Climate Change a Focus of Environmental Policy, Infrastructure Plan



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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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One Manhattan West New York, NY 10001 212.735.3000 President Biden took a number of Day One actions to help fulfill his promises to achieve a carbon-free power sector by 2035 and to put America on an irreversible path to a net-zero carbon emission economy by 2050. Addressing climate change is also an important part of his sweeping \$2 trillion-plus infrastructure plan. (See "Infrastructure Plan Relies On Federal Loan Programs.") In addition, the president has pledged to cut U.S. greenhouse gas emissions by at least 50% by 2030.

First-Day Actions

On his first day in office, President Biden took a number of executive actions that made climate change considerations an essential element of his domestic and foreign policies. These included:

- **Paris Agreement.** The president rejoined the Paris Agreement, the international climate accord entered into under the Obama administration in which the U.S. pledged to cut its carbon dioxide emissions 26-28% from 2005 levels by 2025.
- Regulatory review. President Biden issued an executive order stating his administration's policy to, among other environmental objectives, "listen to the science," improve public health and protect the environment, promote environmental justice, and reduce greenhouse gas emissions. The president then ordered all agency heads to immediately review all existing regulations and other agency documents issued during the Trump administration that may be inconsistent with this policy. The order called for particular review in the areas of regulations on methane emissions in the oil and gas sector, fuel economy standards, appliance and building efficiency standards, and hazardous air pollutant standards for coal- and oil-fired electricity generating units.
- New positions and offices. Before taking office and in his first week, the president created a number of new positions aimed at ensuring that climate change is a top consideration in his domestic and international agendas. This includes the special presidential envoy for climate (held by John Kerry), who sits on the National Security Council. President Biden also established the White House Office of Domestic Climate Policy (led by the first-ever national climate adviser) and the National Climate Task Force, comprised of leaders from 21 federal agencies and aimed at enabling a whole-of-government approach to addressing climate change. The president also created the White House Environmental Justice Interagency Council and the White House Environmental Justice Advisory Council to advance his goal of reducing disproportionate environmental impacts on vulnerable communities.
- Oil and gas leases on public lands. President Biden directed the interior secretary to halt any new oil or natural gas leases on public lands or offshore waters, to launch a review of all leasing and permitting practices related to fossil fuel development on public lands, and to identify steps that can be taken to double renewable energy production from offshore wind by 2030.

Infrastructure Plan

Climate change is also a key aspect of President Biden's \$2 trillion infrastructure plan:

 Electric cars. The plan calls for spending \$174 billion to boost electric vehicles and shift away from gas-powered cars. This would fund installing 500,000 charging stations by 2030, providing incentives for Americans to purchase electric vehicles and retooling factories to boost domestic supply of materials used to make these vehicles.

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- **Grid updates.** The plan also calls for spending \$100 billion to update the electrical grid to make it more resilient to extreme weather events.
- **Energy standards**. The plan has also proposed the creation of an energy efficiency and clean electricity standard requiring that a portion of U.S. energy come from renewable sources, such as wind and solar power.
- **Research and development.** The plan also would spend \$35 billion to boost research and development in the area of climate change technology, such as carbon capture and sequestration, hydrogen energy, offshore wind and electric vehicles.
- Aid to former fossil fuel workers. Finally, \$16 billion would be used to create new jobs for former fossil fuel workers given capping of oil and gas wells and reclaiming coal mines.

Emissions Pledge

Finally, ahead of an Earth Day world summit on climate change, President Biden has pledged to cut 2005 U.S. greenhouse gas emissions by at least half by 2030. The details on how this pledge will be achieved have not yet emerged, but the president has reiterated his goal of having the U.S. electrical grid run on renewable sources such as solar and wind to help achieve the emission reduction pledge.