

Donald Trump's presidential victory in November 2016 represents a marked shift in the prospects for Barack Obama's Clean Power Plan. Overall, Trump promises a move toward resource development and decentralization to the states. In February 2016, the Supreme Court issued a "stay" on implementation of the Clean Power Plan. With an empty seat on the Supreme Court, Donald Trump has the ability to appoint a new Justice and consequently also has the opportunity to affect the decision on this regulation. Trump has repeatedly questioned climate change. Moreover, in terms of the Clean Power Plan, itself, Trump has emphasized opposition to the regulatory plan, explaining, "For too long, the Environmental Protection Agency has spent taxpayer dollars on an out-of-control anti-energy agenda that has destroyed millions of jobs, while also undermining our incredible farmers and many other businesses and industries at every turn."¹ Moreover, he has signaled that he would attempt to curb regulations on the fossil fuel industry within his first 100 days in office, stating that he will "rescind all job-destroying Obama executive actions."²³

Trump's vice-president, Mike Pence, has also stood against the Clean Power Plan. As Governor of Indiana, Pence emphasized that he would not present a plan for reducing greenhouse gas emissions in Indiana according to the Clean Power Plan, even if it is upheld by the Supreme Court. Moreover, Pence encouraged other states to similarly stand against Obama's plan.

Additionally, Donald Trump has appointed Scott Pruitt, Oklahoma's Attorney General, to lead the Environmental Protection Agency when he comes to office. Pruitt will replace Gina McCarthy, the current Administrator of the Environment Protection Agency, and his appointment represents a significant shift from the policies of McCarthy. As attorney general of Oklahoma, Pruitt represents his state's interests, which are largely staked in oil. Oklahoma has five oil refineries and ranks highly in the nation in onshore crude oil output.⁴ Pruitt dedicated significant effort to curtailing the EPA's reach, and he has stated, "The American people are tired of seeing billions of dollars drained from our economy due to unnecessary EPA regulations, and I intend to run this agency in a way that fosters both responsible protection of the environment and freedom for American businesses."⁵ Pruitt, as attorney general of Oklahoma, sued the EPA over the Clean Power Plan and also over a set of regulations seeking to reduce methane emissions, explaining that "what

¹ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

² <http://www.cnn.com/2016/12/14/politics/scott-pruitt-trump-epa/>

³ <https://www.donaldjtrump.com/policies/energy/>

⁴ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

⁵ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

concerns the states is the process, the procedures, the authority that the EPA is exerting that we think is entirely inconsistent with its constitutional and statutory authority.”⁶ Pruitt, who has argued that the debate over climate change is “far from settled,”⁷ is committed to state power, establishing a “Federalism Unit” in Oklahoma to protect against federal reach over the states.⁸ Pruitt complained about EPA “overreach,” contending that “the statutes do not permit [EPA officials] to act in the way they are. They tend to have this approach that the end justifies the means . . . They tend to justify it by saying this big issue, this is an important issue.”⁹ (He has also expressed concerns about federalism relating to Obama’s immigration policies and the Affordable Care Act.¹⁰)

In another key appointment, Trump has named Rick Perry to be his energy secretary. Trump has declared that he hopes to “make America energy independent, create millions of new jobs, and protect clean air and clean water. We will conserve our natural habitats, reserves and resources. We will unleash an energy revolution that will bring vast new wealth to our country.¹¹ Further he has “declare[d] American energy dominance a strategic economic and foreign policy goal of the United States” and has also explained that he would “open onshore and offshore leasing on federal lands, eliminate moratorium on coal leasing, and open shale energy deposits,” as well as “unleash America’s \$50 trillion in untapped shale, oil, and natural gas reserves, plus hundreds of years in clean coal reserves.”¹² Trump claims that, “as the Governor of Texas, Rick Perry created a business climate that produced millions of new jobs and lower energy prices in his state, and he will bring that same approach to our entire country as Secretary of Energy...My administration is going to make sure we take advantage of our huge natural resource deposits to make America energy independent and create vast new wealth for our nation, and Rick Perry is going to do an amazing job as the leader of that process.”¹³

⁶ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

⁷ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

⁸ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

⁹ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

¹⁰ https://www.washingtonpost.com/news/energy-environment/wp/2016/12/07/trump-names-scott-pruitt-oklahoma-attorney-general-suing-epa-on-climate-change-to-head-the-epa/?utm_term=.45dcf0d985c7

¹¹ <https://www.donaldjtrump.com/policies/>

¹² <https://www.donaldjtrump.com/policies/>

¹³ <http://www.cnn.com/2016/12/13/politics/rick-perry-energy-secretary/>

Furthermore, Perry serves as a director at Energy Transfer Partners, which developed the Dakota Access Pipeline.¹⁴

¹⁴ <http://www.cnn.com/2016/12/13/politics/rick-perry-energy-secretary/>