

118TH CONGRESS
2D SESSION

H. R. 9970

To prohibit Federal agencies from considering, in taking any action, the social cost of carbon, the social cost of methane, the social cost of nitrous oxide, or the social cost of any other greenhouse gas, unless compliant with Office of Management and Budget guidance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2024

Mr. HUDSON (for himself, Mr. HERN, Mr. PFLUGER, Mr. CAREY, Mr. BIGGS, Mr. RESCHENTHALER, Mr. WALBERG, Mr. LATURNER, Mr. BABIN, Mr. LANGWORTHY, Mr. ROY, Ms. LEE of Florida, and Mr. DUNCAN) introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit Federal agencies from considering, in taking any action, the social cost of carbon, the social cost of methane, the social cost of nitrous oxide, or the social cost of any other greenhouse gas, unless compliant with Office of Management and Budget guidance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Transparency and
3 Honesty in Energy Regulations Act of 2024”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **FEDERAL AGENCY.**—The term “Federal
7 agency” means has the meaning given the term
8 “agency” in section 551 of title 5, United States
9 Code.

10 (2) **SOCIAL COST OF CARBON.**—The term “so-
11 cial cost of carbon” means—

12 (A) the estimate of the social cost of car-
13 bon described in—

14 (i) the document entitled “Technical
15 Support Document: Social Cost of Carbon
16 for Regulatory Impact Analysis Under Ex-
17 ecutive Order 12866”, published by the
18 Interagency Working Group on Social Cost
19 of Carbon, United States Government, in
20 February 2010;

21 (ii) the document entitled “Technical
22 Support Document: Social Cost of Carbon,
23 Methane, and Nitrous Oxide Interim Esti-
24 mates under Executive Order 13990”,
25 published by the Interagency Working
26 Group on Social Cost of Greenhouse

1 Gases, United States Government, in Feb-
2 ruary 2021;

3 (iii) the document entitled “Technical
4 Support Document: Technical Update of
5 the Social Cost of Carbon for Regulatory
6 Impact Analysis Under Executive Order
7 12866”, published by the Interagency
8 Working Group on Social Cost of Carbon,
9 United States Government, in May 2013
10 and revised in November 2013 and July
11 2015, and published and revised by the
12 Interagency Working Group on the Social
13 Cost of Greenhouse Gases, United States
14 Government, in August 2016;

15 (iv) the document entitled “Regu-
16 latory Impact Analysis for the New Source
17 Performance Standards for Greenhouse
18 Gas Emissions from New, Modified, and
19 Reconstructed Fossil Fuel-Fired Electric
20 Generating Units; Emission Guidelines for
21 Greenhouse Gas Emissions from Existing
22 Fossil Fuel-Fired Electric Generating
23 Units; and Repeal of the Affordable Clean
24 Energy Rule”, published by the Adminis-

1 trator of the Environmental Protection
2 agency in April 2024;

3 (v) the document entitled “Regulatory
4 Impact Analysis for the Final Federal
5 Good Neighbor Plan Addressing Regional
6 Ozone Transport for the 2015 Ozone Na-
7 tional Ambient Air Quality Standard”,
8 published by the Administrator of the En-
9 vironmental Protection agency in March
10 2023;

11 (vi) the document entitled “Regu-
12 latory Impact Analysis for the Final Na-
13 tional Emission Standards for Hazardous
14 Air Pollutants: Coal- and Oil-Fired Elec-
15 tric Utility Steam Generating Units Re-
16 view of the Residual Risk and Technology
17 Review”, published by the Administrator of
18 the Environmental Protection agency in
19 April 2024;

20 (vii) the document entitled “Benefit
21 and Cost Analysis for Supplemental Efflu-
22 ent Limitations Guidelines and Standards
23 for the Steam Electric Power Generating
24 Point Source Category”, published by the

1 Administrator of the Environmental Pro-
2 tection agency on April 18, 2024; or

3 (viii) any successor or substantially
4 related document; and

5 (B) any other estimate of the monetized
6 damages associated with an incremental in-
7 crease in carbon dioxide emissions in a given
8 year.

9 (3) SOCIAL COST OF GREENHOUSE GASES.—

10 The term “social cost of greenhouse gases” means—

11 (A) the estimate of the social cost of any
12 greenhouse gas that is described in—

13 (i) the document entitled “Technical
14 Support Document: Social Cost of Carbon
15 for Regulatory Impact Analysis Under Ex-
16 ecutive Order 12866”, published by the
17 Interagency Working Group on Social Cost
18 of Carbon, United States Government, in
19 February 2010;

20 (ii) the document entitled “Technical
21 Support Document: Technical Update of
22 the Social Cost of Carbon for Regulatory
23 Impact Analysis Under Executive Order
24 12866”, published by the Interagency
25 Working Group on Social Cost of Carbon,

1 United States Government, in May 2013
2 and revised in November 2013 and July
3 2015, and published and revised by the
4 Interagency Working Group on the Social
5 Cost of Greenhouse Gases, United States
6 Government, in August 2016;

7 (iii) the document entitled “Adden-
8 dum to Technical Support Document on
9 Social Cost of Carbon for Regulatory Im-
10 pact Analysis under Executive Order
11 12866: Application of the Methodology to
12 Estimate the Social Cost of Methane and
13 the Social Cost of Nitrous Oxide”, pub-
14 lished by the Interagency Working Group
15 on Social Cost of Greenhouse Gases,
16 United States Government, in August
17 2016;

18 (iv) the document entitled “Technical
19 Support Document: Social Cost of Carbon,
20 Methane, and Nitrous Oxide Interim Esti-
21 mates under Executive Order 13990”,
22 published by the Interagency Working
23 Group on Social Cost of Greenhouse
24 Gases, United States Government, in Feb-
25 ruary 2021; or

1 (v) any successor or substantially re-
2 lated document; and

3 (B) any other estimate of the monetized
4 damages associated with an incremental in-
5 crease in greenhouse gas emissions in a given
6 year.

7 (4) SOCIAL COST OF METHANE.—The term “so-
8 cial cost of methane” means—

9 (A) the estimate of the social cost of meth-
10 ane described in—

11 (i) the document entitled “Addendum
12 to Technical Support Document on Social
13 Cost of Carbon for Regulatory Impact
14 Analysis under Executive Order 12866:
15 Application of the Methodology to Esti-
16 mate the Social Cost of Methane and the
17 Social Cost of Nitrous Oxide”, published
18 by the Interagency Working Group on So-
19 cial Cost of Greenhouse Gases, United
20 States Government, in August 2016;

21 (ii) the document entitled “Technical
22 Support Document: Social Cost of Carbon,
23 Methane, and Nitrous Oxide Interim Esti-
24 mates under Executive Order 13990”,
25 published by the Interagency Working

1 Group on Social Cost of Greenhouse
2 Gases, United States Government, in Feb-
3 ruary 2021;

4 (iii) the document entitled “Benefit
5 and Cost Analysis for Supplemental Efflu-
6 ent Limitations Guidelines and Standards
7 for the Steam Electric Power Generating
8 Point Source Category”, published by the
9 Administrator of the Environmental Pro-
10 tection agency on April 18, 2024; or

11 (iv) any successor or substantially re-
12 lated document; and

13 (B) any other estimate of the monetized
14 damages associated with an incremental in-
15 crease in methane emissions in a given year.

16 (5) SOCIAL COST OF NITROUS OXIDE.—The
17 term “social cost of nitrous oxide” means—

18 (A) the estimate of the social cost of ni-
19 trous oxide described in—

20 (i) the document entitled “Addendum
21 to Technical Support Document on Social
22 Cost of Carbon for Regulatory Impact
23 Analysis under Executive Order 12866:
24 Application of the Methodology to Esti-
25 mate the Social Cost of Methane and the

1 Social Cost of Nitrous Oxide”, published
2 by the Interagency Working Group on So-
3 cial Cost of Greenhouse Gases, United
4 States Government, in August 2016;

5 (ii) the document entitled “Technical
6 Support Document: Social Cost of Carbon,
7 Methane, and Nitrous Oxide Interim Esti-
8 mates under Executive Order 13990”,
9 published by the Interagency Working
10 Group on Social Cost of Greenhouse
11 Gases, United States Government, in Feb-
12 ruary 2021; or

13 (iii) any other successor or substan-
14 tially related document; and

15 (B) any other estimate of the monetized
16 damages associated with an incremental in-
17 crease in nitrous oxide emissions in a given
18 year.

1 **SEC. 3. PROHIBITION ON CONSIDERING THE SOCIAL COST**
2 **OF GREENHOUSE GASES, INCLUDING THE SO-**
3 **CIAL COST OF CARBON, THE SOCIAL COST OF**
4 **METHANE, AND THE SOCIAL COST OF NI-**
5 **TROUS OXIDE.**

6 A Federal agency may not consider the social cost
7 of carbon, social cost of methane, social cost of nitrous
8 oxide, or social cost of greenhouse gases—

9 (1) as part of any cost-benefit or cost-effective-
10 ness analysis required under—

11 (A) any law;

12 (B) Executive Order 12866 (5 U.S.C. 601
13 note; relating to regulatory planning and re-
14 view); or

15 (C) Executive Order 13563 (5 U.S.C. 601
16 note; relating to improving regulation and regu-
17 latory review);

18 (2) in any rulemaking;

19 (3) in the issuance of any guidance;

20 (4) in taking any other agency action; or

21 (5) as a justification for any rulemaking, guid-
22 ance document, or agency action.

23 **SEC. 4. REPORT TO CONGRESS.**

24 Not later than 120 days after the date of enactment
25 of this Act, the head of each Federal agency shall submit
26 to the Committees on Environment and Public Works and

1 Energy and Natural Resources of the Senate and the
2 Committees on Energy and Commerce and Natural Re-
3 sources of the House of Representatives a report describ-
4 ing the number of proposed and final rulemakings, guid-
5 ance documents, and agency actions that, since January
6 2009, have used the social cost of carbon, the social cost
7 of greenhouse gases, the social cost of methane, or the
8 social cost of nitrous oxide, including the use of the social
9 cost of carbon, the social cost of greenhouse gases, the
10 social cost of methane, or the social cost of nitrous oxide
11 as part of any cost-benefit analysis required under Execu-
12 tive Order 12866 (5 U.S.C. 601 note; relating to regu-
13 latory planning and review) or other relevant authority.

○