

Federal Climate Change Policy – Where We Are and Where We're Headed

Texas Superconference

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<https://www.loc.gov/pictures/item/94511937/>

Presentation Roadmap



Biden Administration



Trump Campaign



Trump Administration Climate Activity



Challenges to Trump Actions



Changing Perceptions

Biden Administration Climate Policy

- **DAY 1: EO 14008** - Tackling the Climate Crisis at Home and Abroad: puts climate at center of U.S. foreign policy and national security
- **Infrastructure Investment and Jobs Act (2021):** \$1.2 trillion spending bill; substantial funds for reducing GHG emissions, improving climate resilience, and supporting energy transition.
- **Inflation Reduction Act (2022):** \$369 billion for energy security + climate programs over 10 years; created long-term dependencies and commitments through tax credits/industrial incentives.
- **EPA Regulations:** Increased emission standards for vehicles, power plants, O&G operations + strict NHTSA CAFE standards.
- **Federal Agencies:** All focused on climate; even DOD identified climate change as a factor affecting, military readiness, infrastructure vulnerability, geopolitical instability.
- **Private-sector:** major investment trends indicated a durable shift.
- **International commitments:** GHG emission reductions + net zero.



<https://www.loc.gov/pictures/item/2021630112/>

2024 Trump Campaign - Climate



<https://www.loc.gov/pictures/resource/vrg.22262/>

- With a few exceptions, avoided calling climate change a hoax/scam (saved that for the “Green New Deal”).
- Questioned the severity of climate risks; saw them as exaggerated.
- Emphasized energy affordability and security over emissions reductions.
- Agenda centered on:
 - deregulation to help businesses (faster permitting),
 - rolling back Biden-era initiatives (e.g., EV mandate),
 - avoiding foreign entanglements (i.e., withdrawing from international commitments), and
 - expanding fossil fuel production.
- Focused on policies surviving legal challenges.

Attempts to Undo Biden-Era Climate Policies



Executive Orders



- **14148** – “Initial Rescissions of Harmful Executive Orders and Actions” (Jan. 20, 2025)
 - Rescinds Biden’s EOs 13990, 14008, 14057, 14082, and 14906
- **14154** – “Unleashing American Energy” (Jan. 20, 2025)
 - Shifts federal energy policy towards increasing domestic production
- **14162** – “Putting America First in International Environmental Agreements” (Jan. 20, 2025)
 - Withdraws from the Paris Agreement and orders agencies to review other international commitments
- **14156** – “Declaring a National Energy Emergency” (Jan. 2025)
 - Directs federal agencies to expedite the development of domestic energy infrastructure in response to a declared energy emergency.
- **14261** – “Protecting American Energy from State Overreach” (April 8, 2025)
 - Directs federal government to protect national energy development from overreaching state actions.

Recent EPA Actions on Climate:

Revocation of the
2009 GHG
Endangerment
Finding

Repeal of Federal
GHG Emission
Standards for
Motor Vehicles

Revision of
Greenhouse Gas
Standards for
Fossil Fuel-Fired
Power Plants

Revision of
Methane
Regulations for the
Oil and Natural
Gas Sector

Revisions to NEPA
Implementation,
reducing emphasis
on GHG and
Climate Impacts



Other Agency Actions on Climate:



Rules and Guidance



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- **Dept. of Interior (BLM, BOEM, and BSEE):**
 - Moved to expand access to federal lands and offshore areas for O&G leasing, mineral development, and energy infrastructure; BLM and BOEM rolled back preferences for renewable projects; changed NEPA review priorities.
- **Department of Energy:**
 - Resumption of approvals for liquefied natural gas (LNG) export authorizations; initiated reviews of Biden-era efficiency standards and procedures for appliances.
- **USACE:**
 - Revised NEPA procedures to de-emphasize climate impacts relative to standards in place during Biden administration; new policies favor energy projects over climate resiliency.
- **Securities and Exchange Commission**
 - Ceased to defend the 2024 climate disclosure rule in court and later proposed to rescind it.

<https://www.loc.gov/resource/gtfy.05547/>

<https://www.loc.gov/resource/hec.47547/>

Legal Challenges to Trump Climate Actions

- While many of these actions are still in the rulemaking stage, a few have already been challenged and will be vigorously litigated:

Endangerment Finding:

24 states + 10 cities + 5 counties have sued EPA, challenging the repeal of the finding as arbitrary and capricious and in violation of the CAA.

SEC Climate-Disclosure

Rule: Ten states challenged the Biden-era rule; the SEC's decision to stop defending the Rule was challenged by 18 intervening states + D.C.

Dept. of Energy:

13 state attorneys general sued DOE, arguing unlawful attempts to block or terminate energy and infrastructure funding under the IIJA and IRA.

- Most Trump climate actions are expected to face significant legal challenges in the coming years.



Changing Perceptions of Climate Policy

IPCC and RCP 8.5

Recast RCP 8.5 from a likely to a high-end scenario; best data did not confirm its projected trends for energy use or GHG emissions; reduces the perceived urgency of drastic policy measures.

Europe's Energy Realism

Ukrainian war, rising costs, etc., has led important European leaders to assert that energy policy and climate targets must account for security of supply, affordability, and national sovereignty.

Gates Memo.

Argues that climate change is serious, but not an “end of civilization” threat; climate policy needs to refocus from temperature targets to adoption and human welfare.





https://www.loc.gov/resource/afc1989022.afc1989022_kl_b200/?sp=13&r=-0.516,-0.04,2.032,0.735,0

Questions?



<https://www.loc.gov/item/2012646757/>



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