

GAF submission Update to the UPR of the United States of America

UPR session 2026

Since January 2025, when President D. Trump took office, the United States of America has undertaken significant changes in their policies and regulations directly impacting its ability to achieve objectives and goals agreed to by the international community. This transition has followed the logic of "Energy Dominance" and regulatory restraint, and it is characterized by the rescission of major climate rules and reforms to accelerate industrial and energy projects without environmental protection requirements.

On 20 January 2025, the administration issued Executive Order 14154- Unleashing American Energy which sets the agenda until today (2026) and revoked previous climate-focused orders (like E.O. 13990 of January 20, 2021, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis) and directed agencies to eliminate "undue burdens" on domestic energy production.ⁱ The administration issues a National Energy Emergency Declaration, which was used to facilitate mineral production and coal industry revitalization efforts throughout 2025.

In a historic move, on 12 February 2025, the **Environmental Protection Agency- EPA** issued its Final Rule rescinding the Endangerment Finding, which in 2009, declared that greenhouse gas emissions endanger public health and safety. This action removed the legal basis for the EPA to regulate greenhouse gases from motor vehicles under the Clean Air Act.ⁱⁱ The decision effectively repealed GHG emission standards for light-, medium-, and heavy-duty vehicles.

The EPA also requested the court to vacate the 2024 revised National Ambient Air Quality Standards (NAAQS) for fine particulate matter, which had lowered the annual concentration from 12µg/m³ to 9µg/m³. In February 2025, the EPA rescinded the 2024 strengthening of emissions standards for mercury and other toxic pollutants from power plants Mercury and Air Toxics Standards), citing a need to re-evaluate the cost-benefit analysis.

To reduce the time required for environmental impact reviews the administration has undertaken measures of "modernization" of the **National Environmental Policy Act (NEPA)**, which have resulted in weakened environmental protection. Thus, on 25 February 2025, the Council on Environmental Quality- CEQ issued an interim final rule that rescinded previous NEPA implementing regulations, effective April 2025. This returned the focus to procedural efficiency over substantive climate analysis.ⁱⁱⁱ

On 7 April 2026, **U.S. Department of Agriculture (USDA)** finalized its Final Rule adopting the changes introduced in the Interim Final Rule published on July 3, 2025, which consolidated seven agency-specific NEPA regulations into a single, department wide framework, reducing the overall volume of regulations by 66 percent.^{iv} The Department of the Interior (DOI) also rescinded 80% of its prior NEPA regulations to accelerate approvals for energy and wildfire mitigation projects.

Policy measures have prioritized the extraction of minerals and fossil fuels on federal lands. On 27 March 2026, the **EPA established biofuel blending mandates (Renewable Fuel**

Standard (RFS) "Set 2") for 2026–2027. While it increased volumes for certain biofuels to support rural economies, it also included a partial waiver of the 2025 cellulosic biofuel mandate.^v

Federal actions have undermined local and state governments' ability to carry out their human rights obligations regarding the environment. These federal infringements, and local/state resistance, are outlined in the appendix.

In 2025, the Trump administration filed various lawsuits against state attempts to regulate the climate, arguing it is federal, not state, authority to regulate national emissions and interstate commerce (i.e. Vermont and New York's Climate Superfunds; Hawaii and Michigan's plans to sue fossil fuel corporations).^{vi} Trump also signed three Congressional Review Act resolutions banning states from setting higher emission standards than the federal government.^{vii}

The Finding of the Environmental Protection Agency rescinding the Endangerment Finding which, in conjunction with the Clean Air Act, had served as the legal basis for all federal regulation of greenhouse gases. Not only is this withdrawal a symbolic abandonment of belief in climate science, but it also removes federal authority to regulate greenhouse gases.

State authority is now left in a legal grey area. While environmental organizations and states have made the argument that the EPA's abdication of authority leaves regulation up to state discretion, the EPA asserts in its Final Rule that the Clean Air Act "continues to pre-empt" state authority.^{viii} Either way, it is clear the Trump administration, from every angle possible, is attacking the nation's ability to prevent climate change.

The Trump administration has also cut funds for various climate programmes. The Fiscal Year 2026 budget proposals reflect these policy shifts through significant funding reallocations. These include a reduction of 23 per cent of the EPA budget, including the elimination of the Environmental Justice and Atmospheric Protection (Climate) programmes; 109 million USD budget cut for the U.S. Fish and Wildlife Service, impacting Endangered Species Act enforcement, while it proposes an increment of 14.8 billion USD for the Department of the Interior- DOI. On October 1st, 2025, the Department of Energy announced \$7.56 billion in cuts to 223 climate projects.^{ix} On February 4th 2026, the Department of Transportation cut \$943 million from various programs, including promoting electric vehicles and green buses.^x On February 6th, 2025, the Federal Highway Administration announced the suspension of the \$5 billion National Electric Vehicle Infrastructure program.^{xi} Trump has also repeatedly pulled funding from the Federal Emergency Management Agency and denied disaster relief.^{xii} His National Security Advisor said state and local governments "often remain an impediment to their own community's resilience."^{xiii}

Given such explicit federal attacks, states and municipalities have been forced to respond, in efforts to restore the protection of human rights. These entities have filed an array of lawsuits against Trump's actions, met with varying levels of success.

In one example, after FEMA terminated the Building Resilient Infrastructure and Communities program, a coalition of 20 states filed suit. They argued that this withheld Congressionally appropriated funds and violated core Separation of Powers principles.^{xiv} They

ultimately won, as the court ruled the termination illegal and mandated BRIC's reestablishment.^{xv}

In another, ongoing case, 23 state attorneys general filed suit to force the Trump administration to unfreeze FEMA funds.^{xvi} Though the court granted requests for a temporary restraining order blocking the freeze, a preliminary injunction, and an enforcement order, the Trump administration continually refused to unblock the funding.¹⁹

The Trump administration has not only denied the capacity of federal and state governments to act on climate matters, but evaded attempts at accountability. It is clear responsibility has fallen on states to protect human rights, given the federal government's abandonment of the climate cause.

ⁱ White House, Unleashing American Energy, 2025 <https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>

ⁱⁱ Final Rule: Rescission of the Greenhouse Gas Endangerment Finding and Motor Vehicle Greenhouse Gas Emission Standards Under the Clean Air Act

<https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-rescission-greenhouse-gas-endangerment>

Rescission of the Greenhouse Gas Endangerment Finding and Motor Vehicle Greenhouse Gas Emission Standards Under the Clean Air Act, United States Environmental Protection Agency, 18 February 2026, <https://www.govinfo.gov/content/pkg/FR-2026-02-18/pdf/2026-03157.pdf>.

Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, Environmental Protection Agency, <https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a>.

ⁱⁱⁱ National Environmental Policy Act,

<https://www.federalregister.gov/documents/2026/04/03/2026-06537/national-environmental-policy-act>

^{iv} USDA Finalizes Historic Regulatory Reform in National Environmental Policy Act Final Rule

<https://www.usda.gov/about-usda/news/press-releases/2026/04/07/usda-finalizes-historic-regulatory-reform-national-environmental-policy-act-final-rule>

^v <https://www.hklaw.com/en/insights/publications/2026/04/epa-boosts-biofuel-mandates-in-final-renewable-fuel-standard-rule>

^{vi} United States District Court for the District of Vermont, *United States v. Vermont et al.*, Civil Action No. 2:25-cv-463, Complaint for Declaratory and Injunctive Relief, 01 May 2025,

<https://www.justice.gov/opa/media/1398811/dl?inline>.

United States District Court for the District of New York, *United States v. New York et al.*, Civil Action No. 1:25-cv-03656, Complaint for Declaratory and Injunctive Relief, 01 May 2025,

<https://www.justice.gov/opa/media/1398816/dl?inline>

United States District Court for the District of Hawaii, *United States v. Hawaii et al.*, Civil Action No. 1:25-cv-00179, Complaint for Declaratory and Injunctive Relief, 30 April 2025,

<https://www.justice.gov/opa/media/1398726/dl?inline>

United States District Court for the Western District of Michigan, *United States v. Michigan et al.*, Civil Action No. 1:25-cv-496, Complaint for Declaratory and Injunctive Relief, 30 April 2025,

<https://www.justice.gov/opa/media/1398731/dl?inline>

^{vii} Donald J. Trump, "Statement by the President", The White House, 12 June 2025,

<https://www.whitehouse.gov/briefings-statements/2025/06/statement-by-the-president/>

^{viii} United States District Court for the District of Vermont, *United States v. Vermont et al.*, Civil Action No. 2:25-cv-00463, Intervenor-Defendants' Notice of Supplemental Authority, 27 February 2026,

<https://www.documentcloud.org/documents/27422731-vermont/>

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<https://www.govinfo.gov/content/pkg/FR-2026-02-18/pdf/2026-03157.pdf>

^{ix} Energy Department Announces Termination of 223 Projects, Saving Over \$7.5 Billion, United States

Department of Energy, 01 October 2025, <https://www.energy.gov/articles/energy-department-announces-termination-223-projects-saving-over-75-billion>

^x Rachel Frazin, Trump administration directs rescission of \$1.5B from blue states on health, transportation, The Hill, 05 February 2026, <https://thehill.com/policy/energy-environment/5725217-trump-blue-states-funding-minnesota-colorado-evs-hiv/>

^{xi} Suspending Approval of State Electric Vehicle Infrastructure Deployment Plans, United States Federal Highway Administration, 06 February 2025, <https://www.artba.org/wp-content/uploads/2025/02/State-Plan-Approval-Suspension.pdf>

^{xii} United States Committee on Appropriations, “Top Watchdog Again Finds Trump Has Illegally Blocked FEMA Funds—Including for Disaster Preparedness Systems”, 29 September 2025, <https://www.appropriations.senate.gov/news/minority/top-watchdog-again-finds-trump-has-illegally-blocked-fema-fundsincluding-for-disaster-preparedness-systems>

Rachel Jacobson and Mikaela Tojo, “Trump Administration Actions Weakening Disaster Preparation and Response”, Centre on Budget Policies and Priorities, 19 November 2025, <https://www.cbpp.org/blog/trump-administration-actions-weakening-disaster-preparation-and-response>

^{xiii} Alex Brown and Stateline, “Trump Denies Disaster Aid, Tells States To Do More”, Association of State Floodplain Managers, 02 May 2025, <https://www.floods.org/news-views/fema-news/trump-denies-disaster-aid-tells-states-to-do-more/>

^{xiv} United States District Court for the District of Massachusetts, *State of Washington et al. v. Federal Emergency Management Agency et al.*, Civil Action No. 1:25-cv-12006, Complaint, 16 July 2025, <https://ag.ny.gov/sites/default/files/court-filings/state-of-washington-et-al-v-federal-emergency-management-agency-et-al-complaint-2025.pdf>.

^{xv} United States District Court for the District of Massachusetts, *State of Washington et. al. v. Federal Emergency Management Agency et. al.*, Civil Action No. 1:25-cv-12006, Memorandum and Order on Cross-Motions for Summary Judgment, 11 December 2025, <https://perma.cc/JVV2-TF7Z>.

^{xvi} Office of the New York State Attorney General, “Attorney General James Takes Action to Stop Trump from Withholding Critical Disaster Relief Funding”, 25 March 2025, <https://ag.ny.gov/press-release/2025/attorney-general-james-takes-action-stop-trump-withholding-critical-disaster>.

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