



GOVERNOR GREG ABBOTT

November 19, 2024

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

10:30 AM O'CLOCK

NOV 19 2024


Secretary of State

The Honorable Jane Nelson
Secretary of State
State Capitol, Room 1E.8
Austin, Texas 78701

Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-49 relating to the protection of critical infrastructure.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
November 19, 2024

EXECUTIVE ORDER
GA 49

Relating to the protection of critical infrastructure.

WHEREAS, on April 18, 2024, Federal Bureau of Investigation Director Christopher Wray stated that the People's Republic of China (PRC) "has made it clear that it considers every sector that makes our society run as fair game in its bid to dominate on the world stage, and that its plan is to land low blows against civilian infrastructure to try to induce panic and break America's will to resist"; and

WHEREAS, in the same speech, FBI Director Wray stated that "the PRC's targeting of our critical infrastructure is both broad and unrelenting" and that the PRC is working to "give itself the ability to physically wreak havoc on our critical infrastructure at a time of its choosing"; and

WHEREAS, the National Security Agency and Cybersecurity and Infrastructure Security Agency have raised similar alarms, stating, "PRC state-sponsored actors compromise and maintain persistent access to U.S. critical infrastructure"; and

WHEREAS, as recently as April 2024, the PRC's goal of accessing and compromising critical infrastructure was on display in a campaign of cyberattacks by Volt Typhoon, a PRC-sponsored actor based in China, that specifically targeted communications, energy, transportation, water, and wastewater systems across the United States and its territories; and

WHEREAS, the purpose of compromising this infrastructure is "to cause real-world harm to American citizens and communities in an event of conflict" between the United States and the PRC, according to FBI Director Wray; and

WHEREAS, this "real-world harm" directly threatens Texans, as Texas contains a significant amount of the United States' military bases, oil and gas production and refining, industrial manufacturing, energy generation, agriculture and food production, and semiconductor and electronics manufacturing; and

WHEREAS, while the federal law enforcement community has worked to investigate and pursue these attacks after the fact, Texas must respond immediately to prevent future attacks by removing vulnerabilities to critical infrastructure in the state; and

WHEREAS, Section 418.177 of the Government Code generally makes confidential certain governmental information that seeks to prevent, detect, or investigate acts of terrorism or criminal activity and the vulnerability of persons or property, including critical infrastructure, to such acts; and

WHEREAS, Section 418.181 of the Government Code generally makes confidential certain governmental information that seeks to identify the technical details of

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particular vulnerabilities of critical infrastructure to such acts; and

WHEREAS, it is a fundamental duty of state government to protect the health, safety, and welfare of its residents, including in the event of an Indo–Pacific conflict initiated by the PRC, for which the PRC has openly said it wants to be ready by the end of the decade; and

WHEREAS, I signed the Lone Star Infrastructure Protection Act in 2021 to prohibit governmental entities and businesses from entering into contracts that would allow companies owned or controlled by hostile foreign nations to gain access to Texas' critical infrastructure; and

WHEREAS, much more work must be done to protect Texas' critical infrastructure from foreign threats;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following:

1. The Texas Division of Emergency Management (TDEM) shall, in coordination with relevant state agencies, convene a task force that surveys the vulnerabilities of the state government, local governments, and critical infrastructure (including but not limited to oil and gas production and delivery systems; water supply, refinement, storage, and delivery systems; communications networks; electrical power delivery systems; emergency services; transportation systems and services; and personal data or otherwise classified information storage systems) in the event of a conflict. The task force shall recommend polices and best practices to address any vulnerabilities.
2. The Public Utility Commission shall convene a committee of relevant state agencies that will conduct an annual tabletop exercise on how the State will respond to a black start event and recommend policies the State should adopt and best practices for the private sector to prepare for a black start event in the event of an Indo–Pacific conflict.
3. TDEM shall, in coordination with relevant state agencies, lead an annual tabletop exercise simulating a cyberattack by a foreign adversary on a sector of the Texas economy, and its cascading affects, and shall recommend policies and best practices to prevent, contain, and mitigate damage from such an attack. Each year, the exercise should focus on a different sector of Texas' economy that is vulnerable to attack.
4. TDEM shall assemble relevant state agencies to develop and evaluate emergency planning and response procedures related to electromagnetic threats and shall recommend policies and best practices to protect critical infrastructure from such threats. TDEM shall also coordinate with any applicable federal government agencies to assist in identifying resources to aid the creation of plans, procedures, policies, and best practices.
5. The Electricity Reliability Council (ERCOT) of Texas shall create a secure, dedicated communications channel for telecommunication and electrical infrastructure companies to use to help ERCOT prioritize load requests during a

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critical grid incident. ERCOT shall have this communications channel operational by June 30, 2025.

Recommendations for orders one through four shall be submitted yearly to the Office of the Governor, the Lieutenant Governor, and the Speaker no later than January 15, 2025, the first year, and December 1 each year thereafter.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the
19th day of November, 2024.



GREG ABBOTT
Governor

ATTESTED BY:


JANE NELSON
Secretary of State

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