



Institute for
Policy Integrity

NEW YORK UNIVERSITY SCHOOL OF LAW

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COURT RULES AGAINST TRUMP'S ROYALTY REFORM FREEZE

Today, the U.S. District Court for the Northern District of California [ruled](#) that the Department of Interior's postponement of an Obama-era rule that changed procedures governing the valuation of coal, oil, and gas mined on public lands is illegal. Interior postponed this rule indefinitely after it was already in force and without seeking public comment, effectively repealing it. The court found that Interior violated the Administrative Procedure Act by postponing the rule after it was already in force. In addition, Interior violated the requirement to ask the public for its views before effectively repealing a valid and enforceable rule in this way.

Interior's illegal postponement is part of a broader pattern. Just over a month ago, another court [vacated](#) a different rule postponement issued by the Environmental Protection Agency. And as the court recognized in today's ruling, other federal agencies have been relying on the same statutory provision Interior used when they have postponed other Obama-era rules. Lawsuits over those postponements are currently pending and will likely be influenced by this court's decision.

Professor Richard Revesz, director of the Institute for Policy Integrity at New York University School of Law, has released the following statement on this ruling:

“This ruling is another example of how federal agencies under President Trump have been using illegal maneuvers to roll back environmental safeguards. By ignoring the rule of law, the administration has turned its anti-regulatory strategy into a house of cards.”

Bethany Davis Noll, senior attorney at the Institute for Policy Integrity, has released the following statement:

“Federal agencies under President Trump have been attempting to stealthily repeal Obama-era rules without asking the public to comment on those actions. The Administrative Procedure Act's requirement that agencies seek public input before repealing or indefinitely suspending regulations helps guard against agency overreach. This ruling shows how agencies have run amok and flouted these requirements.”

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