

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<sup>3</sup> Senator Claire McCaskill, *Post-Hearing Questions for the Record*, Submitted to William N. Bryan (August 22, 2018).

<sup>4</sup> DOE states that these changes were the result of routine internal reviews and new Office of Government Ethics' training regulations.

witnesses affirmed that Mr. Bryan relied on the EIR Center for data underlying the Winter Action Plan but attributed his reliance to considerations unrelated to his business interests (of which at least one of these witnesses was wholly unaware). The agency also found that both [REDACTED] and [REDACTED] were vetted on multiple occasions. Witnesses also believed it would be difficult to prove the connection between the EIR Center and the pro-Russian oligarch who allegedly backed it.

The agency investigation also did not substantiate the allegation that Mr. Bryan used his position to develop his private business interests in the Ukrainian energy market as president of ValueBridge. This was despite confirming many of the underlying factual assertions the whistleblower brought to support the allegation, such as that Mr. Bryan was earning income from ValueBridge and signed a proposal on behalf of ValueBridge to build waste recycling plants in Ukraine while employed by DOE. Additionally, as evidenced by his Foreign Agents Registration Act filing on behalf of ValueBridge in February 2017, only five months after he left DOE's employ, Mr. Bryan had established shared business interests with [REDACTED] and [REDACTED].

In failing to substantiate the allegation, the agency considered irrelevant factors such as the ultimate success of Mr. Bryan's endeavors, which causes OSC to question the agency's reasoning. Similarly, the whistleblower questioned the validity of the agency's reasoning and observed that its conclusion was inconsistent with the reasonable inference that Mr. Bryan was using his DOE position to develop his private business interests. In light of these considerations, OSC does not find the agency's conclusions on this allegation to be reasonable.

Finally, the agency investigation did not substantiate the allegation that DOE employee [REDACTED] an International Relations Specialist in the Office of International Affairs, hindered U.S. interests when he disclosed proprietary U.S. government information on coal pricing to EIR Center's [REDACTED] during government-assisted negotiations for the purchase of coal. The agency found that, [REDACTED] did share close-hold information with [REDACTED] in violation of Department of Commerce protocols, but the agency concluded that the information was neither classified nor proprietary, that it was shared at the request of the government of Ukraine, that it was shared with the knowledge of International Affairs leadership, and that it was shared to quell the concerns of the government of Ukraine that it was overpaying for coal. Moreover, per the report, the purchase agreement was completed in a timeframe consistent with the negotiations.

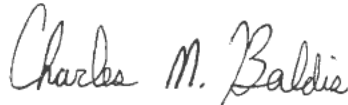
In his comments, the whistleblower countered that the U.S. Ambassador to Ukraine found the leak so damaging that he informed DOE leadership and the National Security Council that it endangered the ongoing energy negotiations.

OSC acknowledges the agency's significant efforts in investigating the referred allegations. Despite the weaknesses in the report, particularly those highlighted by the whistleblower, OSC ultimately concludes that the agency's findings are reasonable, with the exception of its assessment of the evidence and finding regarding the allegation that Mr. Bryan used his position to develop his private business interests in Ukraine.

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I wish to thank the whistleblower, [REDACTED]<sup>5</sup> for bringing these matters to OSC's attention. As required by 5 U.S.C. § 1213(e)(3), I have sent copies of this letter, the agency reports, and the whistleblower's comments to the Chairs and Ranking Members of the Senate Committee on Energy and Natural Resources and the House Committee on Energy and Commerce. OSC has also filed redacted copies of these documents and the redacted referral letter in our public file, which is available online at [www.osc.gov](http://www.osc.gov). This matter is now closed.

Respectfully,

A handwritten signature in cursive script that reads "Charles M. Baldis".

Charles N. Baldis  
*Senior Counsel and Designee  
of Acting Special Counsel Jamieson Greer*

Enclosures

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<sup>5</sup> [REDACTED] consented to the release of his name.