

Here we are, one year from Election Day. As of now, there is a significant chance that Trump will be reelected in 2020, though experts disagree on the precise odds. In terms of the environment, what would his second term look like?

### **The President.**

It's conceivable that Trump might rethink his policy positions after reelection, but there's no reason to expect that to happen. After winning election in 2016, the only policies he abandoned were those that deviated from conservative orthodoxy, like his expressed support for Social Security. Since 2017, he has been locked into a set of policies. Reelection would almost certainly make him feel vindicated. If anything, he is likely to double down on existing positions or make them more extreme.

### **Congress**

Even if Trump wins, it seems unlikely that Republicans will retake the House. On the other hand, Democrats face an uphill battle to retake the Senate, and it's hard to see how they could succeed in an election where Trump wins the Electoral College. According to [538.org](https://www.538.org), the odds don't look great for flipping the Senate in 2022: there are a lot of GOP Senators up for reelection, but they're all in states that lean Republican. So the most likely scenario in Congress during a second Trump term would be a Democratic House and a firmly Republican Senate.

Given divided party control in Congress, it's not likely that we will see major anti-environmental legislation. What we will see, however, is a continuation of Trump's efforts to remake the federal bench. He's already appointed something like one-fifth of all federal judges. In his second term, that could rise well over the one-third mark. So at least one in three judges would be a Trump appointee.

Most significant would be the Supreme Court. The two oldest members of the Court are liberals. If Trump got to replace them, that would give conservatives a 7-2 margin. The swing Justices would probably be Kavanaugh and Alito. Not only would the Court be likely uphold Trump's deregulatory efforts, but it might well hold significant portions of current environmental laws unconstitutional, on the theory that they delegate too much power to EPA.

And there's worse news. The third oldest Justice is Thomas. Replacing him with a young ultra-conservative wouldn't change the ideological balance of the Court, but it would guarantee conservative dominance of the Court until 2040.

## **Administrative Actions**

In a second Term, agencies would be able to complete the current round of deregulatory actions, pursuing litigation to the end and cleaning up any issues that might be raised by judicial remands. Having undone Obama's legacy, agencies could then turn to Bush-era rules, replacing them with more radical retrenchments. We could expect to see reductions in air quality standards, cutbacks in requirements for new plants, and elimination of many wetlands protections. It would not be surprising to see delisting of many endangered species as well. All of this would be easier, of course, given the likely support of an increasingly right-wing judiciary. In terms of energy regulation, we could expect to see a pro-coal, anti-renewable majority on the Federal Energy Regulatory Commission.

## **Foreign Policy**

The U.S. withdrawal from the Paris Agreement would become final around the time of the election. Trump's efforts to encourage withdrawals by other countries would get a boost from his reelection. It would also not be surprising if he were to withdraw from the UN Framework Convention on Climate Change, which was signed by President George H.W. Bush. That would leave the U.S. with no international commitments to address climate change.

## **Bottom line.**

If you're worried about issues like climate change, the best response to a second Trump term might be to shop around for another planet.