



# DAVE YOST

OHIO ATTORNEY GENERAL

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January 29, 2021

President Joseph R. Biden, Jr.  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear President Biden,

Protecting Ohioans is one of my primary charges as attorney general. From fraudulent schemes aimed at senior citizens, to predatory criminal behavior seeking the exploitation of our children, I rise each morning cognizant of these grave and humbling responsibilities. This duty also includes protecting fellow citizens from federal acts that affect the critical energy infrastructure Ohioans depend on for their safety and security.

This week my office began receiving correspondence from numerous constituents detailing their alarm at your recent Executive Order that imposes a 90-day review period on a previous executive order regarding Bulk-Power Supply. Executive Order 13920 of May 1, 2020, enacted under President Trump, was put in place to make sure that technology used in our energy grid was not obtained from countries who pose a national security threat to the United States. I believe this to be a prudent precaution.

Your administration needs to immediately modify its *Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Change Crisis* to make clear that the protections afforded by Executive Order 13920 remain in force while your administration studies whether or not a replacement is warranted. While your order unambiguously revokes several previous orders, and calls for the study of many more, the language relating to the Bulk-Power System is contained in a section labeled as "Other Revocations," but then states that Executive Order 13920 of May 1, 2020 (Securing the United States Bulk-Power System), is hereby **suspended for 90 days** while the Secretary of Energy and the Director of OMB jointly consider whether to recommend that a replacement order be issued.

Conceivably, this means that equipment that poses a threat to our energy infrastructure from countries like China, North Korea, or Russia, is allowed back onto our grid while your agency directors study the wisdom of that decision for three months. This cannot be your intent. Either the current order appropriately promotes our national security interests or it does not. Asking your agency directors to study the matter implicitly acknowledges that this is, at minimum, an open question. Removing a protection before determining its efficacy could result in severe and irreversible consequences for our nation and the state of Ohio.

President Joseph R. Biden, Jr.

Re: Bulk Power Supply

Jan. 29 2021

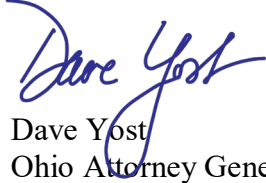
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I am asking you to affirmatively declare that the existing protections will remain in place while your advisors study whether a replacement is warranted. If your administration does not provide this needed and commonsense clarity, the State of Ohio through my office will pursue litigation challenging your de facto revocation of the previous order for a period of 90 days because it represents an unacceptable risk to Ohioans and our energy security.

Thank you for your prompt attention to this matter.

Yours,

A handwritten signature in blue ink that reads "Dave Yost". The signature is fluid and cursive, with the first name "Dave" and last name "Yost" clearly legible.

Dave Yost  
Ohio Attorney General

cc: Ohio Governor Mike DeWine  
Public Utilities Commission of Ohio  
Ohio Congressional Delegation