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How Will the Biden Presidency Change the Course of US Energy and Climate Policies?

**presented at the 2nd World Energy University
Network Webinar**

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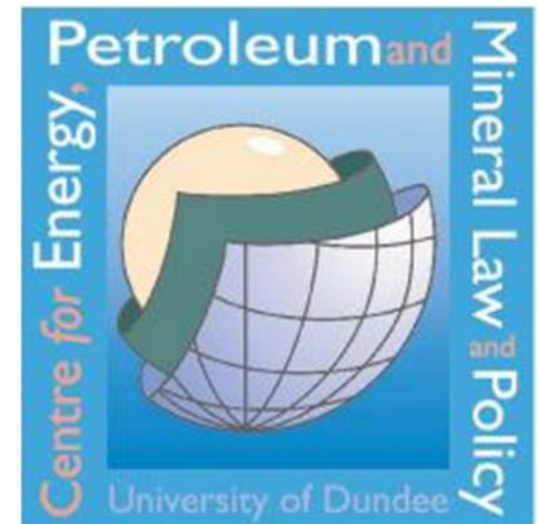


Sweden

Honorary Professor

University of Dundee

Scotland



**Centre for Energy, Petroleum
and Mineral Law and Policy**



Coming Attractions

Change in philosophical point of view

environmental and energy policy conjoined

respect for science to inform policy debates

Presidential authority to change

executive directives

appointments to executive offices

independent executive offices

Executive Orders

4

**Trump has averaged about 50 a year
40-50% more than Obama and Bush II**

Constitution gives president right to such orders

but a bit vague –

gives authority to "faithfully execute laws"

Congress can pass a law to override order

President can veto law

Congress can override with 2/3 vote

**If challenged Supreme Court can declare
unconstitutional**

Executive Orders

<https://www.federalregister.gov/presidential-documents/executive-orders>

Biden can undo Trump's Orders

will rejoin Paris Accord

**but Congress would need to provide funding
and programs**

**unfortunately climate change has become a
partisan issue**

**if Republicans maintain control of Senate
gridlock may continue**

Hopeful Signs

Much climate policy in U.S.

at state and local level

29 states have renewable portfolio standards

8 states have 100% clean energy targets by 2050

many companies have targets

45Q – tax credits for CCS

extended and updated in 2018

<https://www.energy.gov/sites/prod/files/2019/10/f67/Internal%20Revenue%20Code%20Tax%20Fact%20Sheet.pdf>

Public Sentiment Seems to be Shifting

As evidence mounts

huge forest fires

record numbers and intensity of storms

Majority of Americans now believe

climate change is serious problem

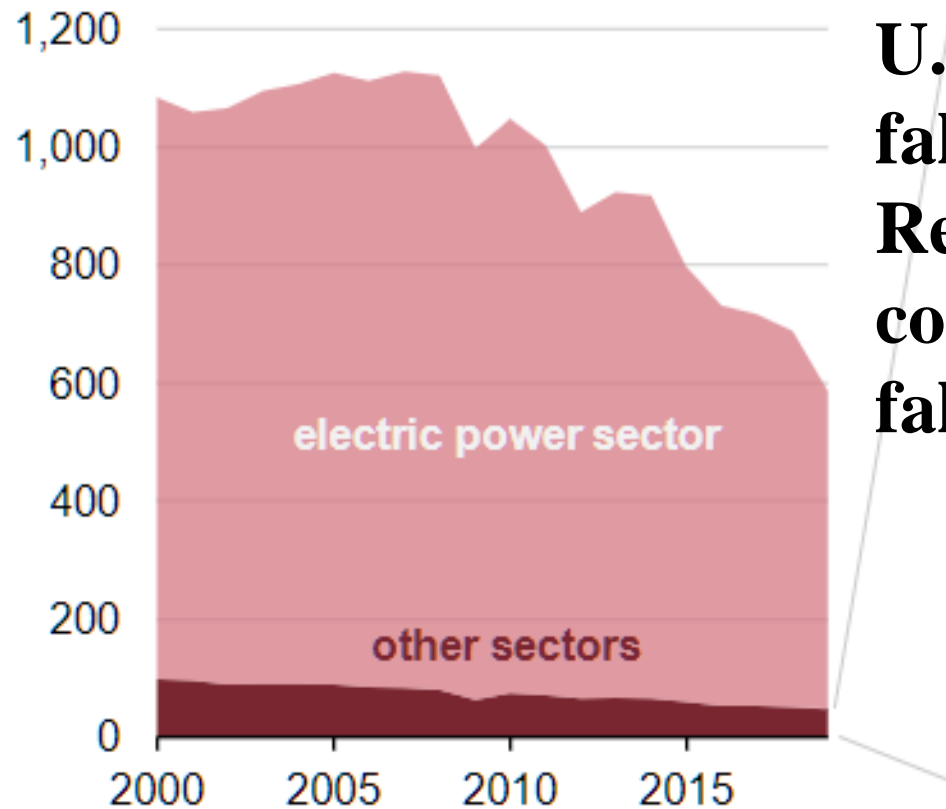
<https://www.pewresearch.org/science/2020/06/23/two-thirds-of-americans-think-government-should-do-more-on-climate/>

55% Republicans/89% Democrats favor

taxing corporations based on carbon emissions

Favorable Market Forces

U.S. coal consumption by sector (2000–2019)
million short tons



Source: U.S. Energy Information Administration, [Quarterly Coal Consumption](#)

**Despite Trump's talk
U.S. coal use has continued to
fall
Renewable technology
continues to improve with
falling costs**

What Can Biden Do President Can Hire and Fire Within

Executive Offices

Office of president

White House Staff

Security Council

Office of Management and Budget

Cabinet positions

Vice President

15 Secretaries appointed by president

confirmed by Senate

can be removed at pleasure of president

Environmental Protection Agency (EPA)

Not cabinet level position but cabinet rank

Biden has appointed new administrator

Under Trump

corporate auto fuel efficiency standards (CAFE)

reduced from Obama EPA

55 miles per gallon (mpg) by 2040

to 40 mpg by 2040

likely to be re-instated

**Biden more favorable towards electric
vehicles- higher CAFE will help**

Environmental Protection Agency (EPA)

Clean Power Plan (2014)

32% reduction CO₂ from 2005-2030

to be implemented and enforced at state level

2018 new ruling – states did not have to enforce

likely to rescinded under new administrator

Trump administration

slowed approvals for offshore wind permits

Biden can speed up

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Environmental Protection Agency (EPA)

fugitive methane emission restriction

methane a potent greenhouse gas

more than 25 times the 100 year warming potential of CO₂ per molecule

2016 Obama EPA methane restrictions oil and gas activities

2020 Trump EPA rescinded and weakened restrictions

some oil and gas companies not in favor

hurts natural gas image as a bridge fuel to deal with intermittency of renewables

<https://www.npr.org/2020/08/13/901863874/trumps->

Environmental Protection Agency (EPA)

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headed for courts**

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Independent Executive Agencies

<https://www.usa.gov/branches-of-government>

Often regulatory bodies

e.g. (Federal Energy Regulatory Commission (FERC), Commodity Futures Trading Commission (CFTC), Federal Reserve Banks (Fed))

President appoints

leaders of independent agencies

approved by Senate

often run by commissioners with staggered terms

may be requirements for bipartisan participation

only remove with cause

[**https://joebiden.com/clean-energy/**](https://joebiden.com/clean-energy/)

**More restrictions on oil & gas drilling on Federal land
Bidding on Alaska National Wildlife Refuge
due before Biden takes office**

May be more restrictions on infrastructure

**Trump approved Keystone XL Pipeline Expansion
Permit**

cross border from Canada into U.S.

still hung up in controversy

Biden backtracked and will not favor banning fracking

Unlikely to prohibit oil and gas export licenses

Biden Takes As Goal Green New Deal

<https://www.congress.gov/bill/116th-congress/house-resolution/109/text>

100% clean energy by 2050

favors R&D clean energy

including nuclear and storage

likely more moderate than progressive side of party

likely will have to contend with Republican dominated Senate

With Biden the Winds Are Shifting Towards Climate Policy

Things in his favor

some things he can reverse easily

public sentiment is shifting

market forces have been favorable

things will continue at state and local level

Challenges ahead

pricing carbon to learn best climate options

Congressional bipartisan leadership

even if U.S. is 100% clean energy by 2050

may not meet 1.5% target