



Frequently Asked Questions

Bulk-Power System Executive Order and U.S. Department of Energy Request for Information

Updated October 6, 2026

These Frequently Asked Questions (FAQs) provide general information about Executive Order 14421 and the U.S. Department of Energy's (DOE) ongoing implementation process. They do not create new legal requirements; determine whether any specific transaction, equipment, country, person, or vendor is covered; or prejudice future DOE actions.

Executive Order 14421, and any subsequent rule, regulation, order, directive, license, or other legally effective action issued by DOE, will supersede any inconsistency with these FAQs. DOE may update these FAQs as implementation progresses.

1. What does Executive Order 14421 do?

Executive Order 14421 declares a national emergency concerning national security risks associated with the foreign supply of bulk-power system electric equipment.

The executive order:

- Authorizes the U.S. Secretary of Energy to prohibit certain acquisitions, importations, transfers, or installations of foreign-produced bulk-power system electric equipment when the required foreign entity and risk findings are made.
- Authorizes the application of mitigation measures and conditions on certain existing equipment.
- Directs DOE to publish implementing rules or regulations within 120 days, as needed.
- Directs DOE to identify high-risk equipment and develop recommendations to identify, inventory, isolate, monitor, or replace that equipment.
- Directs DOE to recommend revisions to the Federal Acquisition Regulation within 180 days.

2. Does the executive order prohibit all foreign-produced bulk-power system equipment?

No. Executive Order 14421 establishes a targeted, risk-based framework rather than a blanket prohibition on all foreign-produced equipment.

A transaction may be prohibited only when the applicable requirements in the executive order are satisfied, including findings that:

- The transaction involves covered bulk-power system electric equipment or an associated critical component, software, firmware, service, or remote access capability.
- The relevant item has the required connection to a Covered Foreign Entity.



- The transaction presents one or more of the undue or unacceptable risks identified in the executive order.
- The Secretary makes the required determination following specified coordination and consultation with applicable agencies.

3. What does the executive order mean by the “bulk-power system”?

For purposes of Executive Order 14421, the bulk-power system includes:

- Facilities and control systems necessary to operate an interconnected electric energy transmission network, or a portion of that network.
- Electric energy from generation facilities needed to maintain electric system reliability.
- Transmission lines rated at 69 kilovolts or higher.

Facilities used in the local distribution of electric energy are excluded from the definition.

4. What equipment may be within the scope of the executive order?

Executive Order 14421 identifies equipment used in covered substations, control rooms, and power-generating stations, including:

- Substation transformers, reactors, capacitors, voltage regulators, circuit breakers, protective relays, meters, and related equipment.
- Large, small, and backup generators; generation turbines; and equipment needed to maintain electric system reliability.
- Utility-scale and other grid-connected inverters.
- Battery energy storage systems.
- Uninterruptible power supply systems supporting critical infrastructure.
- Industrial control systems, remote terminal units, programmable logic controllers, intelligent electronic devices, distributed control systems, and safety instrumented systems.

Associated critical components, software, firmware, digital services, maintenance services, remote access capabilities, lifecycle update mechanisms, and supply-chain dependencies may also be considered when they are associated with covered equipment and could present the risks identified in the executive order.

5. Are behind-the-meter systems or equipment located at data centers covered?

Equipment is not automatically included or excluded solely because it is located behind the meter, at a data center, at another critical infrastructure facility, or at the same point of interconnection as a load.



For example, diesel generators, natural-gas reciprocating engines, battery systems, or uninterruptible power supply systems located at a data center are not automatically excluded merely because of their location. Applicability may depend on factors such as:

- Whether the equipment is used in, connected to, or associated with the bulk-power system.
- Whether the generation is needed to maintain electric system reliability.
- The equipment's voltage, capacity, connectivity, function, and operational effect.
- Whether the equipment supports a covered control, protection, restoration, or critical grid function.
- Whether all other foreign-production, Covered Foreign Entity, transaction, and risk requirements in Executive Order 14421 are satisfied.

6. What equipment is outside the scope of Executive Order 14421?

Executive Order 14421 does not apply to every electrical product, every item used by an electric utility, or every item located at a critical infrastructure facility.

The executive order expressly excludes:

- Facilities used in the local distribution of electric energy.
- Items not included in the executive order's equipment definition when they do not otherwise satisfy the applicable requirements.
- Items with broader applications beyond the bulk-power system that are unrelated to the national security concerns identified in the executive order.

7. Whether a mixed-use or general-purpose item is within scope may depend on its actual configuration, connectivity, function, operational authority, remote access capabilities, and relationship to covered bulk-power system equipment. How will software, firmware, digital services, and “smart” components be treated?

Software, firmware, digital services, maintenance services, remote access capabilities, and critical components may be considered when they are associated with covered bulk-power system electric equipment.

Relevant considerations may include whether the item or service can affect:

- Operation, protection, or control.
- Equipment configuration or availability.
- System monitoring or recovery.
- Software or firmware updates.
- Credentials or privileged access.
- Remote operation or maintenance.
- The integrity or safety of covered equipment.



General-purpose or mixed-use technology is not automatically covered solely because it is used by an electric sector organization. DOE is seeking input on how to distinguish technology that presents a material bulk-power system risk from technology whose broader use is unrelated to the concerns addressed by the executive order.

8. What is a “transaction” under Executive Order 14421?

The executive order defines a transaction as any of the following:

- Acquisition
- Importation
- Transfer
- Installation

The transaction provisions apply to transactions initiated after August 26, 2026, when the other jurisdictional, foreign interest, Covered Foreign Entity, equipment, and risk requirements in the executive order are also satisfied.

The executive order does not specify a single point—such as contract signature, manufacture, shipment, delivery, transfer of title, or installation—that determines when every transaction is “initiated.” DOE is considering these implementation questions through the request for information (RFI) and the development of implementing rules or regulations.

9. Is there an interim safe harbor for equipment that is already installed and operating?

Covered equipment acquired or installed before August 26, 2026, is not automatically prohibited or subject to removal until after the Secretary has made the determinations required by the executive order and complete the specified consultations.

Upon making such determinations, the Secretary may impose conditions on existing equipment. However, before directing isolation, disconnection, replacement, or removal, DOE must consider:

- Reliability and safety.
- The availability of secure replacements.
- Continuity of essential service.

The executive order also authorizes mitigation and phased compliance. DOE may establish additional licensing, transition, mitigation, or categorical procedures through future rules, regulations, orders, directives, or licenses. Stakeholders may submit recommendations concerning safe transition mechanisms, temporary relief, or phased compliance through the RFI process.

10. What is a Covered Foreign Entity

Executive Order 14421 defines a Covered Foreign Entity as a country or person owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country:



- That is subject to a United States arms embargo or sanctions regime under 22 CFR § 126.1; or
- That the Secretary of Energy, following the consultations specified in the executive order, determines is engaged in conduct detrimental to the national security or foreign policy of the United States.

Rules or regulations issued under the executive order may identify particular countries, persons, or persons owned by, controlled by, or subject to the jurisdiction or direction of a Covered Foreign Entity exclusively for purposes of Executive Order 14421.

The reference to 22 CFR § 126.1 does not eliminate the need to evaluate applicable ownership, control, jurisdiction, direction, and transaction-specific facts. These FAQs do not designate any additional country, person, equipment, or vendor as covered.

11. What does “foreign-produced” mean?

Executive Order 14421 defines “foreign-produced” as an article that is not manufactured, produced, or assembled in the United States.

The executive order does not itself establish:

- A numerical domestic-content threshold.
- A substantial-transformation test.
- A specific treatment for final assembly in the United States.
- Harmonized Tariff Schedule codes for covered equipment.
- A categorical rule for equipment containing foreign cells, semiconductors, power electronics, software, or other components.

DOE has requested input on final assembly, contract manufacturing, original-design manufacturing, white-labeling, refurbishment, remanufacturing, repair, foreign critical components, and the records that manufacturers, importers, distributors, and purchasers can reasonably provide to document origin.

12. How will DOE evaluate equipment and transaction risk?

Executive Order 14421 requires an evaluation of whether a covered transaction presents:

- An undue risk of sabotage, subversion, unauthorized access, malicious remote action, or supply disruption affecting the bulk-power system.
- An undue risk of catastrophic effects on critical infrastructure or the United States economy.
- Another unacceptable risk to national security or the security and safety of United States persons.

DOE has requested information on factors such as:

- Equipment function, location, voltage, and capacity.
- Role in protection, control, restoration, black start, or defense-critical service.
- Network connectivity and remote access capability.



- Redundancy and substitutability.
- Concentration and common-mode exposure.
- Recovery time and availability of spares.
- Replacement lead time and supply-chain concentration.
- Potential cascading, regional, economic, safety, or national defense consequences.
- Ownership, control, product history, software and firmware provenance, and vulnerability history.

The executive order requires both the applicable Covered Foreign Entity nexus and one or more of the specified risk findings. DOE's analysis will not be limited to the manufacturer's name or the type of equipment alone. Function, deployment, associated capabilities, supply-chain facts, and system consequence may also be relevant.

13. Will DOE recognize existing cybersecurity standards or certifications?

DOE is seeking input on whether and how existing industry standards, independent laboratories, third-party certification bodies, original-equipment-manufacturer certifications, and other conformity-assessment mechanisms can support implementation.

Existing certifications, testing results, and compliance with standards may provide useful evidence. However, Executive Order 14421 does not automatically exempt equipment or vendors solely because they comply with a particular standard, including North American Electric Reliability Corporation (NERC) Critical Infrastructure Protection (CIP), International Organization for Standardization (ISO)/International Electrotechnical Commission (IEC), or another cybersecurity or supply-chain standard.

DOE is also seeking input on standardized disclosures, model procurement clauses, vendor attestations, and other tools that could improve consistency and reduce unnecessary burden.

No specific certification or attestation process has yet been adopted for Executive Order 14421.

14. Is DOE planning to establish a pre-qualification process? Should stakeholders submit applications for pre-qualification for equipment or vendors now?

Executive Order 14421 authorizes the Secretary to establish criteria and procedures for recognizing particular equipment and vendors as pre-qualified for future transactions. The executive order does not establish a deadline for creating that process.

15. DOE invites stakeholders to submit recommendations on pre-qualification through the existing Request for Information. How is DOE considering impacts on small businesses and resource-constrained entities?

DOE recognizes that resource-constrained manufacturers, developers, integrators, utilities, and other entities may have less access to ownership information, supply-chain provenance data, legal expertise, testing resources, and alternative suppliers.



The RFI specifically requests information on resource-constrained entity challenges and possible approaches to reduce disproportionate burden while maintaining security. These approaches could include:

- Standardized forms and disclosures.
- Shared services or common data resources.
- Model procurement clauses.
- Technical assistance.
- Risk-based thresholds.
- Phased compliance.
- Safe transition mechanisms.
- Vendor or equipment prequalification.

16. What happens after the RFI closes, and what does the Day-120 deadline mean?

DOE will review timely RFI submissions and use the information received to inform implementation of Executive Order 14421. The Department's review may address:

- Equipment and transaction scope.
- Covered Foreign Entity and supply-chain issues.
- National security, cybersecurity, and remote access risks.
- Existing equipment, mitigation, licensing, and prequalification.
- Reliability, safety, and secure-replacement availability.
- Economic, resource-constrained entity, and implementation impacts.
- Federal procurement and interagency coordination.

Executive Order 14421 directs the Secretary to publish rules or regulations implementing the authorities delegated by the executive order within 120 days, as needed.

17. How will DOE coordinate with the Federal Communications Commission (FCC) and other Federal agencies where authorities overlap?

Executive Order 14421 establishes different coordination and consultation requirements depending on the action being considered. These requirements include coordination or consultation with the Office of Management and Budget, U.S. Department of War, U.S. Department of Commerce, U.S. Department of Homeland Security, U.S. Department of the Interior, Office of the Director of National Intelligence, National Security Council, Federal Acquisition Regulatory Council, and other agencies or officials as appropriate.

DOE may coordinate with that agency to:

- Share relevant technical and regulatory information consistent with applicable law.
- Determine which agency has responsibility for a particular issue.
- Consider whether an existing Federal determination or restriction is relevant to DOE's analysis.



18. May stakeholders meet with DOE about Executive Order 14421?

Stakeholders may request engagement with DOE. Stakeholders may submit meeting requests to BulkPowerEO@doe.gov, and these requests will be considered based on availability, the issues presented, and the need to provide fair and consistent access.

The formal method for providing information in response to the RFI is through the submission procedures identified in the Federal Register notice.

Communications concerning the merits or outcome of a pending rulemaking may also be subject to DOE's "permit-but-disclose" ex parte guidance. Under that guidance:

- DOE personnel generally listen and ask clarifying questions.
- DOE personnel do not negotiate regulatory outcomes or disclose nonpublic aspects of a forthcoming rulemaking.
- Covered oral communications generally must be summarized in a memorandum identifying the date, attendees, and substantive issues discussed.
- The interested party generally must provide the memorandum to DOE within one week.
- The memorandum and materials provided during the engagement may be placed in the public rulemaking docket.

Stakeholders should not provide documents during a covered meeting unless they are prepared for those materials to become part of the rulemaking record, subject to applicable procedures for confidential information.

19. How can the public submit comments or information to DOE?

Responses to the RFI are due **October 9, 2026**.

Responses may be submitted:

- Through the [Federal eRulemaking Portal](#) under **Docket No. DOE-HQ-2026-1123**.
- By email to BulkPowerEO@doe.gov using the subject line identified in the RFI.
- By postal mail or hand delivery using the instructions in the RFI.

Formal submissions should identify the RFI question or questions being addressed when practicable. Respondents may answer some or all of the questions.

Do not submit Confidential Business Information through the Federal eRulemaking Portal. A person seeking confidential treatment should follow the RFI instructions, including submitting separate confidential and public versions by email. DOE will make its own determination regarding confidential treatment.

Do not submit classified information, detailed exploit instructions, or other information whose public disclosure is prohibited by law.

20. How does Executive Order 14421 relate to NERC Reliability Standards?

Executive Order 14421 and NERC Reliability Standards are separate but potentially complementary frameworks.



NERC develops Reliability Standards under section 215 of the Federal Power Act, subject to Federal Energy Regulatory Commission approval and oversight. Those standards apply to registered users, owners, and operators according to the NERC registration framework, the Bulk Electric System definition, and the applicability provisions of each standard. Executive Order 14421 operates under separate national emergency and economic-powers authorities and addresses specified national security risks involving foreign-produced bulk-power system electric equipment and Covered Foreign Entities.

Several distinctions are important:

- **NERC compliance is not an automatic exemption under the executive order.** Compliance with NERC Reliability Standards does not, by itself, establish that equipment, a vendor, or a transaction is pre-qualified, outside the scope of the executive order, or free of the foreign entity and national security risks identified in the executive order. NERC compliance also is not a product-level certification or a DOE Covered Foreign Entity determination.
- **The executive order does not replace NERC obligations.** An entity must continue to comply with applicable NERC Reliability Standards. Where both frameworks apply, compliance with one does not excuse noncompliance with the other.
- **NERC information may support DOE's analysis.** Applicable NERC Reliability Standards, registration and asset determinations, reliability studies, cybersecurity and supply-chain controls, operating criteria, and other NERC-related information may provide relevant evidence for DOE's evaluation of scope, reliability effects, mitigation, licensing, or replacement feasibility.

When considering isolation, disconnection, replacement, or removal of certain existing equipment, the executive order requires DOE to consider reliability and safety, the availability of secure replacements, and continuity of essential service.

21. Will RFI submissions be made public?

Generally, yes. RFI responses may be included in the public docket without change and as received, except for information DOE determines is exempt from public disclosure.

Information included in the body of a response or an attachment—including names, addresses, telephone numbers, email addresses, or other identifying information—may become publicly available.

Do not submit Confidential Business Information through the Federal eRulemaking Portal. A person seeking confidential treatment should follow the procedures in the RFI, including submitting:

- One copy marked “**confidential**” containing the information for which confidential treatment is requested.
- One copy marked “**non-confidential**” with that information removed.

DOE will make its own determination regarding whether the information qualifies for confidential treatment.



Do not submit classified information, detailed exploit instructions, or other information whose public disclosure is prohibited by law.

22. Will DOE consider comments submitted after the October 9, 2026, deadline?

The RFI requests that written responses, data, and information be submitted on or before October 9, 2026. The notice does not establish a general rolling comment period after that date.

Stakeholders should submit information by the deadline to provide the best opportunity for DOE to review and consider it during the executive order's implementation schedule.

A stakeholder that anticipates difficulty meeting the deadline should contact the DOE point of contact identified in the RFI as soon as possible. DOE cannot guarantee that a late submission will be considered or incorporated into DOE's implementation efforts.