UC Berkeley's Center for Law, Energy, & Environment (CLEE) is sponsoring a series of papers evaluating aspects of Project 2025, The Heritage Foundation publication, entitled "Mandate for Leadership: The Conservative Promise," which is being followed to a significant degree as a blueprint for the Trump Administration. The fourth paper in our Monograph series focuses on Project 2025's promotion of fossil fuels and Trump's declaration of a national energy emergency, available here.

CLEE published excerpts from the 922 page Project 2025 document related to climate change and environment and the first 3 papers in the Monograph series, here.

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As the Paper states:

> This Monograph reviews President Trump's Executive Order 15146, which reflects policies set forth in Project 2025 by declaring a "National Energy Emergency" and directing the heads of various federal agencies and departments to "identify and exercise any lawful emergency authorities available to them, as well as all other lawful authorities they may possess, to facilitate the identification, leasing, siting, production, transportation, refining, and generation of domestic energy resources, including, but not limited to, on Federal lands." The Executive Order (EO) is designed to promote domestic fossil fuel production and undermine renewable energy production.
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> This Monograph evaluates possible legal challenges to the emergency declaration itself and to actions related to, and carrying out, the declaration. The analysis of Presidential authority under a declared emergency should be of general interest because it is also relevant to other emergency declarations issued by the second Trump Administration.

> On April 23, 2025, just as this Monograph was nearing completion, the United States Department of Interior (DOI) announced three separate but related actions taken in response to the Executive Order, invoking emergency authorities under the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA). DOI's three actions were "designed to expedite the review and approval, if appropriate," of the kinds of energy projects mentioned in the EO.
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> Specifically, DOI announced that it had adopted (i) an alternative NEPA compliance process "to allow for more concise documents and a compressed timeline[,]" (ii) an expedited ESA Section 7 interagency consultation process, and (iii) "alternative procedures for compliance with Section 106 of the [NHSA] for proposed undertakings responding to the energy emergency."
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> The Monograph has been augmented to include analysis addressing the lawfulness of all three of these DOI actions. We conclude that they are not lawful.

We encourage everyone to read the full paper.