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Trump Administration Freezes All Environmental Litigation

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The Trump Administration has issued a memo directing a temporary freeze on all environmental litigation to allow for review and potential reconsideration by the new administration of its position in these matters.

This pause applies to any court filings, including legal briefs, new case filings, or pending settlements. Further, the Administration has reassigned several career civil service senior managers, including the chiefs of the natural resources, environmental enforcement, environmental crimes, and appellate section, all housed within the Environment and Natural Resources Division of the US Department of Justice (DOJ). The four civil servants have been reassigned to work on immigration-related matters.

Closely related, on January 24, Acting US Environmental Protection Agency (EPA) Administrator James Payne directed an immediate temporary cessation of all communications with external parties, with the following exceptions:

- Communications with state and other federal agencies not involving enforcement issues.
- Communications with relevant parties involving imports.
- Agency inspectors are allowed to conduct inspections.

It is unclear how long this order will remain in effect, but as with the DOJ directive, the intent appears to allow the new administrative to familiarize itself with current issues and allow for a potential change in course.

These actions make clear that the Trump Administration is moving quickly to take charge of environmental policy and enforcement at DOJ and EPA. We will continue to monitor these developments as they unfold under the new administration.

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