Federal Actions of Concern: Divestment in America's Natural Resources
June 2025

Executive Branch Actions

1) **Executive Orders**
The White House issued several executive orders in 2025 that dramatically reshape federal environmental and energy policy. Key orders of concern to conservationists include:

Executive Order Title	Date Issued	EO Number	Summary
Putting America First in International Environmental Agreements	Jan 20, 2025	EO 14162	Directs U.S. withdrawal from the Paris Climate Agreement and other UN climate commitments; ends related financial obligations.
Initial Rescissions of Harmful Executive Orders and Actions	Jan 20, 2025	EO 14148	Revokes Biden-era orders including EO 13990; disbands the Environmental Justice Advisory Council and White House Climate Office.
Unleashing American Energy	Jan 20, 2025	EO 14154	Removes barriers to fossil fuel development, halts climate-related funding, expands leasing on public lands and offshore resources.
Zero-Based Regulatory Budgeting to Unleash American Energy	Apr 9, 2025	EO 14173	Requires all energy-related rules to sunset within five years unless reauthorized with net-zero regulatory cost.
Protecting American Energy from State Overreach	Apr 8, 2025	EO 14171	Directs federal agencies to preempt state-level climate policies seen as hindrances to energy development.
Reinvigorating America's Beautiful Clean Coal Industry	Apr 14, 2025	EO 14175	Promotes coal development through regulatory relief, infrastructure expansion, and new export terminal approvals.
Large-Scale Logging Directive	Apr 2025 (exact TBD)	Not numbered	Opens 112.5 million acres of national forest to logging under the justification of wildfire mitigation.
NEPA Regulations Removal	Feb 25, 2025	EO 14155	Eliminates key Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA).
Litigation Against State Climate Laws	May 2025 (exact TBD)	EO 14180	Declares a "national energy emergency" and orders DOJ to challenge state laws imposing climate liability on fossil fuel companies.

Elaboration: "Unleashing American Energy" & "Zero-Based Regulatory Budgeting"

Unleashing American Energy is a sweeping policy reversal that halts disbursements from the Inflation Reduction Act and Infrastructure Investment and Jobs Act, accelerates permitting for fossil fuel projects, and seeks to eliminate NEPA compliance in many contexts. It also reopens drilling on federal lands, cancels methane emission caps, and calls for immediate leasing of offshore reserves. The environmental consequences are broad: **increases in carbon emissions**, **weakened water and air quality safeguards**, **and long-term threats to biodiversity**. Legal consequences are already unfolding, with environmental groups filing suit over NEPA violations and procedural irregularities in the funding freezes.

Zero-Based Regulatory Budgeting expands this deregulatory push by ordering **all energy-related regulations to expire within five years** unless reauthorized with net-zero or negative cost impact. It specifically targets rules from EPA, Department of Energy, Federal Energy Regulatory Commission, US Fish and Wildlife Service, and Nuclear Regulatory Commission, and is being implemented through the Office of Management and Budget and the Department of Government Efficiency. Environmentally, this threatens to erase standards on emissions, efficiency, and enforcement simply due to administrative expiration. Legally, this may violate the Administrative Procedure Act and exceeds executive authority by effectively nullifying legislation without congressional action.

2) Agency Actions

Rulemaking

- **Waters of the United States**
  In May 2023, the U.S. Supreme Court issued a decision in *Sackett v. EPA* that significantly narrowed the scope of the Clean Water Act. The ruling eliminated longstanding protections for many wetlands and streams that lack a continuous surface connection to larger water bodies, upending decades of science-based regulation. In response, the EPA and Army Corps of Engineers quickly revised the "Waters of the United States" (WOTUS) rule to comply with the decision—but now, the agencies are considering even deeper rollbacks.

  This new rulemaking could further strip federal protections from wetlands and small or seasonal streams, despite clear evidence that these waters are vital for flood control, wildlife habitat, clean drinking water, and carbon storage. Scientists and the public alike recognize that pollution doesn't obey artificial boundaries—if headwaters and isolated wetlands are left unprotected, the damage will flow downstream. Weakening WOTUS not only defies science and public will, but risks the health, safety, and resilience of communities across the country, especially in rural and traditionally underrepresented areas. The EPA and Army Corps still have tools and authority to uphold the Clean Water Act's original purpose.

- **Endangered Species Act Definition of "harm"**
  The U.S. Fish and Wildlife Service and the National Marine Fisheries Service are proposing to remove the regulatory definition of "harm" under the Endangered Species Act—a move that could significantly weaken protections for threatened and endangered species. Currently, "harm" includes actions that destroy or degrade habitat in a way that kills or injures wildlife. This definition has been a cornerstone of how the ESA protects species, recognizing that animals cannot survive without access to intact habitat.

  Removing this definition ignores both science and common sense. Habitat loss is one of the leading drivers of species decline, and the ESA has long acknowledged that protecting habitat is essential to preventing extinction. The change could open the door for more unchecked development in sensitive areas, making it harder to safeguard vulnerable species. Opponents also note that the current system already allows for flexibility and mitigation, and that retaining the definition of "harm" is not only good for wildlife but also supports thriving outdoor recreation economies.

- **Migratory Bird Treaty Act application of "incidental take"**
  Recent developments under the Migratory Bird Treaty Act (MBTA) have significantly narrowed protections for migratory birds by excluding incidental take—unintentional harm or killing—as a basis for enforcement. On April 11, 2025, the Department of the Interior (DOI) reinstated Solicitor's Opinion M-37050, a 2017 interpretation stating that the MBTA only prohibits intentional actions that directly kill birds. This move reversed the broader interpretation issued during the Biden administration, which aligned with the consistent approach taken by every administration from the 1970s through 2016—Republican and Democrat alike—that recognized incidental take as enforceable under the MBTA.

  The difference is significant: "intentional" take generally refers to illegal hunting or poaching, which is relatively rare. In contrast, incidental take is almost always caused by industrial activities such as oil waste pits, wind turbines, power lines, and other large-scale infrastructure that unintentionally kill millions of birds each year. By removing liability for these incidental impacts, the policy shields industry from accountability while ignoring the far greater threat to bird populations posed by unintentional but predictable and preventable harm.

- **Endangerment finding:**
  The EPA is attempting to overturn the 2009 "endangerment finding," which legally obligates the EPA to regulate greenhouse gases under the Clean Air Act. This finding, based on scientific consensus, has been upheld by courts and underpins many climate regulations. Environmental experts argue that reversing it would be legally and scientifically untenable. The move is part of broader efforts to dismantle climate protections, including rolling back emissions standards and environmental justice programs.

Federal Workforce Terminations

The administration's recent actions have already significantly reshaped the federal workforce, especially within the Department of the Interior (DOI) and the Environmental Protection Agency (EPA). In February, DOI carried out sweeping layoffs: roughly 2,300 employees were dismissed agency-wide—approximately **800 from the Bureau of Land Management** and about **1,000 from the National Park Service (NPS)**, impacting park maintenance, scientific staff, and visitor services[1]. In April, the DOI prepared to issue additional 1,500 reduction-in-force notices affecting NPS personnel, potentially increasing the agency's total cuts to around 5,000 jobs, or one-quarter of its workforce. Those earlier dismissals had already prompted legal intervention after a judge ruled the firings of many probationary workers unlawful, leading to reinstatement orders for hundreds of employees.

In April 2025, the administration's Department of Government Efficiency (DOGE) enacted a substantial downsizing of **AmeriCorps**, the federal agency responsible for national service programs. This action involved the abrupt termination of nearly $400 million in grants—approximately 41% of AmeriCorps' annual budget—resulting in the **dismissal of over 32,000 service members and volunteers** across more than 1,000 programs nationwide. The cuts affected a wide range of community services, including education, disaster response, and public health initiatives, leaving many organizations scrambling to fill the void left by departing AmeriCorps members. The decision undermines essential support systems for vulnerable populations and was implemented without adequate public notice or legal procedure. In response, several states and nonprofit organizations have filed lawsuits challenging the legality of the cuts and seeking to restore funding to the affected programs.

Compounding the disruptions in personnel, the administration has proposed regulatory changes that could further destabilize civil service norms. On April 23, the Office of Personnel Management introduced the draft rule "Improving Performance, Accountability and Responsiveness in the Civil Service," reviving the controversial "Schedule F" classification under a new label, "Schedule Policy/Career." This change would permit the executive branch to recategorize tens of thousands of federal employees currently protected by civil service rules, converting them into **at-will employees who could be terminated with ease**[6]. This effort, combined with existing Orders like DOI's Order 3429, which centralizes hiring and administrative authority[7], signals sweeping bureaucratic restructuring aimed at **weakening longstanding civil service protections within environmental and land management agencies**.

There is also much discussion of using the legal means of "**Reduction in Force**" to make further cuts to the federal workforce, including many critical natural resources research and conservation agencies and programs. The administration's federal workforce reduction initiative could lead to significant downsizing across various conservation agencies, notably impacting the U.S. Geological Survey's (USGS) Ecosystems Mission Area (EMA). The EMA, responsible for critical biological research and monitoring of wildlife health and environmental threats, faces elimination, jeopardizing programs that track migratory birds, endangered species, and wildlife diseases like white-nose syndrome in bats.

In Missouri, the proposed cuts threaten to dismantle longstanding research institutions. The USGS Cooperative Fish & Wildlife Research Unit at the University of Missouri, established in 1936, is at risk, potentially halting its contributions to wildlife and fisheries science and the training of natural resource professionals. Additionally, the Columbia Environmental Research Center, which has conducted pivotal studies on water quality and contaminants for over 50 years, may be shuttered, leading to the full layoff of its approximately 70 employees. Other critical centers, including the Central Midwest Water Science Centers in Lee's Summit and Olivette and the National Geospatial Technical Operations Center in Rolla, are also under threat, potentially disrupting essential services like streamflow monitoring and geospatial data management. These scientific supports are needed more than ever in this time of increasing societal pressure on natural resources to meet the needs of a growing population.

As of the time of this writing, a federal judge has issued a preliminary injunction halting further large-scale layoffs, but the future of these conservation programs remains uncertain. **The potential loss of these agencies and research centers could have lasting impacts on environmental monitoring, wildlife conservation, and public health initiatives nationwide.** Furthermore, with these ongoing administrative actions and budget cuts resulting in the firing of early-career natural resource professionals and scientists, as well as staffing reductions affecting mid- and late-career professionals, we stand to lose generations of expertise.

At the EPA, there has been a **strategic dismantling of its Environmental Justice** apparatus. In early 2025, approximately 168 staffers in the Office of Environmental Justice and External Civil Rights were placed on leave, followed by notices affecting around 280 employees slated for layoffs and an additional 175 reassigned, totaling 455 job cuts or reassignments within environmental justice and DEI functions. Overall, these moves severely

weaken the EPA's ability to address pollution impacts in historically disadvantaged communities. The EPA's Office of Environmental Justice was formally established in 1992 under President George H. W. Bush, marking the federal government's first official recognition of environmental justice as a policy priority.

3) Funding cancellations
Since January 20, 2025, the US government has **permanently terminated several environmental and climate grants, including those from the Inflation Reduction Act (IRA) and the Greenhouse Gas Reduction Fund (GGRF).** Specifically, the EPA cancelled 400 grants totaling $1.7 billion. Additionally, the EPA terminated the entire environmental and climate justice block grant program under the IRA, which was designed to help disadvantaged communities.

Elaboration:

- **EPA Cancels 400 Grants:** The EPA cancelled 400 grants totaling $1.7 billion designed to reduce air and water pollution and protect communities from extreme weather events.
- **IRA Environmental and Climate Justice Block Grant Program:** The EPA terminated the entire environmental and climate justice block grant program, which was part of the IRA and aimed to improve air, water, and land access in disadvantaged communities.
- **Greenhouse Gas Reduction Fund (GGRF):** The EPA terminated the GGRF's National Clean Investment Fund and Clean Communities Investment Accelerator, which together had eight prime grantees and many more subgrantees.
- **Climate Pollution Reduction Grants (CPRG):** The EPA also terminated grants related to the Climate Pollution Reduction Grants program, which was designed to support state, local, and tribal governments in developing plans to reduce greenhouse gas emissions.

Since January 20, 2025, the US government has **permanently terminated several USDA climate grants**, primarily due to executive orders and changes in policy. These include the **Partnerships for Climate-Smart Commodities (PCSC) program and the Rural Energy for America Program (REAP**). Additionally, individual grants have also been terminated.

Elaboration:

- **Partnerships for Climate-Smart Commodities (PCSC):** This $3 billion program, established during the Biden administration, aimed to support farmers in adopting climate-friendly practices. However, the White House's executive order on energy and a subsequent USDA announcement led to its cancellation. USDA announced the termination of the PCSC in April 2025.
- **Department of Energy Clean Energy Grants:** In May 2025, the Department of Energy canceled nearly $4 billion in clean energy grants awarded through the Bipartisan Infrastructure Law and the Inflation Reduction Act. The affected programs included $3.5 billion for the Grid Resilience and Innovation Partnerships (GRIP) program and $400 million for the Energy Improvements in Rural or Remote Areas initiative. Projects in 23 states were rescinded, many of which had already begun implementation.
- **Rural Energy for America Program (REAP):** Funding for REAP projects, particularly those funded through the Inflation Reduction Act (IRA), was frozen following the January 20, 2025, executive order. This led to a halt in payments to recipients.
- **Building Resilient Infrastructure and Communities (BRIC):** The administration has terminated FEMA's BRIC program, canceling more than $882 million in grants designed to help communities prepare for and mitigate the impacts of disasters like floods and wildfires. This includes halting all BRIC applications from Fiscal Years 2020–2023 and returning any unspent funds to the Disaster Relief Fund or the U.S. Treasury. The move affects numerous high-risk areas, such as Kentucky—where flooding has been catastrophic—and New York City's Hunts Point food distribution center, which was set to receive flood protection upgrades. Originally established in 2018 with bipartisan support and signed into law by President Trump himself, BRIC was seen as a cost-effective way to prevent future damages, saving $13 for every $1 invested.

4) White House Proposed FY26 Budget
The Fiscal Year 2026 budget proposed by the White House includes deep cuts to clean energy funding, eliminating over $23.3 billion in grants and investments intended to support the U.S. transition to renewable energy. According to the budget and supporting documents:

- National Park Service funding would be cut by $1.2 billion, slashing operational budgets by $900 million and prompting the agency to consider transferring “obscure” or low-traffic park sites to state control. This proposal paints the shortfall as a justification to offload sites deemed “too local” for continued federal protection.
- $15.2 billion in unspent and unobligated funds from the Infrastructure Investment and Jobs Act (IIJA) is slated for cancellation. These funds were designated for renewable energy development, carbon capture, EV infrastructure, and climate innovation programs.
- The Office of Energy Efficiency and Renewable Energy (EERE) faces a $2.57 billion cut, effectively reducing it by around 75%. Programs supporting technologies like solar, wind, and energy storage would be reoriented or eliminated.
- The Advanced Research Projects Agency–Energy (ARPA-E) is cut by $260 million, targeting high-risk, high-reward energy research, particularly projects labeled as “Green New Scam” by the administration.
- The Office of Science within the Department of Energy would lose $1.15 billion, with climate research and environmental justice initiatives among the areas on the chopping block.
- The Atmospheric Protection Program and several EPA climate-focused initiatives—including environmental justice and diesel emissions reduction grants—are entirely eliminated.
- In official documents, the White House states that these cuts remove “woke”, “radical”, “Green New Scam” climate-related expenditures and return energy and environmental responsibilities to the states, favoring fossil fuels and what it describes as “firm baseload power.”
- The USFWS State, Tribal, and NGO Conservation Grants Program is cut by $171 million, eliminating The North American Wetlands Conservation Act (NAWCA), Neotropical Migratory Bird Conservation Fund, State & Tribal Wildlife Grants, and the Cooperative Endangered Species Conservation Fund were all zeroed out for FY2026.

These sweeping rollbacks could stall America’s clean energy transition, increase pollution, negatively impact fish and wildlife populations, reduce competitiveness in emerging energy technologies, and lead to higher long-term costs from unchecked climate impacts.

5) Censorship of language and data

The administration has restricted the use of terms like "climate science" and "pollution" in government communications, a move widely regarded as censorship designed to protect fossil fuel industry interests.[1] This effort includes deleting vital climate data from the websites of key agencies such as the USDA, EPA, NASA, and the State and Defense departments—resources essential for planning responses to climate impacts. In response, environmental and farming organizations have sued the USDA, arguing that withholding this information harms farmers by limiting their ability to prepare for extreme weather and access climate-related funding. Additionally, references to climate change have been scrubbed from the websites of the White House and the Department of the Interior, while the EPA removed its entire climate section in April, stating it would be “updating language to reflect the approach of new leadership.”

Examples of this censorship include:

- **Climate Change**: Terms like "climate change adaptation" are being replaced with vague phrases such as "resilience to weather extremes."
- **Greenhouse Gases**: Phrases like "reduce greenhouse gases" and “carbon sequestration” are being swapped for alternatives like "build soil organic matter."
- **Environmental Quality**: This term has been systematically removed from various federal websites.

Legislative Branch Actions

1) Bills/Acts/Provisions

Judicial Preclusion:

Buried on page 184 of the Budget Reconciliation act (H.R. 1) passed by the House of Representatives on May 22nd was an item of significant concern. Section 80121(h) of H.R. 1 introduces a provision titled "Judicial Preclusion," which **significantly limits the authority of federal courts to review or intervene** in specific administrative actions. Specifically, it prohibits courts from exercising jurisdiction over decisions made by federal agencies, including the Department of the Interior and the Environmental Protection Agency, as well as state and municipal agencies acting under federal law, related to the issuance or reissuance of leases, permits, rights-of-way, easements, and other

authorizations. This includes actions such as **biological opinions and incidental take statements**, even if these actions are challenged in ongoing litigation.

Elaboration:

The practical consequence of this provision is a substantial reduction in judicial oversight over federal and state administrative decisions, **particularly those concerning environmental and land management approvals**. By removing the courts' ability to review these actions, **the provision effectively insulates certain administrative decisions from legal challenges**, potentially undermining the system of checks and balances that ensures agency accountability. This could lead to unchecked administrative actions without the possibility of judicial remedy, raising concerns about the protection of environmental resources and the rights of affected communities. Section 80121(h) appears within a portion of the bill titled "Alaska Oil and Gas Leasing Certainty Act," which is focused on expediting energy development in Alaska. However, the language of subsection (h) is written in **broad terms that could have far-reaching implications beyond Alaska**, depending on how it is interpreted and implemented.
While nominally placed in an Alaska-specific section, the actual language of Section 80121(h) is not clearly limited to Alaska and could be used to **set precedent or justify precluding judicial review of similar permitting actions elsewhere** — especially if passed without clarifying amendments.

- The section prohibits judicial review of actions "by the United States (or any agency or officer thereof) or any State or political subdivision thereof (including any court) to issue, grant, or otherwise approve any lease sale, permit, authorization, right-of-way, or easement…"
- It applies to **a wide range of federal actions**, including biological opinions, permits, and leases — not limited by geographic scope in the subsection's text itself.
- The legislative context (being under a heading related to Alaska) suggests the intent may be to fast-track oil and gas leasing there, but **the legal effect of the language could be interpreted more broadly** unless explicitly cabined to Alaska through statutory definitions or court precedent.

Public Land Sales:
In May 2025, the U.S. House of Representatives narrowly passed H.R. 1, a sweeping budget reconciliation package—after removing a controversial amendment that would have authorized the sale of over 500,000 acres of public lands in Nevada and Utah. The amendment, introduced by Representatives Mark Amodei (R-NV) and Celeste Maloy (R-UT), **proposed selling federal lands, including parcels near Zion National Park, without public input or environmental review**. This sparked widespread opposition from conservation groups, outdoor advocates, and even some lawmakers within the Republican caucus. Representative Ryan Zinke (R-MT), a former Interior Secretary, played a pivotal role in stripping the provision, threatening to vote against the entire bill if the land sales remained. The amendment was ultimately removed through a manager's amendment just before the House vote, which passed 215–214.
Despite this temporary win, when H.R.1 went to the Senate, Senator Mike Lee (R-Utah), who serves as Chair of the Senate Energy and Natural Resources Committee, with support from some other Senators, **reinserted the public lands sales provision and upped it to more than three million acres of BLM and US Forest Service lands in 12 western states.**

It is imperative to conservation that this does not pass into legislation. **Beyond the specifics of any one sale, the broader concern is the dangerous precedent this would set: normalizing the idea that our shared public lands can be liquidated for short-term financial gain. Public lands are held in trust for all Americans and the erosion of that principle could open the door to more sweeping privatization efforts in the future.**

Clean Air Act protections:
On May 22, 2025, the U.S. House narrowly passed a **Congressional Review Act (approving SJR31) to overturn key Clean Air Act protections** that have limited toxic air pollution for decades. The act, already passed by the Senate, eliminates a rule from 2024 that required major polluters—like factories and petrochemical plants—to keep following strict pollution controls even if their emissions temporarily dropped. These rules targeted dangerous substances like arsenic, lead, and mercury, which can cause cancer, heart and lung diseases, and brain damage in children. This rollback reopens a loophole that allows some of the worst polluters to increase emissions and avoid long-standing safety standards, putting public health at greater risk.

Judicial Branch Actions

National Environmental Policy Review Act:
The National Environmental Policy Act (NEPA), enacted in 1970, is a foundational U.S. environmental law that mandates federal agencies to assess the environmental impacts of major projects—such as highways, pipelines, and mining operations—before making decisions. **NEPA ensures transparency, public participation, and science-based decision-making** by requiring Environmental Assessments (EAs) or more detailed Environmental Impact Statements (EISs) for significant federal actions.

Recent developments have significantly altered the implementation and judicial interpretation of NEPA. In early 2025, the Executive Order 14154, titled "Unleashing American Energy," rescinded the 1977 Carter-era directive that had empowered the Council on Environmental Quality (CEQ) to issue binding NEPA regulations. Subsequently, the CEQ formally removed its longstanding NEPA regulations from the Code of Federal Regulations in April 2025, citing concerns over its statutory authority to enforce such rules. To guide federal agencies in the absence of these regulations, the CEQ released a draft template on April 8, 2025, recommending **expedited environmental review processes**, stricter adherence to statutory deadlines, and **reduced opportunities for public input**. This shift aims to streamline project approvals but has raised concerns about diminished environmental oversight.

Judicial Interpretation: On May 29, 2025, the U.S. Supreme Court issued a significant ruling in *Seven County Infrastructure Coalition v. Eagle County, Colorado*, concerning the proposed 88-mile Uinta Basin Railway in Utah. The Court held that NEPA requires federal agencies to **consider only the environmental impacts directly related to the projects under their jurisdiction, not indirect or downstream effects such as increased oil drilling or refining activities enabled by the project**. Justice Brett Kavanaugh, writing for the majority, emphasized that NEPA is a procedural statute intended to inform agency decision-making rather than serve as a substantive barrier to development. This decision narrows the scope of environmental reviews and grants agencies greater discretion, potentially accelerating infrastructure projects but also limiting comprehensive environmental assessments.

The Court's decision was unanimous (8-0), with Justice Neil Gorsuch recused due to a conflict of interest. However, the justices were divided in their reasoning. Justice Kavanaugh authored the majority opinion, joined by Chief Justice Roberts and Justices Thomas, Alito, and Barrett. Justice Sonia Sotomayor concurred in the judgment, joined by Justices Kagan and Jackson, but wrote separately to express concerns about the majority's broad reasoning and its potential implications for future environmental reviews.

Collectively, these executive and judicial actions represent a significant shift in environmental policy, prioritizing expedited development and agency discretion over extensive environmental review and public participation. These changes undermine environmental protections and reduce transparency in federal project approvals.