



The Policy Pendulum & Risks of
Establishing Energy Policy Through

Executive Order

What The Study Was About

Executive orders have long played a critical role in executive policymaking—and their usage has actually declined since the mid-twentieth century—but their influence is not always well understood. This white paper examines the process of executive order issuance and historic effects on the energy industry.



Why It Was Needed

In a political climate already prone to drastic swings of the “policy pendulum,” a term which refers to the dramatic swings in public policy that occur during partisan-driven shifts in the executive branch and other bodies of governance,¹ it is important to understand the history, nature, and evolution of executive order usage.

What The Authors Concluded

Ultimately, though the policy pendulum is not necessarily unique to executive orders, they can easily set the pendulum’s swing in motion with more speed and politically motivated influence than other types of policymaking. Given the size, extended timelines, and often symbolic meaning of large-scale energy projects, they are particularly vulnerable to disruption from the swinging pendulum. Developing and innovating energy on a meaningful and sustained scale in the U.S. requires significant planning and investment, both of which are more difficult to sustain in an environment of regulatory uncertainty abetted by reliance on executive orders.



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School of Energy Resources
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¹ Edward Arnett, *Conservation and the political pendulum*, FRONTIERS IN ECOLOGY AND THE ENVIRONMENT (Dec. 3, 2018), <https://esajournals.onlinelibrary.wiley.com/doi/full/10.1002/fee.1982>.