

Legislative Opportunities to Advance Clean Energy

For too long, Republicans have lost control of the narrative on environmental issues. We must continue to oppose massive federal programs to solve problems that states, markets, and individuals can address on their own, but also propose meaningful policy, so we aren't sidelined as the party of "no".

[The American people are with us.](#) Despite recent headlines, top-down, heavy-handed environmental programs are neither supported by Republicans nor the majority of the American people. Poll after poll shows that **Americans want solutions that deliver cleaner air and cleaner water.** The majority of Republican voters support advancing clean energy too.

Now is the time for Congressional Republicans to lead on actionable, free-market solutions that provide a pathway to a cleaner environment while growing jobs and the economy, maintaining our energy independence and securing our nation.

Citizens for Responsible Energy Solutions has compiled a **menu of market-friendly pro-growth legislative recommendations for Republicans to lead on in the 116th Congress.** These solutions are:

- *Committed to innovation* and positioning the U.S. as a global leader in clean energy
- *Leveling the playing-field* so that different energy technologies can compete; the government should not pick winners and losers
- *Outcome oriented* to deliver measurable job growth, capital formation, improvements in local air and water quality, and reduced greenhouse gases
- *Fiscally responsible* and precise interventions that limit cost and growth in government
- *Empowering* individuals, states, and the marketplace to act, invest, and implement the cleanest, lowest-emitting technologies available

Current Policy Priorities (116th Congress)

Confronting a Changing Climate

- **Green Real Deal Resolution.** A conservative response to the unrealistic Green New Deal Resolution. The Green Real Deal stresses the need for, and effectiveness of, free-market solutions to address carbon emissions and subsequently climate change. The resolution argues for an "all of the above approach" to clean energy generation while also highlighting the need for enhanced R&D, carbon capture and sequestration, and recycling programs.
 - [H.Res.288](#) (Reps. Gaetz – FL, Rooney - FL)

Reducing Emissions Through Voluntary Reporting

- [Voluntary Federal Framework](#). Establishing a nationwide system for voluntary reporting carbon emissions, clean energy procurement, and energy efficiency will empower states, municipalities, and businesses to decrease emissions. The framework will increase investment in clean energy and improve transparency and accountability for the benefit of consumers and investors who want results, not greenwashing. Instead of superseding the free market, federal policymakers can build on the achievements of states and momentum inside the private sector to reduce emission by creating a voluntary system that facilitates a “race to the top” with the lightest possible federal touch.

Jobs in Clean Energy

- **Energy Jobs for Our Heroes Act** Would establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry. (*Energy & Natural Resources*)
 - [S.876](#) (Sens. Duckworth – IL, Graham – SC, Bennet – CO, Gardner – CO)
 - House introduction pending

Carbon Capture and Fossil Energy

- **USE IT Act** Would support carbon utilization and direct air capture research. The bill would also support federal, state, and non-governmental collaboration in the construction and development of carbon capture, utilization, and sequestration (CCUS) facilities and carbon dioxide (CO₂) pipelines. (*EPW; E&C, NRC, SST, T&I*)
 - [S.383](#) (Sens. Barrasso – WY, Whitehouse – RI) *Marked up, reported by EPW 4/10/19*
 - [H.R.1166](#) (Reps. Peters – CA, McKinley – WV)
- **Carbon Capture Modernization Act** Would modernize the Section 48A tax credit for clean coal facilities to better support the use of carbon capture and sequestration (CCS) technology. The Section 48A tax credit was first established in 2005, and CO₂ capture projects were made eligible in 2008. However, the current eligibility standards for the credit are not technically or economically feasible for CCS retrofit projects. (*Finance; Ways & Means*)
 - [S.407](#) (Sens. Hoeven – ND, Smith – MN)
 - [H.R.1796](#) (Reps. McKinley – WV, Peterson - MN)
- **Fossil Energy Research and Development Act** Would amend the EAct 2005 to advance environmentally responsible coal and natural gas technologies and further develop monitoring tools for the storage of sequestered carbon dioxide. (*Energy & Natural Resources*)
 - [S.1201](#) (Sens. Manchin – WV, Murkowski - AK)
 - House introduction pending
- **Small Scale LNG Access Act** Would amend the Natural Gas Act to expedite approval of exports of small volumes of natural gas, and for other purposes. (*Energy & Commerce*)
 - [H.R.1836](#) (Reps. Yoho – FL, Waltz – FL)
 - Senate introduction pending

Hydro and Nuclear Energy

- **Nuclear Energy Leadership Act (NELA)** Would establish advanced nuclear goals, provide for a versatile, reactor-based fast neutron source, make available high-assay, low-enriched uranium for R&D, and demonstration of advanced nuclear reactor concepts. *(Energy & Natural Resources)*
 - [S.903](#) (Sen. Murkowski – AK)
 - House introduction pending
- **Advanced Nuclear Fuel Availability Act** Would direct the Department of Energy to develop and deploy high-assay low-enriched uranium for domestic commercial use and to develop a schedule for recovering costs associated with such development. *(Energy & Commerce)*
 - Senate introduction pending
 - [H.R.1760](#) (Rep. Flores – TX, McNerney – CA)
- **RIVER Act** Would reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives. *(Energy & Natural Resources)*
 - [S.859](#) (Sen. Gardner – CO)
 - House introduction pending
- **Nuclear Powers America Act** Would provide existing nuclear power plants with an investment tax credit. *(Finance; Ways and Means)*
 - [S.1134](#) (Sen. Cramer – ND)
 - [H.R.2314](#) (Rep. LaHood – IL)

Grid Modernization

- **Advancing Grid Storage Act** Would require the DOE to establish an energy storage research program, a demonstration and deployment program, and a technical assistance and grant program. *(Energy & Commerce, Science, Space & Technology)*
 - Senate introduction pending
 - [H.R.1743](#) (Reps. Takano – CA, Collins – NY)
- **Expanding Access to Sustainable Energy Act** Would establish an energy storage and microgrid grant and technical assistance program. *(Energy & Natural Resources)*
 - [S.1183](#) (Sens. Klobachar – MN, Moran – KS)
 - House introduction pending
- **Enhancing State Energy Security Planning and Emergency Preparedness Act** Would provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes. *(Energy & Commerce)*
 - [H.R. 2114](#) (Reps. Rush – IL, Upton – MI)
 - Senate introduction pending

Remove Statutory Barriers

- **Renewable Energy Certainty Act** Would allow federal agencies to enter into 30-year PPAs for energy generated from renewable resources or cogeneration. Longer PPA's improve the financial viability of wind projects. Apart from the Department of Defense, Federal agencies can currently only enter into 10-year PPAs with energy providers. *(Energy & Commerce, Oversight & Government Reform)*
 - Senate introduction pending

- [H.R.932](#) (Reps. Welch – VT, Norman – SC)

Tax Incentives for Innovative Technologies

- **Energy Storage Tax Incentive and Deployment Act** Would expand the existing investment tax credit for solar energy and can apply to large, utility-scale energy storage projects or smaller battery systems for residential use. Storage technology is only currently eligible for the ITC in certain cases. *(Finance; Ways & Means)*
 - [S.1142](#) (Sens. Heinrich – NM, Gardner – CO)
 - [H.R.2096](#) (Rep. Doyle – PA)
- **Tax Extender and Disaster Relief Act of 2019** Would amend the Internal Revenue Code to extend certain expired and expiring tax provisions, many of which incentivize investments in the clean energy space. *(Finance)*
 - [S.617](#) (Sen. Grassley – IA)
 - House introduction pending
- **Energy Storage Tax Incentive and Deployment Act** amend the Internal Revenue Code extend to batteries and other electric storage systems the same 30 percent ITC offered to solar PV systems. *(Finance)*
 - [S.1142](#) (Sens. Heinrich – NM, Gardner – CO)
 - House introduction pending

Transportation Electrification

- **Electric Vehicle Tax Credit Reform** Driving America Forward Act would allow consumers to claim a \$7,000 tax credit on electric vehicles on an additional 400,000 vehicles per automaker. Current law allows for up to a \$7,500 tax credit on 200,000 vehicles per manufacturer, after which the credit is phased out. *(Finance; Ways & Means)*
 - [S.1094](#) (Sens. Stabenow – MI, Alexander – TN, Peters – MI, Collins – ME)
 - [H.R.2256](#) (Rep. Kildee – MI)
- **Vehicle Innovation Act of 2019** Would promote investments in R&D of clean vehicle and advanced safety technologies to increase fuel efficiency. Examples of potential fuel-saving technologies include vehicle-to-vehicle and vehicle-to-infrastructure (V2X) communications, mild hybrid, engine down speeding, power pack modeling and testing, advanced boosting systems, new vehicle sensing and communication, hydrogen and natural gas refueling and electric vehicle charging technology. The legislation also would authorize critical resources for the Vehicle Technologies Office to encourage research in manufacturing to keep pace with emerging advanced technologies that have the potential to reduce fuel costs. *(Energy & Natural Resources; Natural Resources)*
 - [S.1085](#) (Sens. Peters – MI, Alexander – TN, Stabenow – MI)
 - [H.R.2170](#) (Rep. Dingell – MI)

Building and Manufacturing Energy Efficiency

- **Smart Manufacturing Leadership Act** Would improve the productivity and energy efficiency of the manufacturing sector by directing the Sec. of Energy, in coordination with the National Academies and other Federal agencies, to develop a national smart manufacturing plan and to provide

assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs. (*Energy & Natural Resources; Energy & Commerce, Science, Space & Technology*)

- [S.715](#) (Sens. Shaheen – NH, Alexander – TN)
- [H.R.1633](#) (Reps. Welch – VT, Reed – NY)
- **Smart Building Acceleration Act** Would provide rebates to homeowners who invest in energy efficiency improvements. Homeowners who demonstrate at least a 20% energy savings would receive a \$2,500 rebate. Those who demonstrate at least a 40% energy savings would receive a \$5,000 rebate. (*Energy & Commerce, Transportation & Infrastructure, Science, Space & Technology*)
 - [H.R.2044](#) – (Rep. Kinzinger – IL)
 - House introduction pending

From the 115th Congress

Hydro and Nuclear Energy

- **Advanced Nuclear Energy Technologies Act** Would amend the Energy Policy Act of 2005 to direct the Department of Energy (DOE) to advance the research and development of domestic advanced, affordable, and clean nuclear energy. DOE must establish goals for research relating to advanced nuclear reactors, including by coordinating with members of private industry to advance the demonstration of various designs of advanced nuclear reactors. (*Energy & Natural Resources*)
 - [S.1457](#) (Sens. Flake – AZ, Crapo – ID, Risch - ID) *Marked up, reported by ENR 3/8/18*
- **Nuclear Energy Research Infrastructure Act of 2018** Would direct the DOE to carry out the construction of a facility to provide a source of high-energy neutrons to help researchers develop fuels and materials for a class of advanced nuclear reactors and to assist private companies that want to develop and sell fast reactors. (*Science, Space, & Technology*)
 - [H.R.4378](#) (Rep. Weber – TX) *Passed House 2/13/18*
- **Hydropower Policy Modernization Act of 2017** designates the Federal Energy Regulatory Commission (FERC) as the lead agency for coordinating all federal authorizations and reviews related to hydropower license applications. The bill expands the definition of "renewable energy" to include electric energy generated from hydropower projects. The bill also authorizes FERC to extend the length of time of preliminary permits and to extend the time limit that a licensee has to commence construction on a hydropower project. (*Energy and Commerce, Oversight & Government Reform*)
 - [H.R.3043](#) (Rep. McMorris Rodgers – WA) *Passed House 11/8/17*

R&D and Innovation

- **ARPA-E Reauthorization Act of 2017** Would reauthorize the Advanced Research Projects Agency-Energy (ARPA-E) through FY2022 and further amends the AMERICA Competes Act to clarify the categories of information collected by the recipients of ARPA-E financial assistance awards. (*Science, Space, & Technology*)
 - [H.R.3681](#) (Reps. Johnson – TX, Costello – PA)
- **Tech-Neutral Tax Incentives** Emerging Sector Innovation Credit Act of 2018 would establish a tax incentive for new and innovative energy technologies, which would scale down as production scales

up. The credit is technology-neutral, meaning new technologies and advanced retrofits may access the credit. The bill would bring energy policy in the tax code back to the essentials and encourage cutting-edge technologies to break into the market. (*Ways and Means*)

- [H.R.7196](#) (Reps. Reed – NY, LaHood - IL)
- **Better Energy Storage Technologies (BEST) Act & Energy Storage Goals and Demonstration Projects Act** Would direct the Department of Energy to establish new goals relating to energy storage and to carry out certain demonstration projects relating to energy storage. (*Energy and Natural Resources; Science, Space & Technology*)
 - [S.1455](#) (Sens. Flake – AZ, Heinrich – NM) *ENR subcommittee hearing held*
 - [H.R.5610](#) (Reps. Knight – CA, Foster - IL)

Remove Statutory Barriers

- **Master Limited Partnerships Parity Act** Would amend the Internal Revenue Code, with respect to the tax treatment of publicly traded partnerships as corporations, to expand the definition of "qualifying income" for such partnerships (known as master limited partnerships) to include income and gains from renewable and alternative energy generation projects (in addition to fossil fuel-based energy generation projects) and related infrastructure for transportation or storage, including energy derived from thermal resources, waste, renewable fuels and chemicals, energy efficient buildings, gasification, and carbon capture in secure geological storage. (*Finance, Ways & Means*)
 - [S.2005](#) (Sens. Moran – KS, Coons – DE)
 - [H.R.4118](#) (Reps. Poe – TX, McNERney - CA)
- **CHP Support Act** Would amend the Energy Policy and Conservation Act to redesignate the Department of Energy's Clean Energy Application Centers as the CHP Technical Assistance Partnership Program. The program must encourage deployment of combined heat and power technologies and provide project specific support to building and industrial professionals through economic and engineering assessments and advisory activities. This bill reauthorizes the program through FY 2022. (*Energy & Natural Resources; Energy & Commerce*)
 - [S.2142](#) (Sen. King – ME)
 - [H.R.6949](#) (Reps. Kinzinger – IL, McKinley – WV)

Tax Incentives for Innovative Technologies

- **Renewable Electricity Tax Credit Equalization Act** Would address an inequity the tax treatment for "baseload" renewable energy technologies including biomass, geothermal, landfill gas, waste to energy, hydropower, marine and hydrokinetic energy. The §45(d) and §48 tax credits for these technologies have lapsed, while the credits for other renewable resources received long-term extensions. (*Ways & Means*)
 - [H.R.4137](#) (Rep. Stefanik – NY)

Building Energy Efficiency

- **Reform and Extend the 179D Commercial Building Deduction** Would amend the Internal Revenue Code, with respect to the deduction for energy efficient commercial buildings, to: (1) make the deduction permanent, (2) permit 501(c)(3) tax-exempt organizations and Indian tribal governments to allocate the deduction to the person primarily responsible for designing the property in lieu of the

owner of the property, (3) allow partnerships and S corporations to receive the full benefit of a deduction allocated at the partner or shareholder level, and (4) exempt property placed in service in a qualified low-income building from the requirement to reduce the basis of the property by the amount of the deduction. (*Ways & Means*)

- [H.R.3507](#) (Reps. Reichert – WA, Reed – NY)
- **Public Infrastructure Renewal Act** Would expand the opportunities to increase the energy efficiency of the nation’s municipal and federal buildings while creating good-paying construction jobs. This bill would exempt the bonds for government buildings such as schools, hospitals police departments and libraries from the volume cap on private activity bonds. This bill also would establish: (1) a \$5 billion limit on the amount of tax-exempt financing which may be provided for government buildings, and (2) procedures for allocating and applying for the financing. (*Ways & Means*)
 - [H.R.960](#) (Rep. Kelly – PA)