STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD

IN THE MATTER OF PROPOSED
ADOPTION OF 20.2.92 NMAC -
Clean Transportation Fuels Program **No. EIB 25-23 (R)**

MAXWELL'S PUBLIC COMMENT
ON FEDERAL ACTION RELEVANT TO THE PROPOSED RULE

Mr. Nicholas R. Maxwell submits this public comment in opposition to the proposed Clean Transportation Fuel Program (CTFP). He regularly participates in environmental rulemakings to promote transparent, lawful, and feasible frameworks that protect New Mexico communities without imposing speculative or impracticable mandates. He files this comment to address material changes in federal funding and program posture that directly undermine the feasibility assumptions underlying this petition.

Since this rule was noticed, the federal funding landscape has shifted dramatically. Today, October 2, 2025, the U.S. Department of Energy (DOE) announced the termination of 223 projects, claiming savings of over $7.5 billion and eliminating awards across multiple program offices, with a 30-day appeal window for affected awardees (Maxwell Exhibit 1). Earlier this year, the White House issued a fact sheet, "Ending the Green New Scam," outlining proposed rescissions and cancellations of billions of dollars in federal programs, including electric vehicle (EV) charging, grid upgrades, and renewable-fuel initiatives (Maxwell Exhibit 2). On October 1, 2025, Office of Management and Budget Director Russ Vought confirmed in a public post on social media platform X that approximately $8 billion in such funding is on the chopping block, and specifically listed New Mexico among the states affected (Exhibit 3). Independent national reporting has underscored the scope of the shutdowns and their disruption to clean-energy programs relied upon by states.[1]

These actions are not peripheral. The Department's modeling, fiscal notes, and implementation timelines assume robust federal cost shares, grants, and support for charging infrastructure, grid modernization, and advanced fuels. The sudden curtailment of these programs raises profound doubts about feasibility. If federal electric vehicle supply equipment (EVSE) funding is reduced or delayed, corridor and community coverage in New Mexico will lag, undermining adoption milestones and credit-generation assumptions. Terminations in DOE grid-deployment portfolios will slow necessary upgrades to transformers and interconnection capacity, delaying both EV charging deployment and low-carbon fuel production. Reduced federal support for early-stage fuels will shrink the pool of CTFP credits, driving up compliance costs and disproportionately harming consumers, fleets, and small businesses. Meanwhile, rescissions of environmental justice and community-benefit funding will leave equity commitments hollow, shifting burdens onto already disadvantaged populations.

New Mexico law requires the Board to adopt rules supported by a substantial evidence record that reflects current conditions. Proceeding on the basis of stale assumptions invites arbitrary-and-capricious challenges, while exposing the public to mandates that may prove infeasible and inequitable. For this reason, the record should be updated with analyses addressing feasibility, cost, infrastructure readiness, credit-market impacts, and equity commitments in light of the changed federal landscape. If those analyses confirm that the program cannot be

1 See: Lisa Friedman, Trump Administration Orders Energy Department to Shut Down Clean Energy Programs (New York Times, Oct. 2, 2025), archived at: https://web.archive.org/web/20251002152554/https://www.nytimes.com/2025/10/02/climate/doe-clean-energy-programs-shutdown.html

implemented equitably or on a sound economic basis without federal support, the Board should decline to adopt the CTFP at this time, without prejudice to a future petition supported by stable funding and credible implementation pathways.

Respectfully submitted,

By: -*s- Nicholas Maxwell*
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Maxwell's Exhibits:

- Exhibit 1: U.S. Department of Energy, Energy Department Announces Termination of 223 Projects, Saving Over $7.5 Billion (Sept. 30, 2025).
  Source: https://www.energy.gov/articles/energy-department-announces-termination-223-projects-saving-over-75-billion
- Exhibit 2: White House, Ending the Green New Scam – Fact Sheet (May 2025).
  Source: https://www.whitehouse.gov/wp-content/uploads/2025/05/Ending-the-Green-New-Scam-Fact-Sheet.pdf
- Exhibit 3: Russ Vought, Director of OMB, public post on X (Oct. 1, 2025). A printed version of the post was generated in 8.5x11 format using https://twitter-thread.com.
  Source: https://x.com/russvought/status/1973450301236715838.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of my public comment was served by email on October 2, 2025 to all parties of record, with a hard copy mailed upon request.

-*s- Nicholas Maxwell*
Mr. Nicholas R. Maxwell

Energy Department Announces Termination of 223 Projects, Saving Over $7.5 Billion

The U.S. Department of Energy today announced the termination of 321 financial awards supporting 223 projects, resulting in a savings of approximately $7.56 billion dollars for American taxpayers.

Energy.gov

October 2, 2025

2 min

WASHINGTON—The U.S. Department of Energy (DOE) today announced the termination of 321 financial awards supporting 223 projects, resulting in a savings of approximately $7.56 billion dollars for American taxpayers. Following a thorough, individualized financial review, DOE determined that these projects did not adequately advance the nation's energy needs, were not economically viable, and would not provide a positive return on investment of taxpayer dollars.

The awards were issued by the Offices of Clean Energy Demonstrations (OCED), Energy Efficiency and Renewable Energy (EERE), Grid Deployment (GDO), Manufacturing and Energy Supply Chains (MESC), Advanced Research Projects Agency-Energy (ARPA-E) and Fossil Energy (FE).

"On day one, the Energy Department began the critical task of reviewing billions of dollars in financial awards, many rushed through in the final months of the Biden administration with inadequate documentation by any reasonable business standard," **Secretary Wright** said. "President Trump promised to protect taxpayer dollars and expand America's supply of affordable, reliable, and secure energy. Today's cancellation's deliver on that commitment. Rest assured, the Energy Department will continue reviewing awards to ensure that every dollar works for the American people."

Of the 321 financial awards terminated, 26% were awarded between Election Day and Inauguration Day. Those awards alone were valued at over $3.1 billion.

In May 2025, Secretary Wright issued a Secretarial Memorandum entitled, "Ensuring Responsibility for Financial Assistance," establishing a new policy for evaluating financial awards. The policy authorized program offices to request additional information from awardees. It also required that awards be reviewed on a case-by-case basis to identify waste, safeguard taxpayer dollars, protect America's national security, and advance President Trump's commitment to deliver affordable, reliable, and secure energy for the American people.

Using this review process, DOE evaluated each of these awards and determined that they did not meet the economic, national security or energy security standards necessary to justify continued investment.

As outlined in the Secretary's memorandum, award recipients have 30 days to appeal a termination decision. Some of the projects included in this announcement have already begun that process.

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ENDING THE GREEN NEW SCAM

President Trump is committed to eliminating funding for the globalist climate agenda while unleashing American energy production. The President's FY 2026 Budget eliminates funding for the Green New Scam.

Ending the Green New Scam Cuts Highlights:

- **Infrastructure Investment and Jobs Act (IIJA) Green New Deal Funding.** The Budget cancels over $15 billion in IIJA "Green New Deal" funds purposed for unreliable renewable energy, removing carbon dioxide from the air, and other costly technologies that burden ratepayers and consumers. The Budget also ends taxpayer handouts to electric vehicle (EV) and battery makers, and cancels $6 billion in IIJA funds for wasteful and ineffective EV charger programs. The Biden Administration spent more than three years implementing these programs, but built only a small number of chargers because it prioritized over-regulating and "climate justice" goals. EV chargers should be built just like gas stations: with private sector resources disciplined by market forces.

- **Global Environment Facility and Climate Investment Funds.** The Budget eliminates U.S. contributions to the Global Environment Facility and the Climate Investment Funds, both which are globalist entities that fund "Green New Deal" policies abroad to the detriment of the American taxpayer and recipient nations.

- **Environmental Protection Agency (EPA) Environmental Justice.** The Budget saves taxpayers $100 million by eliminating the environmental justice program that enabled a witch hunt against private industry. The environmental justice program gave taxpayer dollars to political cronies who exploited the program's racial preferencing policies to advance an anti-oil and gas crusade. The program established an "Environmental Justice Concern" policy to preference minorities because they are "especially vulnerable… to climate change because of their limited adaptive capacity." Green New Deal programs, like a $600 million 'Thriving Communities' Grantmakers program that provided funding to organizations that are committed to the radical energy agenda and receive funding from wealthy donors.

- **EPA Research Grants to Non-Governmental Organizations (NGOs).** The Budget eliminates funding for woke EPA research grants to environmental NGOs that advance the radical climate agenda. These programs have funded the National Resources Defense Council, which is involved in "climate litigation" against coal workers and was a key participant in shutting down the Keystone XL pipeline.

- **National Oceanic and Atmospheric Administration (NOAA) Grants and Research.** NOAA's educational grant programs have consistently funded efforts to radicalize students against markets and spread environmental alarmism. These NOAA grants funded activities such as a "Policy Experience in Equity Climate and Health" fellowship and NOAA Climate Adaptation Partnerships which funded webinars promoting a children's book "designed to foster conversations about climate anxiety," as therapy. NOAA funded projects that prioritized diversity, equity, and inclusion-focused MWEEs (meaningful watershed education experiences about climate change) with the goal of embedding this into elementary school curricula. The Budget also terminates a variety of climate-dominated research programs that are not aligned with Administration policy of ending "Green New

Deal" initiatives, saving taxpayers $1.3 billion. For example, NOAA scammed taxpayers by funding Columbia University for a project "gender-responsive agricultural adaptation" in Guatemala and Mexico. Universities researching "Equity Focused Community Engagement" received funding for diversity-focused assessments of neighborhoods under the guise of addressing climate change. NOAA also supported radical community activism through a grant to We Stay/Nos Quedamos Inc. for "environmental literacy."

- **Department of Energy (DOE) Energy Efficiency and Renewable Energy (EERE).** The Budget cuts $2.5 billion from DOE's EERE program which funneled billions of taxpayer dollars into unreliable energy and EVs to advance the destructive "Green New Deal" agenda. EERE is also responsible for outlandish regulations that drive up costs for American families, like banning gas stoves and incandescent light bulbs. The Budget proposal refocuses spending on research and development, technologies improving baseload power, and bioenergy, while saving taxpayers over $2.5 billion.

- **Advanced Research Projects Agency - Energy (ARPA-E).** The Budget reduces funding for ARPA-E to refocus its research on technologies that produce reliable, domestic power, while eliminating funding for technologies favored by the globalist climate agenda. Under the Biden Administration, ARPA-E launched the "EVs4ALL" program with the goal of forcing EVs onto American consumers. APRA-E funneled hundreds of millions of dollars to projects focused on advancing "Green New Deal" objectives, such as electrifying air-travel.

- **Renewable Energy Programs at the Department of the Interior.** The Budget saves taxpayers $80 million by eliminating the Department of Interior's renewable energy programs that facilitate unreliable energy to the detriment of American consumers, businesses, and communities. This includes eliminating funding that supports disastrous offshore wind energy projects that harm coastal communities, wildlife, and military readiness.

- **Bureau of Land Management (BLM) Conservation Programs.** BLM's conservation programs were abused by the Biden Administration to subsidize "Green New Deal" programs and proliferate climate radicalism. NGO beneficiaries of this program like the National Environmental Education Foundation received taxpayer dollars to indoctrinate children in classes focused on 'climate emotions.' The Budget would eliminate these wasteful programs to disempower the climate agenda and prevent further misuse of taxpayer money.

Russ Vought @russvought

Oct 01 · 1 tweets

Nearly $8 billion in Green New Scam funding to fuel the Left's climate agenda is being cancelled. More info to come from @U.S. Department of Energy.

The projects are in the following states: CA, CO, CT, DE, HI, IL, MD, MA, MN, NH, NJ, NM, NY, OR, VT, WA

Source: https://x.com/russvought/status/1973450301236715838
Thread: https://twitter-thread.com/t/1973450301236715838