

March 18, 2025

Mr. Adam Gustafson  
Principal Deputy Assistant Attorney General  
United States Department of Justice  
Environment and Natural Resources Division  
950 Pennsylvania Avenue, NW  
Washington DC 20530-0001

Dear Mr. Gustafson,

Power the Future is dedicated to increased American energy production and security. In pursuit of this mission, and with gratitude to President Trump for his recent Executive Order, *Unleashing American Energy* (January 20, 2025), we write to follow up on recently published concerns<sup>1</sup> adding to the already serious questions surrounding the propriety and legitimacy of numerous actions purportedly taken by the former President.

Specifically, we draw your attention to key policies directed by the White House during the Biden administration of major economic and national security significance which, additional context suggests, warrant an inquiry into whether they were instituted with the President's knowledge. Those actions include the January 26, 2024 "temporary pause" on further exports of liquified natural gas (LNG) to non-FTA countries,<sup>2</sup> and the January 6, 2025, expansion of the ban on offshore oil and gas leasing (purportedly excluding another 625 million acres from exploration and production),<sup>3</sup> both of which are subject to litigation challenges by numerous states and which are being handled by the Energy & Natural Resources Division. *Louisiana et al.*

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<sup>1</sup> See, e.g., Emma Colton, "Biden's 'autopen signature' appears on most official docs, raising concerns over who controlled the WH: report," FoxNews.com, March 9, 2025, <https://www.foxnews.com/politics/biden-autopen-signature-official-docs-raising-concerns-over-who-controlled-wh-report>; Letter from Missouri Attorney General Andrew Bailey to DoJ Inspector General Michael Horowitz seeking investigation into "whether President Biden's cognitive decline allowed unelected staff to push through radical policy without his knowing approval," <https://x.com/AGAndrewBailey/status/1897388657557885403>.

<sup>2</sup> The White House, "Statement from President Joe Biden on Decision to Pause Pending Approvals of Liquefied Natural Gas Exports," January 26, 2024, <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2024/01/26/statement-from-president-joe-biden-on-decision-to-pause-pending-approvals-of-liquefied-natural-gas-exports/>," and related "FACT SHEET," January 26, 2024, archived at <https://web.archive.org/web/20250116071238/https://www.whitehouse.gov/briefing-room/statements-releases/2024/01/26/fact-sheet-biden-harris-administration-announces-temporary-pause-on-pending-approvals-of-liquefied-natural-gas-exports/>. See, e.g., Osha Davidson, "Why Biden's pause on new LNG export terminals is a BFD," Yale Climate Connections, February 14, 2024, <https://yaleclimateconnections.org/2024/02/why-bidens-pause-on-new-lng-export-terminals-is-a-bfd/>.

<sup>3</sup> The White House, "FACT SHEET: President Biden Protects Atlantic and Pacific Coasts from Offshore Oil and Gas Drilling," January 6, 2025, <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2025/01/06/fact-sheet-president-biden-protects-atlantic-and-pacific-coasts-from-offshore-oil-and-gas-drilling/>.

# POWER THE FUTURE

*v. Biden et al.*, Case No. 2:24-cv-406 (W.D. La.) (enjoining LNG pause), *Louisiana et al. v. Biden et al.*, Case No. 2:25-cv-71 (W.D. La., seeking injunction against unlawful withdrawal of oil and gas leasing opportunities).

Two other statements in the public domain provide further context to and reason for concern regarding whether the former president was even aware of what his administration was purporting to do in his name. First, Speaker of the U.S. House of Representatives Mike Johnson stated publicly that President Biden expressed no awareness of the LNG “pause” despite that the “pause” was ostensibly a matter of grave significance instituted on the former President’s behalf and that he had issued a public statement praising it. This raised in the Speaker’s mind “[t]he loudest public alarm about Joe Biden’s mental acuity.”<sup>4</sup>

Additionally, White House Senior Advisor to the President for Clean Energy Innovation and Implementation in the Biden White House, John Podesta,<sup>5</sup> was reportedly “the person behind this moratorium,” allegedly despite or because of familial ties to clients who stood to benefit.<sup>6</sup>

In connection with recent revelations that many actions purportedly taken by the former president may not have been approved or signed by him, but instead promulgated in his name without his knowledge and/or over his signature using an “autopen,” and especially in light of the Speaker’s public statements that Mr. Biden was not even aware of the LNG pause and the reporting that a particular White House “advisor” was “the person behind [it,]” it does not require a great leap to wonder whether the LNG pause, and the statement about it of which the former President expressed a lack of awareness, were also the products of an advisor rather than approved by the former President himself.

In light of the mounting evidence of significant executive actions with serious economic and national and global security implications being undertaken in President Biden’s name apparently without his knowledge by unelected officials, we respectfully request that you investigate whether former President Biden authorized the LNG pause or enlargement of the offshore ban, or whether any documentation formalizing the White House’s position was instead prepared or signed by staff without the former President’s knowledge. If your investigation determines that former President Biden did not authorize the LNG pause or enlargement of the offshore ban, we note that you should immediately inform the courts overseeing the litigation involving these Biden-era matters, and should also refer any

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<sup>4</sup> See video at “WATCH: When Mike Johnson Knew Joe Biden Was Not in Charge,” Free Press, January 17, 2025, <https://www.thefp.com/p/when-mike-johnson-knew-joe-biden-not-in-charge>.

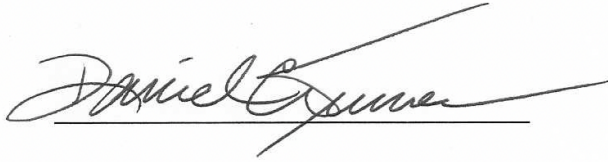
<sup>5</sup> See, e.g., Letter from House Committee on Oversight and Accountability Chairman James Comer to The Hon. Antony Blinken, March 13, 2024, <https://oversight.house.gov/wp-content/uploads/2024/03/031324-SPEC-Letter.pdf>.

<sup>6</sup> See, e.g., Alana Goodman, “John Podesta Was Behind Biden’s Decision To Pause Natural Gas Exports. His Lobbyist Brother Stands To Benefit,” FreeBeacon.com, February 15, 2024, <https://www.congress.gov/118/meeting/house/117746/documents/HHRG-118-GO05-20241204-SD003.pdf>.

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responsible individual to the criminal division or to the United States Attorney so that they may be held responsible to the full extent of the law.

Please do not hesitate to contact me for further information.



Daniel C. Turner  
Founder and Executive Director  
Power the Future

cc: Pam Bondi, Attorney General  
Justin Heminger, Chief of Staff (ENRD)