

Legal Pitfalls Could Trouble Trump's Executive Actions

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Bracewell's **Jeff Holmstead** told *E&E News* that the absence of *Chevron* deference may limit some of President Donald Trump's ambitions to reverse Biden administration rulings since challenges will now hinge on whether judges think the efforts represent the best readings of federal law.

Holmstead added that the "Trump administration will need to go through notice-and-comment rulemaking to reverse" Biden administration rulings, but he did not think it would be too difficult to proceed.

Bracewell's **Scott Segal** added that Trump's toughest lift in court might be suspending congressionally designated funds for new infrastructure and clean energy projects, since such a move could violate the Impoundment Control Act and constitute a breach of federal contract.

"If challenged, this section of the executive order might be subject to scrutiny by Congress, the [Government Accountability Office] or federal courts, as it could be seen as encroaching on Congress' power of the purse and may undermine federal obligations," Segal said.

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