



Trump Administration Rolls Back Climate Initiatives and Orders EPA To Set Sunset Dates for Regulations

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If you have any questions regarding the matters discussed in this memorandum, please contact the following attorney or call your regular Skadden contact.

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Key Points

- President Trump's executive orders prioritize energy production from fossil fuels and pause both onshore and offshore wind projects.
- Certain agencies, including EPA, have been directed to establish a sunset date for certain regulations, upon which date the agencies are to stop enforcing them.
- EPA has announced 31 actions it will take to implement the president's deregulatory priorities, including the reconsideration of a number of prior rules limiting air emissions from power plants and other industrial facilities.

On his first day in office, President Donald Trump issued a number of executive orders (EOs) undoing the previous administration's climate change efforts and instead prioritizing domestic energy production from fossil fuels. Orders included withdrawing the U.S. from the Paris Agreement and pausing the funding and approval of both onshore and offshore wind projects. (See [our January 31, 2025, analysis](#).)

Since then, President Trump has issued a number of other EOs with the potential for significant impacts on fossil fuel production, climate change initiatives and other pollution-controlling regulations. (See "[White House Moves To Encourage Fossil Fuel and Critical Mineral Production](#).")

These include:

- An order requiring certain agencies, including the Environmental Protection Agency (EPA) and the U.S. Fish and Wildlife Service (USFWS), to establish a sunset date for certain regulations, upon which date the agencies are directed to treat such regulations as "ceasing to be effective" and not enforce them. For existing regulations subject to the order, the sunset date must be one year after the rules establishing the sunset date take effect. For new regulations, the sunset date must be not more than five years after the effective date of the regulation. The order provides that the sunset date may be

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extended, following a public comment period focusing on the costs and benefits of the regulation, if the agency determines an extension is warranted.

The regulatory sunset order does not specify which EPA regulations will be required to establish a sunset date but instead directs EPA to, within 30 days of the order, provide the Office of Management and Budget a list of statutes vesting EPA with regulatory authority that will be subject to this EO. For USFWS, the EO identifies a number of statutes for which USFWS must establish sunset dates for any regulations issued thereunder, including those aimed at conservation and species protection, such as the Endangered Species Act, Bald and Golden Eagle Protection Act, and Migratory Bird Treaty Act.

Finally, EPA has announced 31 actions it will take to implement President Trump's EOs and the administration's priorities. They include:

- Reconsideration of the endangerment 2009 finding that greenhouse gas emissions are harmful to humans.

- Reconsideration of a number of climate change-related regulations, including those seeking to reduce greenhouse gas emissions from power plants, methane and volatile organic compound emissions from oil and gas operations, mercury and other air pollutant emissions from power plants, air emissions from motor vehicles, and the greenhouse gas reporting program.
- Reconsideration of other pollution-related regulations, including effluent discharge standards for power plants, wastewater regulations applicable to the oil and gas industry, and reconsideration of multiple standards for hazardous air pollutants under the Clean Air Act.
- Reconstituting the Science Advisory Board and Clean Air Scientific Advisory Committee.

Many of the administration's environmental orders and actions have been, or likely will be, challenged in court, and it is uncertain how the courts will view these efforts. The long-term effect of these orders and deregulatory actions, therefore, remains to be seen.

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