

## A Long and Bumpy Road

*Incoming President Trump and the new Congress plan to trim back the Democrats' environmental legacy, decrying the cost to business and consumers and substituting what GOP leaders argue is more savvy regulation. They may succeed, but there are numerous obstacles in their path*



**Jeremy Bernstein**, publisher of *InsideEPA*, has been chronicling the post-election outlook for environmental protection for FORUM readers every two years since 2000.

**W**ith the help of the newly elected Republican Congress and his cabinet selections, including climate skeptic Oklahoma Attorney General Scott Pruitt at the Environmental Protection Agency, President-elect Donald Trump's pledges to reverse Barack Obama's energy and environmental achievements should be within reach. But Trump's deregulatory path is obstructed by a revved up environmental movement; complicated legal proceedings that may hamper his maneuvers; a narrowly divided Senate; an uneasy electorate that favors measures to protect the environment; and a global community unwilling to see its hard-fought consensus on climate discarded.

Although Trump has signaled willingness to reconsider some of his most controversial stances — such as his promise to withdraw from the Paris Agreement on climate change — he has nevertheless energized both base and establishment Republicans eager to roll back policies that they consider responsible for the slow pace of growth since the recession. Even measures sought by industry — such as new international mandates to phase out chemicals used in refrigeration that are also potent greenhouse gases and to regulate aircraft emissions, as well as new rules to implement the recently reformed Toxic Substances Control Act — may not be well received by the incoming president and his team.

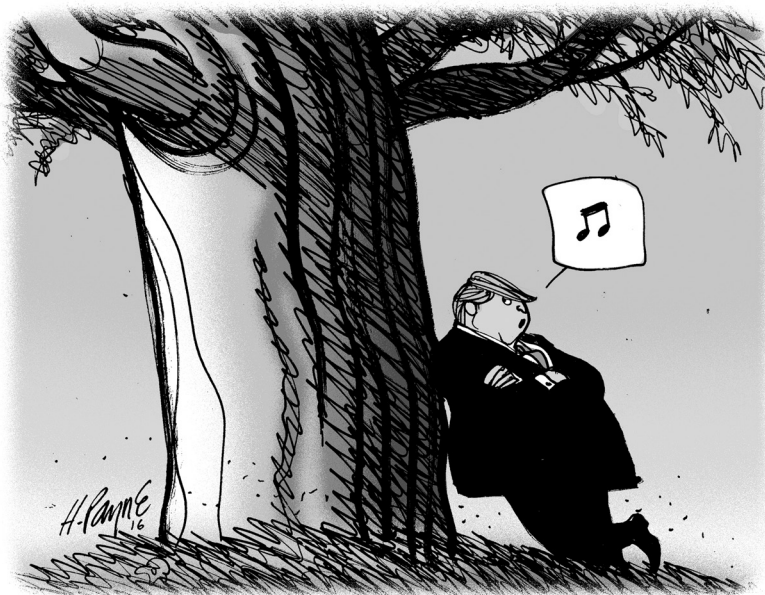
The good news is that domestic releases of greenhouse gases are in a downward trajectory, thanks to the increased use of cheap natural gas, which has half the carbon of coal per unit energy, and increasingly cheaper wind and solar, all of which are displacing large chunks of the aging coal-fired power plant fleet. Even if the Obama administration's signature power plant greenhouse gas rules are eliminated, the utility sector will still achieve its goals well before the rule would otherwise have required, according to several recent studies.

The reverse is true in the transportation sector, responsible for one quarter of domestic emissions, where cheap oil prices are encouraging increased sales of sport utility vehicles and other gas guzzlers. Existing rules set fuel economy requirements until 2025, ensuring some limits on emissions, but key Trump advisors and some in the auto sector are seeking to ease the requirements.

Energy and environmental policies were not the mainstay of Trump's campaign, though his promises to eliminate EPA and restore the coal sector to its former glory played especially well in the Republican primaries. Ditto his 2012 claim that global warming "was created by and for the Chinese in order to make U.S. manufacturing non-competitive." And as Trump told the *Washington Post* last March, "I think there's a

change in weather. I am not a great believer in man-made climate change.” But Trump appears to be walking back some of his claims. After clinching the GOP nomination, he reversed his earlier call to eliminate the agency, saying instead that he will “refocus the EPA on its core mission of ensuring clean air, and clean, safe drinking water for all Americans.” The Trump environmental agenda “will be guided by true specialists in conservation, not those with radical political agendas. It will be a future of conservation, of prosperity, and of great success.”

Similarly, since winning the election, he has ac-



knowledged that anthropogenic emissions may cause climate change and is “looking very closely” at whether to continue U.S. leadership on the issue. “I think there is some connectivity” between human activity and climate change, he said during an interview with the *New York Times*, though he questioned “how much” of an effect and “how much it will cost our companies.” Trump added, “It’s a very complex subject. I’m not sure anybody is ever going to really know.” But in a sign of the turmoil likely to come, Reince Priebus, Trump’s incoming chief of staff, tamped down any suggestion that the president-elect’s comments to the *Times* should be read as a softening. Trump’s “default position is that most of [climate science] is a bunch of bunk. But he’ll have an open mind and listen to people,” Priebus said. Richard Greene, a former Bush II EPA official, says such comments suggest Trump’s environmental strategy “is very much a work in progress. We’ll see how all this develops as the new administration begins.”

Regardless of whether and how Trump moves ahead on addressing climate change — and how much of Obama’s agenda he retains — he has made it clear that his primary focus is on ensuring energy independence. During the campaign, he said that, for now, he opposes repealing the renewable fuel standard — a stance that may be popular in Corn Belt states like Iowa but not among the movement conservatives and the oil executives who want to see the program eliminated. “Until this nation sets its sights on total energy independence, we must support all energy sources. If we can truly achieve energy independence, then there is no need for subsidies or any other form of mandate or market interference,” he said.

Trump has reiterated a similar message since the election, promising energy policies that will “make full use of our domestic energy sources, including traditional and renewable energy sources. America will unleash an energy revolution that will transform us into a net energy exporter, leading to the creation of millions of new jobs, while protecting our most valuable resources — our clean air, clean water, and natural resources.”

Much of Trump’s support for the coal industry will come in the form of rolling back regulations. Foremost is EPA’s Clean Power Plan. Clean water regulations he will go after include the agency’s Waters of the United States rule and the Interior

Department’s stream protection rule. He also plans to rescind Interior’s moratorium on new coal leasing and implement a “top-down review of all anti-coal regulations issued by the Obama administration.” During the campaign, Trump additionally promised to review “all” existing EPA rules. “Any regulation that imposes undue costs on business enterprises will be eliminated,” citing specifically, the agency’s endangerment finding that underpins its greenhouse gas regulatory program. The fossil energy sector is also slated to benefit from Trump’s promises to open federal lands and waters to production and to streamline approval of projects like the blocked Keystone XL pipeline.

For the coal sector, the goal is to stabilize an industry and make its decline less painful. “Regulation didn’t kill coal. Regulation made coal’s death more painful,” said Kevin Book, managing director of ClearView Energy Partners. He says reversing or softening various water quality protection measures, like EPA’s

“conductivity” guidance and Interior’s stream protection rule, will make things “differentially better for the eastern producers,” while ending the moratorium on coal leasing in the Powder River Basin will help out western producers. But, he says, those things are incremental. “They don’t change the market; they change the way the market feels.” Even some of the industry’s biggest supporters, like Senate Majority Leader Mitch McConnell (R-KY), doubt “whether [ending rules on coal emissions] immediately brings business back.” To further help coal country, lawmakers like West Virginia Senator Shelley Moore Capito are readying legislation that would earmark \$525 million in federal tax credits for economic development investments in 12 states where coal job losses have been highest.

The big energy industry winners from the election, said Book, are the upstream oil and gas extraction business as well as the downstream refiners, because any limits on their greenhouse gas emissions are “not going to happen.” Moreover, eliminating the CPP would likely maintain the current oversupply in the natural gas market, ensuring low prices for longer than currently expected. The CPP “was the predator that was going to tighten up supply and raise prices on the grid,” Book added. “Kill the predator and you’re going to have low prices for the enduring future.”

Environmental benefits aside, Trump supporters say, increasing gas production provides both economic and political advantages: upending long-standing Republican fears of being seen as unsympathetic to environmental concerns and increasing supply of a resource that provides significant geopolitical benefits. “For years, Republicans have been running scared on the environment, cringing under attacks from activists, constantly seeking to look ‘green’ and play down their energy ambitions,” says Kimberly Strassel, a *Wall Street Journal* columnist. “Not so Mr. Trump, the first Republican president in the modern era who seems willing to turn the formula on its head and adopt a position in keeping with other energy-rich nations. The Norways and Canadas of the world embrace their energy abundance and make it a priority, even as they take steps to protect air and water quality. That appears to be the Trump approach.”

Trump’s personnel selections have done little to reassure environmentalists. Stephen Moore, one of Trump’s top economic advisers, is the driving force behind the president-elect’s call to significantly increase fossil fuel supplies. “If we continue to promote cheap, abundant, and reliable made-in-America energy, the U.S. within six years can become not just energy independent, but the energy dominant country in the world,” he wrote in the *Wall Street Journal*. Jeff Sessions, the Alabama senator whom Trump picked for attorney general, has voted to bar

EPA from regulating greenhouse gases.

Pruitt, the Oklahoma attorney general whom Trump has selected to lead EPA, is a strong supporter of the fossil fuel sector — especially his home state’s natural gas industry. He is currently leading several suits challenging EPA rules that Trump has promised to block, including the CPP and the Waters of the U.S. rule. He will face strong opposition from Senate Democrats, who have promised to make the vote on his confirmation a litmus test for Republican senators’ positions on climate change, though without a filibuster, they are not likely to block him.

Trump has also put fossil fuels at the center of his foreign policy, selecting Exxon CEO Rex Tillerson as his secretary of state. The company acknowledges climate science and has sought a carbon tax to address it. But Tillerson’s nomination has environmentalists on edge. His selection “cements governance by oil,” says the Union of Concerned Scientists.

At Interior, Trump has selected Representative Ryan Zinke (R-MT), who has consistently voted to roll back environmental rules and encourage fossil fuel development. He is expected to lift the Obama administration’s ban on new coal leasing, end its review of the program’s GHG impacts, and open up new areas for extraction in the department’s sprawling resource holdings, though like Trump, he also supports the Land & Water Conservation Fund to acquire and protect new areas.

And at Energy, Trump has selected former Texas Governor Rick Perry, who famously has sought to eliminate the department he will now lead. He has long touted his state’s oil and gas industry, though he also oversaw Texas’s development as the country’s largest wind energy sector.

**A**s other presidents, including Barack Obama, have found, promising to roll back regulations is one thing. Actually delivering is another. Many of the rules that Trump has said he will reverse — Waters of the United States, the Clean Power Plan, the greenhouse gas endangerment finding, and mercury limits on power plants — are already final, potentially requiring a new rulemaking to formally reverse. The mercury rule, which likely had a bigger effect curbing coal-fired power generation than the CPP would have, remains in place while EPA works to complete a cost-benefit analysis required by the Supreme Court, though that too is facing suit. Both the CPP and the WOTUS rules are currently stayed pending ongoing litigation, meaning a Trump nominee to the Supreme Court could eventually provide the necessary vote to vacate and/or

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# Linking Economic Opportunity to Protection

**T**he 2016 election invites us to reimagine the role environmental protection plays in creating jobs, streamlining bureaucracy, improving public health and quality of life, and most of all, focusing on results.

The obvious place to begin is our infrastructure deficit. President-elect Trump has promised to work with Congress in cutting foreign spending to redirect budget toward rebuilding our crumbling ports, highways, bridges, and water systems.

The federal government has already begun to create innovative public-private partnerships, or P3s, in which creative financing is employed to leverage scarce federal funds with private-sector groups who seek to share the costs and benefits of these projects. These shifts show a broader objective of improving efficiencies within the current system.

I believe focusing on efficiency will be a hallmark strategy for the incoming administration. For example, the Water Infrastructure Finance and Innovation Act, a new federal credit assistance program, would allow limited federal dollars to be leveraged significantly relative to the amounts appropriated by Congress.

The Senate Environment and Public Works Committee and the Office of Management and Budget estimate a leverage ratio of 67:1. That means \$1 in subsidy appropriation supports \$67 in credit assistance. Once fully funded and implemented, WIFIA is expected to accelerate alternative infrastructure financing solutions, and in particular P3 projects. Naturally, this forecasts an Environmental Protection Agency that will attempt to maximize budget efficiency in order to accomplish tangible infrastructure results.

Streamlining bureaucracy with an eye toward efficiency was the focus of a July 2016 House Energy and Commerce Committee hearing. The consensus was that the Comprehensive Environmental Response, Compensation and Liability Act is cumbersome and slow. The remedial program should be made much more like the removal program, with its faster processes and approvals. The efficiency in process that these changes would create will allow results to be achieved in a timelier manner.

On the regulatory front, many federal agencies provide valuable permits and licenses to operate that allow businesses to proceed with desired alacrity. Several agencies are piloting the “Lean” process to excise red tape and become more productive. Industry and states have embraced Lean principles to optimize processes. Federal agencies should continue to build upon the successes of the Lean pilots so that efficiencies may be realized across the compliance and regulatory communities.

An area ripe for examination is the role of the states. When EPA was created over 46 years ago, state programs were in a nascent stage. That status has changed dramatically. The states are now full partners in environmental protection. Promoting state delegation across the board would be another way to avoid duplication and build efficiency into the system.

EPA has also been looking at supply chain communication to improve efficiency. One example is the interaction between the Toxic Substances Control Act and the Resource Conservation and Recovery Act. When new chemicals are produced or when existing chemi-

cals will have a significant new use, TSCA requires that EPA be notified. If that information is shared throughout the supply chain, then decisionmakers will have the ability to make upstream lifecycle decisions that may keep certain chemicals out of the supply chain or reduce their usage. Since RCRA requires the regulated community to take certain actions at the end of life, having up-front knowledge will create efficiency during the disposal phase. Here we have a direct link between improved communication and increased efficiency.

Last, but always first in my heart: We should recognize that environmental cleanup also provides for community revitalization. The federal brownfields program

is a shining example of turning troubled assets into valuable real estate and jobs. Many of the other federal cleanup programs are adopting this mindset, creating pollinator gardens on Superfund sites and renewable energy on former landfills. We must look for more of these opportunities!

Fears for the future around climate change and resilience will always exist. However, we can double down on our efforts to work in collaboration with states, local governments, private citizens, non-profits, and community groups to forge progress. With volunteer efforts to match the leadership from the new administration and Congress, we can link hands to improve quality of life for our most precious natural asset — our citizens.



Marianne Horinko

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remand both measures. That may be the administration's backstop as environmentalists, states, and other rule supporters will continue to vigorously defend both measures.

Trump's transition team has already said that if the appellate court reviewing the CPP has not ruled by inauguration day, the administration will stop defending it. But many caution that such an approach may not have a significant effect. "Such an action would inform the reviewing court of the new administration's policy position but may not have much practical effect as states and other groups supporting the [CPP] could continue to defend the rule," says Tom Lorenzen, formerly in the Justice Department's environment division, who now represents power co-ops in CPP litigation. "In short, the rule could be upheld by the courts, notwithstanding the executive branch's decision not to defend it." Writing with Sharie Armstrong of Thomas Combs & Span, Lorenzen said other tactics for stalling the rule would also face hurdles. For example, officials could ask the appellate court to postpone its pending decision to give the new administration time to consider rule changes.

But the authors note that the Obama administration, for example, failed — under similar circumstances — to get a federal court to remand the Bush administration's version of the stream protection rule and were forced to conduct a years-long rulemaking to replace it. Moreover, any effort to limit enforcement would draw citizen suits against EPA or alleged violators to enforce the rule's provisions. Instead, they say, "the most effective" way for the incoming administration to reverse the rule is to launch an entirely new rulemaking to reverse — or significantly scale back — the Obama version, though they caution it is a lengthy and resource-intensive process. "All told, the rulemaking could easily take two years to complete and maybe more." Moreover, any new rule would be subject to legal challenge and EPA would face a high bar to show that revocation is not contrary to the CAA, is reasonable, and will not endanger public health or welfare.

But reversing Obama's signature climate rule for power plants will create a dilemma for Trump because he will still have a legal obligation to mitigate climate change as a result of the Supreme Court's holding that greenhouse gases are CAA pollutants. During the campaign, Trump promised to undo the agency's subsequent endangerment finding, which drives the regulatory requirements. But legally that is difficult given the increasingly more certain science. Attempting to overturn the finding, says Michael Gerrard, director of the Sabin Center for Climate Change Law at Columbia University, "would be like running toward a machine gun. Scientific support was very strong when it was issued in 2009; it has become much stronger since then."

Top foreign officials, including Mexico's energy minister, have suggested imposing a carbon tariff on American goods if Trump backs away from his climate commitments. Such threats of a trade war already have manufacturers running scared. Some analysts say the auto industry, which has lobbied the incoming Trump team to reverse Obama's vehicle standards, would rather see those standards remain in place than get into a trade war. Others warn too of political consequences, because a rollback of the finding would further exacerbate broad public divisions on climate change and the science underlying it. "Trump should be forewarned," says Diane Regas, executive director of the Environmental Defense Fund. "The anger we have seen against past attempts to roll back bedrock environmental protections will pale in comparison to the fury that will be unleashed if the Trump administration carries out its campaign promises." Rolling back the endangerment finding could also prompt a revolt by EPA's career staff, who would likely begin leaking embarrassing material to the media, lawmakers, and environmentalists, much as they did in the Reagan and Bush II administrations. But without reversing — or at least scaling back — the endangerment finding, the Trump administration will be left in a legally vulnerable position where it may have no choice under the CAA but to mitigate the endangerment risks posed by greenhouse gases.

Less burdensome for the administration may be efforts to roll back a series of informal policies and guidance documents that the Obama administration has issued. One likely target is the Council on Environmental Quality's guidance on assessing the greenhouse gas impacts of projects, as well as the impacts of climate change on those projects, under the National Environmental Policy Act. So too is the administration's "social cost of carbon" metric, which is used to estimate the benefits of reducing emissions, though an existing court precedent requiring its use and a National Academy of Sciences review of the metric due out in early 2017 could make it difficult to eliminate.

A host of Obama executive orders may also be ripe for elimination, including several that sought to implement climate policy across the federal government. The Competitive Enterprise Institute recently identified three orders for repeal, including a 2013 order "preparing the United States for the impacts of climate change," a 2014 order requiring consideration of climate impacts when distributing international development funds, and a 2015 order setting greenhouse gas emissions targets for federal agencies. But there are others that could be targeted too, including those dealing with oceans policy, flood risks, and Gulf Coast and Chesapeake Bay restoration.

In some cases, Congress may step in and relieve the

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# History Will Judge Harshly If Trump Guts Laws

**D**onald Trump's campaign rhetoric was deeply disturbing to those hoping to continue Barack Obama's legacy of leadership on climate policy. Dismissing global warming as a "hoax," Trump threatened to withdraw from the Paris Agreement, scrap the Clean Power Plan, and emasculate EPA.

Will this unsettling agenda come to pass? Initial signals have been ominous. Trump picked Myron Ebell, an infamous climate denier, to head the EPA transition team and now has selected Scott Pruitt, the Oklahoma attorney general, as his nominee for administrator. Pruitt has a long record as a die-hard foe of the agency's mission, as an apologist for fossil fuel interests, and as an aggressive leader of legal challenges to EPA regulations.

The Pruitt nomination was a jarring contrast to earlier Trump comments to the *New York Times* acknowledging some "connectivity" between human activity and planetary warming and professing an "open mind" about U.S. participation in the Paris Agreement. And a few days before selecting Pruitt, Trump discussed climate change with Al Gore, an encounter that Gore pronounced productive.

This nomination, however, dashes any hope that Trump would be thoughtful and deliberative and draws sharp battle lines over climate policy that a more pragmatic president-elect would have avoided.

It is doubtful that Trump will prevail in the bitter fights that lie ahead. He will enter office with a weak mandate, low approval rating, doubts about his fitness even among many of his supporters, and a policy agenda that is troubling to some in his own party. While Trump's campaign effectively played on the economic fears and cultural anxieties of the displaced white middle-class, there is no reason

to conclude the bulk of Trump voters wanted him to dismantle EPA, ignore climate change, or promote coal at the expense of the expanding clean-energy economy.

Years of polling demonstrate broad public support for strong environmental safeguards, and recent data confirm that most Americans accept the reality of climate change and the threats it poses. This includes not just Democrats but many Republicans who voted for Trump.

Previous efforts to roll back environmental laws backfired because of a misreading of election results. Where emboldened politicians perceived a mandate to rein in environmental regulation, the public instead saw dangerous overreaching and weakening of core protections. The end result was an embarrassing retreat from rollback proposals and a re-empowered EPA. If Trump and his administrator try to dismember the Obama environmental legacy and sideline the agency, they will face a powerful public backlash that may compel Trump to cut his losses and restore EPA's independence — as Ronald Reagan famously did after Ann Gorsuch flamed out.

Trump cannot walk back U.S. policies and commitments without directly repudiating the threat of climate change, but this would place him in an indefensible position. The scientific consensus on climate change is rock solid and has been affirmed repeatedly by the world's leading experts. This science formed the basis for EPA's authoritative endangerment determination on carbon dioxide. Any case Trump made to withdraw this finding would invite ridicule and could not survive scientific or legal scrutiny.

Experienced diplomatic hands will likely counsel Trump that, if he

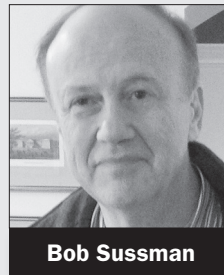
backpedals on the Paris Agreement, blowback from allies and economic competitors like China will be intense. Major global companies will likewise warn that a retreat from climate responsibility will harm U.S. economic interests.

If Trump were to follow through on controversial changes in trade and national security policies that endanger our diplomatic relationships, his refusal to honor the Paris Agreement would simply pour more fuel on the fire. In all likelihood, China — which has reaffirmed its Paris commitments since the election — will gain the upper hand and replace the United States as the world leader on clean energy.

History will judge Trump harshly if he goes down this road. The decline of U.S. coal production is irreversible. Renewables are rapidly gaining ground in the power sector and auto companies are scaling up production of electric vehicles.

U.S. emissions are already coming down and jobs in clean industries are growing. American manufacturers are investing heavily in developing replacement chemicals for potent greenhouse gases. Populous states like California and New York are doubling down on ambitious greenhouse-gas reduction goals and raising targets for wind and solar. The dire consequences of climate change are becoming more apparent with each passing year.

For Trump to deny these realities, reject mainstream science, and turn his back on the global community will lead to America's decline and irrelevance — exactly what Trump claims he wants to prevent. He should step back from this abyss.



Bob Sussman

**Bob Sussman** was a senior EPA official in the Clinton and Obama administrations.

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administration of any administrative burdens by reversing rules using procedures spelled out in the rarely used Congressional Review Act. The law provides for expedited procedures to pass disapproval resolutions by majority votes, which if signed by the president, eliminate the rule and prevent the agency from adopting a similar measure in the future. Because of the statute's requirements, any rule promulgated after May 30, 2016, may be subject to disapproval.

Republican lawmakers, including Senator John Barasso (R-WY), the incoming chairman of the Senate environment committee, have already promised to roll back recently issued Interior Department rules limiting methane releases. A forthcoming EPA rule intended to limit harmful releases from industrial accidents is another likely target. But even rules that enjoy some industry support, like EPA and the Transportation Department's new fuel economy and greenhouse gas standards for heavy-duty vehicles, may also be scrutinized. House lawmakers such as Darrell Issa (R-CA) say they are looking to identify a "dirty dozen" of Obama administration rules to repeal under the CRA.

Congress could also go after rules by other means. For example, lawmakers could block EPA from implementing the CPP or any other rule by withholding funds or attaching policy riders to spending bills. They could also cut the agency's already low budget. At \$8.3 billion in 2015, EPA's budget is at its lowest level since the mid-1980s. A host of EPA programs are vulnerable to budget cuts, including several intended to assess the risks posed by industrial chemicals and pesticides. Other agencies' programs are also at risk. Former House science committee Chairman Bob Walker (R-PA), a senior advisor to the Trump transition, recently suggested ending NASA's climate research and instead focusing on "deep space" investigation.

**R**epublican lawmakers may be eager to undo select Obama administration rules but they do not seem to have an appetite for reversing EPA's underlying environmental authorities, at least not in the Senate. Several Republican senators, including some of the most vocal opponents of the CPP, say their priority is rolling back the rule and that they have no current plans to examine the Clean Air Act and the Supreme Court's interpretation that requires regulation of greenhouse gases. "Correcting the damage" that has been done in the Obama administration is "the next thing on our list," said Senator James Inhofe (R-OK), who will step down as environment committee chairman.

Such caution reflects Republicans' narrow majority in the upper chamber and the potential risk that such efforts could alienate Democrats and spark a sharp backlash, much as the Contract with America did in the 1990s. McConnell, for example, has strongly warned against legislative overreach. "I think overreaching after an election is, generally speaking, a mistake," he said. "We've been given a temporary lease on power. And I think we need to use it responsibly. I think what the American people are looking for is results. And to get results in the Senate . . . requires some Democratic participation and cooperation." Of course, that sentiment could change after the 2018 election, when 23 Democrats — nine of whom are from states that Trump won — are up for re-election.

In the meantime, though, Democrats may be willing to work with the Trump administration on some measures — especially in matters where it divides Republicans. A case in point is new legislation to increase spending on clean energy, water, and other infrastructure, a favorite of many Democrats and the labor rank-and-file they are hoping to win back. But even that may be difficult. Trump, for example, has proposed massive tax credits for infrastructure developers, including for projects that were already planned, an approach that one former Clinton advisor has publicly panned and urged Democrats to oppose.

The larger — and more conservative — Republican majority in the House may be a different matter. Lawmakers there are already itching to roll back many of the same rules and policies Trump is likely to target, and to codify Speaker Paul Ryan's (R-WI) "regulatory modernization" plan that would raise the bar on launching new rulemakings. "Regulate only when the states are not better suited, or there is an identifiable market or major policy failure," his plan says, suggesting an overhaul of the Administrative Procedure Act. He also plans to require agencies to consider "all costs" in rulemakings, including rules' impacts on jobs and low-income households, and consider the cumulative impacts on small businesses of all federal rules. Such sweeping reforms would likely have a broad effect on all agencies, though Ryan's plan also suggested targeted reforms of some existing statutes, such as extending the current five-year-review requirement for EPA's air quality standards and DOE's energy efficiency standards for appliances. "We're ready to roll in the House with a set of policies we think Mr. Trump will buy into," said Representative Sean Duffy (R-WI). "I know he'll want to put his fingerprints on it, but it's almost a plug-and-play scenario," he said.

When inaugurated, President Trump may have a helpful and eager Congress but he faces a long and very bumpy road if he hopes to advance his deregulatory agenda. **TEF**