



# Federal Landscape: Climate, Energy, and Environment

Assoc. Prof. Greg Dotson

University of Oregon School of Law

September 29, 2025

Photo: *Alejandro Figueroa / OPB*

# Today's Presentation

Dramatic change in Federal energy and climate actions and policies. State and the private sector action critical to maintain progress on clean energy deployment.

- Climate Change Science Reminder
- Reversal of Federal Climate Policies
  - International Cooperation
  - Research
  - Executive Orders
  - Litigation
  - Federal Funding Frozen/Delayed/Terminated
  - Congress: Budget Reconciliation
  - Congress: Congressional Review Act Resolutions
  - Federal Rulemakings
  - Reductions in Federal Workforce
- The Oregon Attorney General's Efforts

# Climate Change Science Reminder

## National Academies Publish New Report Reviewing Evidence for Greenhouse Gas Emissions and U.S. Climate, Health, and Welfare

News Release | September 17, 2025

WASHINGTON — A [new report](#) from the National Academies of Sciences, Engineering, and Medicine says the evidence for current and future harm to human health and welfare created by human-caused greenhouse gases is beyond scientific dispute.

# International Cooperation

- President Trump directed the withdrawal of the US from the Paris Climate Agreement (January 20, 2025)
- State Dept. announced the closure of the Office of Global Change (April 24, 2025)
- Funding withdrawn for international efforts related to climate and clean energy, including the Clean Technology Fund and US AID contracts relating to clean energy

# Research

- Shuttered U.S. Global Change Research Program, a 35-year effort to track climate change and its impacts
- Fired hundreds of scientists at work on the next version of the National Climate Assessment
- Tens of millions of dollars in National Science Foundation grants related to climate change have been terminated
- Cut NOAA climate research funding and proposing in FY26 to eliminate all NOAA research
- Proposing to stop collecting pollution emissions data
- Proposing in FY26 to close Mauna Loa Observatory in Hawaii, which has tracked climate data every day for nearly 70 years
- Proposing to abandon two working, paid-for, satellites currently in orbit collecting information on greenhouse gases

# Executive Orders

- Unleashing American Energy, Jan. 20, 2025
  - Promotion of fossil energy and biofuels
  - Rescission of climate change-related policy
- Declaring a National Energy Emergency, Jan. 20, 2025
  - Directs agencies to use emergency authorities to facilitate production and transportation of domestic energy resources
- Establishing the National Energy Dominance Council, Feb. 14, 2025
  - Presidential advisory group on promoting energy development (except wind and solar)

# **Executive Orders, cont.**

- Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241, April 8, 2025
  - Promotes coal production, use, and export.
- Protecting American Energy from State Overreach, April 8, 2025
  - Directs the US Attorney General to take action on state laws that address climate change or may otherwise impede the energy sector (excluding wind and solar)
  - Specifically targets cap and invest, climate tort suits, failure to approve export facilities, climate superfund laws.

# Litigation by the Trump Administration

Executive Order: Protecting American Energy from State Overreach

- *United States & United States Environmental Protection Agency v. State of New York*, [Civil Action No. 1:25-cv-03656](#)
  - Claims that New York's Climate Change Superfund Act is unconstitutional, preempted, and unenforceable
- *United States & United States Environmental Protection Agency v. State of Vermont*, [Civil Action No. 2:25-cv-463](#)
  - Claims that Vermont's Climate Superfund Act is unconstitutional, preempted, and unenforceable.
- *United States v. State of Hawaii et al*, [No. 1:25-cv-00179](#)
  - Seeks to block Hawaii from suing fossil fuel companies
- *United States v. Michigan*, [Civil Action No. 1:25-cv-496](#)
  - Seeks to block Michigan from suing fossil fuel companies



# Federal Funding Frozen, Delayed, Terminated

Many clean energy related federal grants have been frozen, delayed, or terminated. For example, the following EPA grant programs are in question:

- Solar for All
- Environmental Justice Grants (Thriving Communities Grantmakers, Community Change, Thriving Communities Technical Assistance Centers, EJ Government to Government)
- Environmental Product Declarations
- National Clean Investment Fund
- Clean Communities Investment Accelerator

# **Congress: Budget Reconciliation (aka One Big Beautiful Bill Act)**

The budget reconciliation legislation - the One Big Beautiful Bill Act - terminates Inflation Reduction Act (IRA) clean energy tax credits and rescinded unobligated funding.

Limited opportunity for projects to be eligible for tax credits.

Establishes important deadlines to commence construction of wind and solar facilities by Dec. 31, 2025, or alternatively by July 4, 2026.

# **Congress: Budget Reconciliation (aka One Big Beautiful Bill Act), cont.**

According to one analysis, in Oregon, the One Big Beautiful Bill Act will:

- Decrease low-cost, renewable generation capacity by 1.7 gigawatts by 2035
- Increase wholesale electricity rates by 15% by 2030 and 20% by 2035
- Increase electricity rates for residential, commercial and industrial consumers by 8-15% by 2035
- Increase annual energy costs for Oregon households by \$100 annually by 2030 and \$140 annually by 2035
- Reduce annual GDP by \$660 million by 2030 and \$800 million by 2035
- Result in 4,800 jobs lost in 2030 and 5,300 jobs lost in 2035

# Congress: CRA Resolutions

- The Congressional Review Act (CRA) allows Congress to disapprove an agency rule by passing a resolution of disapproval. To become effective, the President must sign the resolution.
- The CRA has been used to rescind sixteen Biden Administration rules, including:
  - A rule that [imposes a fee](#) on emitted methane
  - Rules that set efficiency standards for [gas water heaters](#), [walk-in coolers and freezers](#), and [commercial refrigerators and freezers](#),
  - A rule that [reduces toxic emissions](#) from tire manufacturing,
  - A rule that [limits emissions of persistent and bioaccumulative hazardous air pollutants](#).

# **CRA Resolutions: State vehicle pollution authority**

- On June 12, 2025, President Trump signed three resolutions disapproving of EPA's waivers of federal preemption for California's current air pollution emissions standards for cars and trucks
  - Advanced Clean Cars II
  - Advanced Clean Trucks
  - Heavy-Duty Omnibus Low NOX
- Departure from historic practice. These waivers had never been considered "rules" subject to the CRA previously
- California, Oregon, and nine other states immediately filed [suit](#) in federal court, [citing a number of statutory and constitutional claims](#) in arguing that the resolutions were unlawful and asking a federal court to declare them to have no effect

# Rulemakings

EPA is taking action to rescind or weaken numerous agency regulations, including

The 2009 endangerment finding, and emissions standards for

- Power generation,
- Cars and trucks, and
- Oil and gas production

## EPA Launches Biggest Deregulatory Action in U.S. History

Administrator Zeldin Announces 31 Historic Actions to Power the Great American Comeback

March 12, 2025

### Contact Information

EPA Press Office ([press@epa.gov](mailto:press@epa.gov))



# DOGE Reductions in the Federal Workforce

- Office of Personnel Management estimates 300,000 federal job cuts in 2025
- The federal workforce in Oregon decreased by 1,200 positions between August 2024 and August 2025.
- The Bonneville Power Administration and federal land management agencies impacted.

## New OPM director estimates 300,000 federal job cuts this year, no plans to relocate jobs from DC

Mike Murillo | mmurillo@wtop.com  
August 21, 2025, 3:44 PM



After being confirmed in July, Scott Kupor, director of the Office of Personnel Management, has taken over the federal government human resources agency. Kupor comes to the position from the private sector, where he served as a managing partner at Andreessen Horowitz, a venture capital firm.

"I feel like I have a decent handle on the team and kind of what we're going to focus on and where things are going," Kupor said.

Speaking to WTOP at OPM's E Street headquarters, Kupor discussed the rollout of the plan from President Donald Trump's administration for downsizing the federal work force.



# Oregon: Federal Oversight and Accountability Cabinet

The cabinet is designed to support the Attorney General and his team's work to defend and advance Oregon's values and the rule of law.

The Federal Oversight and Accountability Cabinet brings together legal, policy and community leaders to be an innovative partnership between the Oregon Department of Justice and key communities in Oregon's work to defend against potential federal impacts on the state and its people.

From the Oregon Department of Justice website:

<https://www.doj.state.or.us/oregon-department-of-justice/federal-oversight/federal-oversight-cabinet/>



# Oregon: Federal Oversight and Accountability Cabinet

“In an era of uncertainty, we must be proactive in our outreach efforts and work to protect the interests and values of Oregonians,” said Attorney General Rayfield. “The leaders serving on the Federal Oversight and Accountability Cabinet create a critical nexus between what is happening on the ground in communities throughout our state and the work we are able to do at the Oregon Department of Justice to defend all Oregonians.”

From the Oregon Department of Justice website:

<https://www.doj.state.or.us/oregon-department-of-justice/federal-oversight/federal-oversight-cabinet/>

# Federal Funds Safeguarded for Oregon

- Through litigation, the ODOJ estimates that \$4.4 billion in federal funds have been safeguarded for Oregon.
- These funds are for a variety of federal programs, ranging from education to FEMA mitigation grants.
- In the climate, energy, environment space, the AG has successfully challenged action that threatened funding for
  - Energy efficient residential and commercial building upgrades; and,
  - Electric vehicle charging infrastructure.

From the Oregon Department of Justice website:

<https://www.doj.state.or.us/oregon-department-of-justice/federal-oversight/federal-money-safeguarded-for-oregon-to-date/>

# Conclusion

---

- Current federal actions and policy reversals disfavor clean energy and responsible action on climate change
- The role of Oregon and other states is therefore critically important if the nation is to continue to reduce pollution, grow the clean energy sector, and become more resilient to climate impacts
- The Oregon Attorney General is taking action where the law allows to hold the federal government accountable

Thank you

[gdotson@uoregon.edu](mailto:gdotson@uoregon.edu)

---

# **Supplemental Slides**

# Findings of the National Academy of Sciences Report on Climate (Sept. 2025)

- *(1) Emissions of greenhouse gases from human activities are increasing the concentration of these gases in the atmosphere.*
- *(2) Improved observations confirm unequivocally that greenhouse gas emissions are warming Earth's surface and changing Earth's climate.*
- *(3) Human-caused emissions of greenhouse gases and resulting climate change harm the health of people in the United States.*
- *(4) Changes in climate resulting from human-caused emissions of greenhouse gases harm the welfare of people in the United States.*
- *(5) Continued emissions of greenhouse gases from human activities will lead to more climate changes in the United States, with the severity of expected change increasing with every ton of greenhouse gases emitted.*

# Rulemakings: Standard of Review

---

*Encino Motorcars, LLC v. Navarro*, 579 U.S. 211 (2016):

- The agency must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made.
- When an agency changes its existing position, it need not always provide a more detailed justification than what would suffice for a new policy created on a blank slate.
- However, a reasoned explanation is needed for disregarding facts and circumstances that underlay or were engendered by the prior policy.
- The agency must take into account reliance interests engendered by the previous policy.