



Twelve States Sue Biden Administration Over Executive Order on Climate Change

A coalition of 12 states filed a [lawsuit](#) in U.S. District Court of Eastern Missouri against President Joe Biden and several members of his administrations on Monday. The suit claims that Biden and his administration have taken upon themselves the “unilateral power to dictate specific values for the ‘social costs’ of greenhouse gases in virtually every regulatory program administered by the federal government.”

The suit challenges Biden’s [Executive Order](#) on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, which was signed on Inauguration Day. Among the many dictates in the order, it requires that a “working group” be convened to assess the “social costs” of carbon and greenhouse gases, which are meant to account monetarily for the alleged risks involved in climate change.



Photo: matt_benoit / iStock / Getty Images Plus

And that “working group” has been busy already, assigning those monetary “social costs,” which number in the trillions.

Although the suit doesn’t reference it, the executive order in question is also the same one Biden used to revoke the permit for the Keystone XL Pipeline, which ended the jobs of more than 11,000 Americans.

The suit alleges that Biden and his administration have usurped the role of the legislature in assessing monetary values for the possible role of human generated greenhouse gases and the role they may play in predicted climate disasters of the future. According to the lawsuit: “Assigning such values is a quintessentially legislative action that falls within Congress’s exclusive authority under Article 1 of the Constitution.”

The suit accuses Biden and the other defendants of violating the separation of powers; violating agency statutes, specifically the Environmental Protection Agency (EPA); violating the Administrative Procedures Act (APA) including a substantive violation of the APA.

The suit is being led by the State of Missouri and its Attorney General Eric Schmitt. Also included are state attorneys general from Arkansas, Arizona, Indiana, Kansas, Montana, Nebraska, Ohio, Oklahoma, South Carolina, Tennessee, and Utah.

“Manufacturing, agriculture, and energy production are essential to Missouri’s economy and employ



Written by [James Murphy](#) on March 9, 2021

thousands of hard-working Missourians across the state. Under President Biden’s executive order, which he didn’t have the authority to enact, these hard-working Missourians who have lived [on] and worked this land for generations could be left in the dust,” said Schmitt. “From higher energy bills to lost jobs, this massive extension of federal regulator power has the potential to impact nearly every household in this state — that’s why today I’m leading a coalition of states to put a stop to this executive order and protect Missouri families.

The suit cites the results of the “Working Group’s” first preliminary [report](#), which was released in February, as to the type of “social costs” we can expect from them in the future.

The suit notes that if rates of emissions of greenhouse gases are similar in the future to those of 2019, the “social costs” as determined by Biden’s “working group” for 2020 could amount to approximately \$269 billion for carbon dioxide; \$990 billion for methane and \$8.24 trillion for nitrous oxide.

“Collectively, using the Working Group’s values at the principal discount rate of 3 percent, the collective social costs of all three gases in 2020 would be approximately \$9.5 trillion. This number gives some idea of the magnitude of the regulatory costs on the American economy that the Interim Values would justify,” the suit reads.

The suit continues: “The potential regulatory impact is enormous. These numbers are high enough to justify massive increases in regulatory restrictions in agricultural practices, energy production, energy use, or any other economic activity that results in the emission of such gases.”

The suit further claims that Biden’s executive order will “destroy jobs, stifle energy production, strangle America’s energy independence, suppress agriculture, deter innovation, and impoverish working families.” Further, “It undermines the sovereignty of the States and tears at the fabric of liberty.”

Besides Biden, other defendants named in the suit include Secretary of Transportation and Biden campaign rival Pete Buttigieg; Secretary of Agriculture Tom Vilsack; Acting Secretary of the Interior Scott de la Vega and the Interagency Working Group of Social Costs of Greenhouse Gases itself.

The suit asks the court to grant permanent and injunctive relief against Biden and the other defendants and essentially nullify any of the Working Group’s findings.



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