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## The new Administration announces goals of emphasizing energy production and streamlined project permitting in a series of Executive Orders

On January 20, 2025, President Donald Trump issued four executive orders to reduce federal regulatory oversight, promote energy independence, and foster economic development:

### Regulatory Freeze Pending Review

**Description:** The [order](#) requires that (1) no agency propose or issue any rule without review and approval by an agency head appointed or designated by President Trump, and (2) any rule submitted to the Federal Register but not yet published be withdrawn pending review.

### Unleashing American Energy

**Description:** In this [order](#), President Trump directed that a number of steps be taken to facilitate use of the United States' "abundance of energy and natural resources," including:

- Agencies shall review all rules, guidance, and policies that "impose an undue burden on the identification, development, or use of domestic energy resources — with particular attention to oil, natural gas, coal, hydropower, biofuels, critical mineral, and nuclear energy resources."
- The Attorney General "shall consider whether pending litigation against illegal, dangerous, or harmful policies should be resolved through stays or other relief."
- The Council on Environmental Quality must propose rescinding its NEPA regulations and convene a working group to expedite permitting approvals. In NEPA and other permitting reviews, "agencies shall adhere to only the relevant legislated requirements for environmental considerations and any considerations beyond those requirements are eliminated."
- All agencies "must prioritize efficiency and certainty over any other objectives, including those of activist groups that do not align with the policy goals."
- Agencies must "facilitate the permitting and construction of interstate energy transportation and other critical energy infrastructure, including . . . pipelines."
- The Interagency Working Group on the Social Cost of Greenhouse Gases is disbanded and all of its guidance and recommendations are withdrawn.
- Agencies are directed to consider eliminating the "social cost of carbon" calculation.

- EPA and other agencies shall submit recommendations to the Office of Management and Budget on “the legality and continuing applicability” of EPA’s endangerment and cause or contribute finding for greenhouse gases under the Clean Air Act. 74 Fed. Reg. 66,496 (Dec. 15, 2009).
- The Department of Energy is directed to begin reviewing applications for liquified natural gas export projects “as expeditiously as possible.”
- Agencies are to “identify all agency actions that impose undue burdens on the domestic mining and processing of non-fuel minerals and undertake steps to revise or rescind such actions.”

### **Declaring a National Energy Emergency**

**Description:** In this [order](#), President Trump declared a national energy emergency and directed that the following actions be taken:

- Use any lawful emergency authorities “to facilitate the identification, leasing, siting, production, transportation, refining, and generation of domestic energy resources.”
- Use the Defense Production Act and federal eminent domain authorities.
- “Expedite the completion of all authorized and appropriated infrastructure, energy, environmental and natural resources projects.”
- Use emergency authorities and nationwide permits to grant approvals under Clean Water Act section 404, Rivers and Harbors Act section 10, and Marine Protection Research and Sanctuaries Act section 103 for energy projects.
- Use emergency consultation processes under the Endangered Species Act for energy projects.

President Donald Trump also issued an [Executive Order](#) rescinding 78 executive orders issued by President Biden on a variety of topics. Of those orders rescinded, five addressed policies related to climate change, environmental protection, and regulatory processes:

### **Executive Order 13990 (Jan. 20, 2021) (Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis)**

**Description:** President Trump rescinded President Biden’s Executive Order 13990, which upended many of President Trump’s first term environmental policies. President Trump’s rescission of the Biden Executive Order triggers the United States’ withdrawal from the Paris Agreement, an international treaty on climate change, which the United States had reentered on the first day of President Biden’s election term. This Executive Order also repeals President Biden’s revocation of the Keystone XL Pipeline permit, indicating future proceedings for its reinstatement could be forthcoming.

### **Executive Order 14008 (Jan. 27, 2021) (Tackling the Climate Crisis at Home and Abroad)**

**Description:** This Biden order established a National Climate Task Force, committed the United States to consideration of environmental justice when making funding decisions, promoted the development of clean infrastructure projects, and directed agencies to prepare data and analyses regarding the implications of the climate crises domestically and internationally. President Trump’s rescission of this Biden Executive Order lessens restrictions on the energy sector and paves the way for new oil and natural gas leases.

### **Executive Order 14027 (May 7, 2021) (Establishment of the Climate Change Support Office)**

**Description:** This Biden order established the Climate Change Support Office, a temporary organization that supported the Department of State and other agencies in their efforts to address climate change.

### **Executive Order 14057 (Dec. 8, 2021) (Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability)**

**Description:** This Biden order attempted to position the Federal Government as a leader in sustainability. Specifically, it replaced and expanded upon the requirements from the revoked EO

13834 (Efficient Federal Operations) by setting defined metrics that must be met by specific deadlines. Some of these metrics included transitioning to 100% carbon-free electricity on an annual basis and 50% carbon pollution-free electricity on an hourly bases by 2030, transitioning to a zero-emission fleet of government vehicles by 2027, and reducing greenhouse gas emissions by 50% by 2032. In contrast, President Trump's administration is expected to be open to all energy sources, although its seems wind projects are deprioritized.

**Executive Order 14094 (April 6, 2023): (Modernizing Regulatory Review)**

**Description:** This Biden order attempted to modernize “regulatory review.” Specifically, it raised the “significance threshold” which triggers the most formal type of Office of Information and Regulatory Affairs review to make review processes timelier and more efficient. The order also broadened the regulatory review and policymaking process to be more participatory and inclusive. It also ordered a rewrite of the Office of Management and Budget's regulatory review guidance (Circular A-4), which mandated that agencies consider the global and qualitative impacts of project proposals.

While the implications of these actions remain to be seen, project sponsors can expect to see several regulations promulgated during the Biden Administration's term repealed and new regulations established in their place, especially those regulations related to climate change and greenhouse gas emissions. Staying informed during this transition period will be essential to determining whether projects will remain subject to Biden-era regulations or the newly promulgated Trump regulations. Project sponsors can also expect to experience more support on the federal level for getting projects permitted. However, because these orders reflect a significant swing in administrative priorities, the changes could trigger more litigation and potentially stagnate the federal permitting process.

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