

# Key Energy and Environmental Takeaways from Trump's Early Executive Orders

## Client Alerts

January 28, 2025

By: Steven Siros, Stephanie B. Sebor, Daniel L. Robertson, Arie T. Feltman-Frank, Kate Abendroth

In his first week in office, President Trump issued a series of executive orders that touched on energy and the environment. These orders are likely to significantly alter the makeup and actions of the executive branch for the next four years. We summarize some of the key takeaways below.

- **Withdrawal from the Paris Agreement.** The Putting America First in International Environmental Agreements executive order sets into motion the United States' withdrawal from the Paris Agreement under the United Nations Framework Convention on Climate Change and revokes the US International Climate Finance Plan, which contained a strategy for international climate finance. A similar withdrawal was initiated under the first Trump Administration, rescinded by the Biden Administration, and now reinstated by the Trump Administration. The persistent flip flopping between administrations will continue to sow uncertainty regarding the future of climate policy in the United States and the United States' role in addressing and mitigating climate change on the world stage. The result of the United States' withdrawal will likely be a deprioritization of federal efforts to accelerate the reduction of greenhouse gas (GHG) emissions. Notwithstanding, many states, cities, and companies continue to advance their own GHG emission reduction goals.
- **Regulating Greenhouse Gases (GHGs) under the Clean Air Act.** The Unleashing American Energy executive order orders the United States Environmental Protection Agency (EPA), in collaboration with other relevant agencies, to submit joint recommendations to the Director of the Office of Management and Budget (OMB) on the legality and continuing applicability of EPA's 2009 Endangerment Finding with respect to GHGs under Section 202(a) of the Clean Air Act. A departure from this finding would thwart EPA's ability to regulate GHG emissions from mobile sources. Relatedly, we may also see efforts to rescind or loosen regulations that target GHG emissions from stationary sources. The executive order also suggests that as one measure to eliminate the "electric vehicle (EV) mandate," the Administration may seek to terminate, where appropriate, state emissions waivers that function to limit sales of gasoline-powered automobiles (California).
- **Unleashing domestic energy production and critical minerals.** The Unleashing American Energy executive order requires federal agencies to take certain steps to encourage production

and exploration of energy and natural resources by removing certain limitations on the identification, development, and use of domestic energy resources (including oil, natural gas, coal, hydropower, biofuels, and nuclear energy) and critical minerals. We are likely to see significant federal emphasis on removing barriers to the development of these types of projects, particularly on federal lands and waters, including on the Outer Continental Shelf. The National Energy Emergency executive order may further accelerate these efforts, which, among other things, directs federal agencies to use the US Army Corps of Engineers emergency permitting provisions and Endangered Species Act regulations on consultations in emergency situations to facilitate the nation's energy supply. Both processes allow for expedited permit reviews that will circumvent the more thorough and time-consuming review process that these projects would otherwise be subject to. This is not the first instance where a presidential administration has sought to streamline energy projects, but with Republican control of Congress and the presidency, the barriers to implementing this executive order may be inconsequential.

- **Streamlining the National Environmental Policy Act (NEPA) and federal permitting.** The Unleashing American Energy executive order orders the Council on Environmental Quality (CEQ) to (1) issue revised NEPA guidance, (2) propose rescinding CEQ's NEPA regulations to expedite and simplify the permitting process, and (3) convene a working group to coordinate the revision of agency-level implementation of regulations for consistency. The executive order also orders federal agencies to undertake all available efforts to eliminate all delays within their respective permitting processes and adhere to only the relevant legislated requirements for environmental considerations. We are likely to see NEPA guidance and agency regulations that eliminate or significantly reduce the need to consider indirect and cumulative effects, climate change-related effects, and environmental justice concerns. How this ultimately plays out in light of the recent decision of the US Court of Appeals for the DC Circuit in *Marin Audubon Society v. Federal Aviation Administration*, 121 F.4th 902 (D.C. Cir. 2024) that concluded that CEQ lacks the authority to issue binding NEPA regulations remains to be seen.
- **Restricting wind energy projects.** The Offshore Wind Leasing and Wind Projects executive order withdraws all areas within the Outer Continental Shelf from wind energy leasing and orders all relevant agencies to not issue new or renewed authorization, leases, or loans for onshore or offshore wind projects pending the completion of a comprehensive assessment and review of federal wind leasing and permitting practices. The assessment must consider the environmental impact of onshore and offshore wind projects upon wildlife, including, but not limited to, birds and marine mammals, as well as the economic costs associated with the intermittent generation of electricity and the effect of subsidies on the viability of the wind industry. This particular executive order could be interpreted to be in conflict with the prior executive order that seeks to streamline energy projects; we will have to see if this portends a more comprehensive pullback on renewable energy projects.

- **Pause on disbursement of IIJA and IRA funds.** The Unleashing American Energy executive order orders all agencies to pause the disbursement of funds appropriated through the Inflation Reduction Act (IRA) and Infrastructure Investment and Jobs Act (IIJA) and review their processes, policies, and programs for issuing grants, loans, contracts, or any other financial disbursements of such appropriated funds for consistency with the law and policies outlined in the executive order. This may affect entities with grants or loans to advance clean energy, including transmission, improve energy efficiency, support sustainable agricultural practices, stimulate American manufacturing along the clean energy and EV supply chain, and reduce/monitor GHG emissions. The order is further anticipated to impact environmental justice programs that rely on federal funds for implementation.
- **Rollback of Environmental Justice initiatives.** The Ending Illegal Discrimination and Restoring Merit-Based Opportunity executive order revokes a Clinton-era order requiring federal agencies to consider environmental and health impacts on environmental justice communities of concern, a benchmark in later reform efforts undertaken by the Biden Administration (which themselves were rescinded by President Trump's Initial Rescission of Harmful Executive Orders and Actions executive order). Further, the Ending Radical and Wasteful Government DEI Programs and Preferencing executive order will eliminate all environmental justice offices and positions across federal government. These orders will remove obligations on federal agencies to consider the environmental and health impacts of federal regulations on disproportionately impacted communities, and significantly limit further federal action in this arena.
- **Restrictions on EPA workforce.** The Restoring Accountability to Policy-Influencing Positions within the Federal Workforce executive order would strip federal employees of certain civil service protections, making those employees more "at will" who can be removed for failure to implement any of the White House's proposals. The Hiring Freeze executive order restricts, with some exceptions, federal agencies from filling any current vacancies and further directs OMB and the newly created Department of Government Efficiency to submit a plan within 90 days to reduce the size of the federal workforce. Coupled with mandatory return-to-office directives, these orders are all anticipated to impact EPA's existing workforce. It is therefore likely that EPA enforcement activity over the next four years will be curtailed, requiring more targeted enforcement actions due to limited resources.

We will continue monitoring developments that pertain to energy and the environment and provide updates as they come on our Corporate Environmental Lawyer blog site. Please do not hesitate to reach out with questions.

## **Related Attorneys**



**Steven Siros**

Partner

ssiros@jenner.com

+1 312 923 2717



**Stephanie B. Sebor**

Partner

ssebor@jenner.com

+1 312 923 4768



**Daniel L. Robertson**

Associate

drobotson@jenner.com

+1 312 840 7219



**Arie T. Feltman-Frank**

Associate

afeltmanfrank@jenner.com

+1 312 923 2898



**Kate Abendroth**

Associate

[kabendroth@jenner.com](mailto:kabendroth@jenner.com)

+1 202 637 6395

**Related Capabilities**

Environmental and Workplace Health and Safety

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact [dataprotection@jenner.com](mailto:dataprotection@jenner.com).

**Stay Informed**

