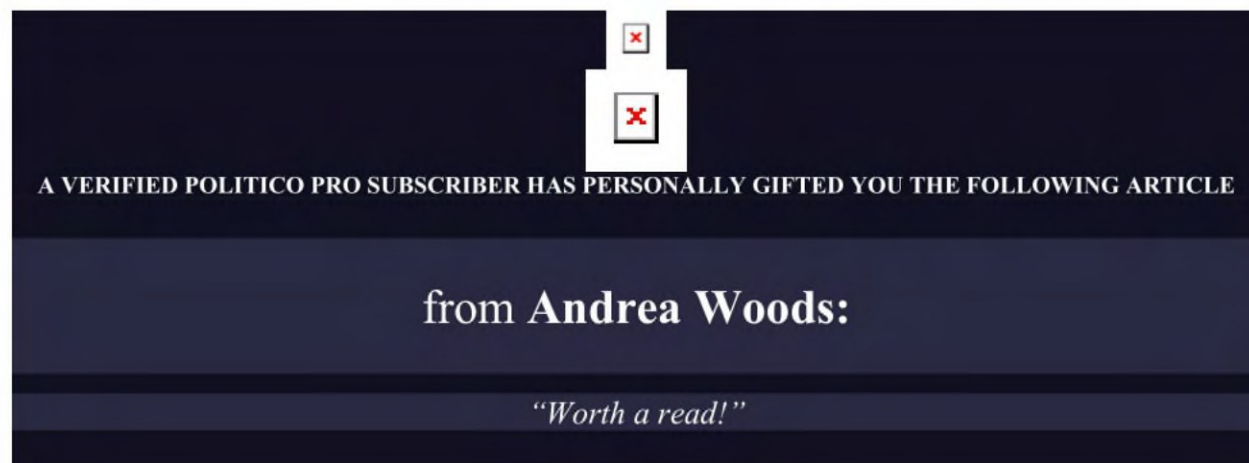


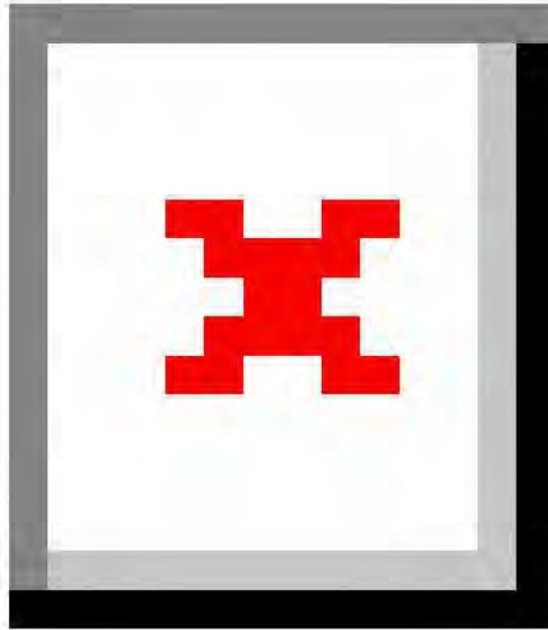
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Trump's latest plan to undo the 'holy grail' of climate rules: Never mind the science

BY ZACK COLMAN | 07/23/2025 04:25 PM EDT



The Trump administration intends to challenge the foundation of federal climate rules by arguing law does not require agencies to limit greenhouse gases. | Charlie Riedel/AP

The Trump administration plans to argue that federal law does not require agencies to regulate greenhouse gas emissions, in a move designed to derail virtually all U.S. limits on climate pollution, according to three people familiar with the upcoming proposal.

The Environmental Protection Agency will as early as this week unveil its plan to undo the so-called endangerment finding, which in 2009 laid out a comprehensive case for how human emissions of carbon dioxide, methane and other greenhouse gases threaten human health and welfare.

Instead of challenging the science, which would require EPA to assemble a body of evidence rejecting the overwhelming consensus that humans are driving climate change primarily through the burning of fossil fuels, the Trump administration would lean into an argument that a key 2007 Supreme Court ruling allowed but did not require the agency to regulate greenhouse gases, according to the three people who were granted anonymity to discuss a draft regulation not yet made public.

The effort to repeal the endangerment finding, if successful, would represent President Donald Trump's most sweeping attempt to dismantle climate change policies and push his "energy dominance" agenda, which focuses on expanding U.S. fossil fuel production.

The move, combined with the Trump administration's planned effort to [ditch vehicle tailpipe pollution rules](#) governing transportation and [its proposal to end](#) U.S. power plant emissions limits, would deliver a major blow to the U.S. effort to halt global temperature rise. The United States has contributed more than any other nation to the 1.3 degrees Celsius of warming that the world has experienced since the dawn of the Industrial Revolution, and it is currently the second-largest polluter, behind China.

While EPA Administrator Lee Zeldin has been the public face for eradicating [what he has called](#) "the holy grail of the climate change religion," he is far from alone in drafting the proposal that would fulfill a years-long quest by conservatives to undo climate rules they argue raise costs for consumers, constrain fossil fuel-driven electricity and punish automakers and other manufacturers.



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The Office of Management and Budget has taken a leading role in the process, according to Myron Ebell, who led Trump's first EPA transition team, and two people familiar with the discussions.

The Justice Department has also helped shape the draft, which relies on a legal rather than scientific rationale to topple the endangerment finding, according to the two people as well as another individual granted anonymity to discuss the draft rule.

Going the legal route to end the endangerment finding will come amid fresh headwinds. The United Nations International Court of Justice on Wednesday ruled that climate

change poses an “urgent and existential threat” — a non-binding opinion that will likely factor into court cases around the world. The court said countries must cooperate to keep temperatures from rising 1.5 degrees above preindustrial levels, adding that failing to do so [could violate international law](#). The court also said that leaving the 2015 Paris climate agreement, which [Trump has said the U.S. will exit](#), does not excuse countries from their obligations to curb warming.

But Trump officials appear prepared to take the fight to the courts. Framing their case as a legal rather than scientific matter represents a departure from the strategy it once mulled under then-EPA Administrator Scott Pruitt during Trump’s first term, which consisted of challenging the comprehensive, Obama-era scientific analysis that determined six greenhouse gases posed human health and safety risks necessitating regulations.

An EPA spokesperson said in a statement that the agency sent its reconsideration over to OMB on June 30 and “the proposal will be published for public notice and comment once it has completed interagency review and been signed by the Administrator.”

The White House referred POLITICO to EPA for comment. OMB and DOJ did not immediately respond to requests for comment.

U.S. climate rules flow from the 2007 Supreme Court decision in *Massachusetts v. EPA*, which found that the agency has authority under the Clean Air Act to regulate greenhouse gases. The high court ruled that EPA can avoid regulating greenhouse gases only if it can prove they do not contribute to climate change or if it can come up with “some reasonable explanation” why it won’t issue an endangerment finding.

“To the extent that this constrains agency discretion to pursue other priorities of the Administrator or the President, this is the congressional design,” the court added, a caveat that will make it harder for EPA to simply argue that the Trump administration has declared an “energy emergency” or adopted a fossil fuel-friendly policy position.

Chief Justice John Roberts wrote the dissent in that 2007 case. He argued that material loss from rising temperatures was “pure conjecture” and cast doubt on EPA’s ability to blunt the damaging effects of climate change given “the complexities of global warming.” The Supreme Court has since shifted to a 6-3 conservative supermajority, with Trump appointing three of its members during his first term.

High-ranking Trump officials have been eager to test those waters.

OMB Director Russ Vought has spearheaded government-wide efforts to limit the influence of climate science on administration policy. Writing in Project 2025, the Heritage Foundation-led blueprint for a conservative presidency, Vought argued that federal climate science shackled agency actions.

Jeffrey Clark, who ran the Justice Department’s environmental division in Trump’s first term, has led the administration’s endangerment finding proposal through his new perch at OMB. Vought previously hired Clark to work at Vought’s Center for

Renewing America, [where the two workshopped policy ideas during the Biden administration.](#)

Clark is personally connected to the effort to unwind the endangerment finding. He successfully argued the *Massachusetts v. EPA* case in the D.C. Circuit Court of Appeals as a DOJ appointee for former President George W. Bush. But he left the government before the case landed in the Supreme Court.

Some conservatives want Trump to challenge the underlying science given the potential to lose on a narrow legal challenge, said Ebell, the conservative activist who has advocated for battling the endangerment finding on scientific grounds.

“Jeff is pursuing a particular strategy that’s very well thought out over a long period of time,” Ebell said. “Not everyone agrees with it, but I think that’s what’s going to happen because he’s the guy in authority – and the right man to lead the reconsideration.”

One of the people familiar with the Trump administration’s upcoming proposal said that in addition to EPA, OMB and DOJ, White House deputy chief of staff Stephen Miller’s team has also played into the strategy, as have the White House counsel’s office and the Energy Department.

OMB and DOJ, however, have taken a prominent role, the people familiar said. Public records, meanwhile, showed that [EPA has been absent from meetings](#) with OMB’s Office of Information and Regulatory Affairs to discuss the upcoming rule with interested parties like industry and environmental groups.

Environmental groups were quick to criticize the Trump administration’s planned move.

“By revoking this key scientific finding our government is putting fealty to Big Oil over sound science and people’s health,” Dan Becker, director of the Center for Biological Diversity’s Safe Climate Transport Campaign, said in a statement. “These proposals are a giant gift to oil companies that will do real damage to people, wildlife and future generations.”

Alex Guillén contributed to this report.



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