

[DISCUSSION DRAFT]

111TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To [to be supplied]

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IN THE HOUSE OF REPRESENTATIVES

(for himself and Mr. PLATTS) introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To [to be supplied]

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

3 **SECTION 1. SHORT TITLE.**

4 [to be supplied]

5 **SEC. 2. FEDERAL RENEWABLE ELECTRICITY STANDARD.**

6 (a) IN GENERAL.—Title VI of the Public Utility Reg-  
7 ulatory Policies Act of 1978 (16 U.S.C. 2601 and fol-  
8 lowing) is amended by adding at the end the following:

9 **“SEC. 610. FEDERAL RENEWABLE ELECTRICITY STANDARD.**

10 **“(a) DEFINITIONS.—**For purposes of this section:

1           “(1) AFFILIATE.—The term ‘affiliate’ when  
2           used in relation to a person, means another person  
3           which owns or controls, is owned or controlled by, or  
4           is under common ownership or control with, such  
5           person, as determined under regulations promul-  
6           gated by the Secretary.

7           “(2) BIOMASS.—

8                   “(A) IN GENERAL.—The term ‘biomass’  
9           means each of the following:

10                   “(i) Cellulosic (plant fiber) organic  
11                   materials from a plant that is planted for  
12                   the purpose of being used to produce en-  
13                   ergy.

14                   “(ii) Nonhazardous, plant or algal  
15                   matter that is derived from any of the fol-  
16                   lowing:

17                           “(I) An agricultural crop, crop  
18                           byproduct or residue resource.

19                           “(II) Waste such as landscape or  
20                           right-of-way trimmings (but not in-  
21                           cluding municipal solid waste, recycla-  
22                           ble postconsumer waste paper, paint-  
23                           ed, treated, or pressurized wood, or  
24                           wood contaminated with plastic or  
25                           metals).

1                   “(iii) Animal waste or animal byprod-  
2                   ucts, including products of animal waste  
3                   digesters.

4                   “(B) BIOMASS FROM FEDERAL LANDS.—

5                   “(i) COVERED MATERIALS.—With re-  
6                   spect to organic material removed from  
7                   Federal land, the term ‘biomass’ covers  
8                   only organic material from—

9                                 “(I) ecological forest restoration;

10                                “(II) pre-commercial thinnings;

11                               “(III) brush;

12                               “(IV) mill residues; and

13                               “(V) slash.

14                   “(ii) EXCLUSION OF CERTAIN  
15                   LANDS.—Notwithstanding clause (i), mate-  
16                   rial or matter that would otherwise qualify  
17                   as biomass are not included in the term  
18                   ‘biomass’ if it is located on Federal land in  
19                   the following categories:

20                               “(I) Federal land containing old  
21                   growth forest or late successional for-  
22                   est, unless the Secretary of the Inte-  
23                   rior or the Secretary of Agriculture  
24                   (whichever has administrative jurisdic-  
25                   tion over such land) determines that

1 the removal or organic material from  
2 such land is appropriate for the appli-  
3 cable forest type and maximizes the  
4 retention of late-successional and  
5 large and old growth trees, late suc-  
6 cessional and old growth forest struc-  
7 ture, and late-successional and old  
8 growth forest composition.

9 “(II) Federal land on which the  
10 removal of vegetation is prohibited, in-  
11 cluding components of the National  
12 Wilderness Preservation System.

13 “(III) Wilderness Study Areas.

14 “(IV) Inventoried Roadless  
15 Areas.

16 “(V) Units of the National Land-  
17 scape Conservation System.

18 “(VI) National Monuments.

19 “(3) DISTRIBUTED GENERATION FACILITY.—  
20 The term ‘distributed generation facility’ means a  
21 facility that—

22 “(A) generates renewable electricity other  
23 than by means of combustion;

24 “(B) primarily serves 1 or more electricity  
25 consumers at or near the facility site; and

1                   “(C) is no larger than 2 megawatts in ca-  
2                   pacity.

3                   “(4) FEDERAL ALTERNATIVE COMPLIANCE PAY-  
4                   MENT.—The term ‘Federal alternative compliance  
5                   payment’ means a payment, to be submitted in lieu  
6                   of 1 Federal renewable electricity credit, pursuant to  
7                   subsection (c)(3).

8                   “(5) FEDERAL LAND.—The term ‘Federal land’  
9                   means land owned by the United States and under  
10                  the administrative jurisdiction of the Secretary of  
11                  the Interior or the Secretary of Agriculture, other  
12                  than land held in trust for an Indian or Indian tribe.

13                  “(6) FEDERAL RENEWABLE ELECTRICITY  
14                  CREDIT.—The term ‘Federal renewable electricity  
15                  credit’ means a credit, representing one kilowatt  
16                  hour of renewable electricity, issued pursuant to sub-  
17                  section (d).

18                  “(7) FUND.—The term ‘Fund’ means the Re-  
19                  newable Electricity Deployment Fund established  
20                  under subsection (f).

21                  “(8) INVENTORIED ROADLESS AREA.—The  
22                  term ‘Inventoried Roadless Area’ means one of the  
23                  areas identified in the set of inventoried roadless  
24                  areas maps contained in the Forest Service Roadless

1 Areas Conservation, Final Environmental Impact  
2 Statement, Volume 2, dated November 2000.

3 “(9) QUALIFIED HYDROPOWER.—The term  
4 ‘qualified hydropower’ means—

5 “(A) electricity generated solely from in-  
6 creased efficiency achieved, or additions of ca-  
7 pacity made, on or after January 1, 2001 at a  
8 hydroelectric facility that was placed in service  
9 before that date; or

10 “(B) electricity generated from generating  
11 capacity added on or after January 1, 2001 to  
12 a dam that did not previously have the capacity  
13 to generate electricity, provided that the Com-  
14 mission certifies that—

15 “(i) the dam was placed in service be-  
16 fore the date of the enactment of this sec-  
17 tion and was operated for flood control,  
18 navigation, or water supply purposes and  
19 did not produce hydroelectric power before  
20 January 1, 2001;

21 “(ii) the hydroelectric project installed  
22 on the dam is licensed by the Commission  
23 and meets all other applicable environ-  
24 mental, licensing, and regulatory require-

1                   ments, including applicable fish passage re-  
2                   quirements; and

3                   “ (iii) the hydroelectric project in-  
4                   stalled on the dam is operated so that the  
5                   water surface elevation at any given loca-  
6                   tion and time that would have occurred in  
7                   the absence of the hydroelectric project is  
8                   maintained, subject to any license require-  
9                   ments that require changes in water sur-  
10                  face elevation for the purpose of improving  
11                  the environmental quality of the affected  
12                  waterway.

13                  “(10) RENEWABLE ELECTRICITY.—The term  
14                  ‘renewable electricity’ means electricity generated  
15                  from a renewable energy resource.

16                  “(11) RENEWABLE ENERGY RESOURCE.—The  
17                  term ‘renewable energy resource’ means each of the  
18                  following:

19                         “(A) wind energy;

20                         “(B) solar energy;

21                         “(C) geothermal energy;

22                         “(D) combustion of biomass or landfill gas;

23                         “(E) qualified hydropower; or

24                         “(F) marine and hydrokinetic renewable  
25                         energy, as that term is defined in section 632

1 of the Energy Independence and Security Act  
2 of 2007 (42 U.S.C. 17211).

3 “(12) RETAIL ELECTRIC SUPPLIER.—

4 “(A) IN GENERAL.—The term ‘retail elec-  
5 tric supplier’ means, for any given year, an  
6 electric utility that sold not less than 1,000,000  
7 megawatt hours of electric energy to electric  
8 consumers for purposes other than resale dur-  
9 ing the preceding calendar year.

10 “(B) INCLUSIONS AND LIMITATIONS.—For  
11 purposes of determining whether an electric  
12 utility qualifies as a retail electric supplier  
13 under subparagraph (A)—

14 “(i) the sales of any affiliate of an  
15 electric utility to electric consumers for  
16 purposes other than resale shall be consid-  
17 ered to be sales of such electric utility; and

18 “(ii) sales by any electric utility to a  
19 parent company or to other affiliates of  
20 such electric utility shall not be treated as  
21 sales to electric consumers.

22 “(13) RETAIL ELECTRIC SUPPLIER’S BASE  
23 AMOUNT.—The term ‘retail electric supplier’s base  
24 amount’ means the total amount of electric energy  
25 sold by the retail electric supplier, expressed in



1 terms of kilowatt hours, to electric customers for  
2 purposes other than resale during the relevant cal-  
3 endar year, excluding electricity generated by—

4 “(A) a hydroelectric facility that is not  
5 qualified hydropower; or

6 “(B) combustion of municipal solid waste.

7 “(14) RETIRE AND RETIREMENT.—The terms  
8 ‘retire’ and ‘retirement’ with respect to a Federal re-  
9 newable electricity credit, means to disqualify such  
10 credit for any subsequent use under this section, re-  
11 gardless of whether the use is a sale, transfer, ex-  
12 change, or submission in satisfaction of a compliance  
13 obligation.

14 “(b) ESTABLISHMENT OF PROGRAM.—Not later than  
15 1 year after the date of enactment of this section, the Sec-  
16 retary shall, by regulation, establish a program to imple-  
17 ment and enforce the requirements of this section. In es-  
18 tablishing such program, the Secretary shall, to the extent  
19 practicable—

20 “(1) preserve the integrity, and incorporate best  
21 practices, of existing State renewable electricity pro-  
22 grams;

23 “(2) rely upon existing and emerging State or  
24 regional tracking systems that issue and track non-  
25 Federal renewable electricity credits; and

1           “(3) cooperate with the States to facilitate co-  
 2           ordination between State and Federal renewable  
 3           electricity programs and to minimize administrative  
 4           burdens and costs to retail electric suppliers.

5           “(c) ANNUAL COMPLIANCE REQUIREMENT.—

6           “(1) IN GENERAL.—For each of calendar years  
 7           2012 through 2039, each retail electric supplier  
 8           shall, not later than April 1 of the following calendar  
 9           year, submit to the Secretary a quantity of Federal  
 10          renewable electricity credits equal to the retail elec-  
 11          tric supplier’s base amount for the calendar year  
 12          multiplied by the required annual percentage set  
 13          forth in paragraph (2).

14          “(2) REQUIRED ANNUAL PERCENTAGE.—For  
 15          each of calendar years 2012 through 2039, the re-  
 16          quired annual percentage shall be as follows:

<b>“Calendar year</b>	<b>Required annual percentage</b>
2012 .....	6.0
2013 .....	6.0
2014 .....	8.5
2015 .....	8.5
2016 .....	11.0
2017 .....	11.0
2018 .....	14.0
2019 .....	14.0
2020 .....	17.5
2021 .....	17.5
2022 .....	21.0
2023 .....	21.0
2024 .....	23.0
2025 through 2039 .....	25.0

1           “(3) ALTERNATIVE COMPLIANCE PAYMENTS.—  
2           A retail electric supplier may satisfy the require-  
3           ments of paragraph (1) in whole or in part by sub-  
4           mitting in lieu of each Federal renewable electricity  
5           credit, a payment equal to the lesser of—

6                   “(A) 200 percent of the average market  
7                   value of a Federal renewable electricity credit  
8                   for the previous compliance year, as determined  
9                   by the Secretary; or

10                   “(B) 5 cents, adjusted on January 1 of  
11                   each year following calendar year 2009 based  
12                   on the Gross Domestic Product Implicit Price  
13                   Deflator.

14           “(4) USE OF PAYMENTS.—Alternative compli-  
15           ance payments submitted pursuant to paragraph (3)  
16           shall be deposited in the Fund established under  
17           subsection (f).

18           “(d) ISSUANCE OF FEDERAL RENEWABLE ELEC-  
19           TRICITY CREDITS.—

20                   “(1) CREDIT ISSUANCE.—The regulations pro-  
21                   mulgated under subsection (b) shall include provi-  
22                   sions governing the issuance, tracking, and retire-  
23                   ment of Federal renewable electricity credits. Except  
24                   as provided in paragraphs (2), (3), and (4) of this  
25                   subsection, the Secretary shall issue to each gener-

1       ator of renewable electricity, 1 Federal renewable  
2       electricity credit for each kilowatt hour of renewable  
3       electricity generated by such generator.

4           “(2) GENERATION FROM STATE RENEWABLE  
5       ELECTRICITY PROGRAMS USING CENTRAL PROCURE-  
6       MENT AND FROM STATE ALTERNATIVE COMPLIANCE  
7       PAYMENTS.—Where renewable electricity is gen-  
8       erated with the support of payments from a retail  
9       electric supplier pursuant to a State renewable elec-  
10      tricity program (whether through State alternative  
11      compliance payments or through payments to a  
12      State renewable electricity procurement fund or enti-  
13      ty), the Secretary shall issue Federal renewable elec-  
14      tricity credits to such retail electric supplier for the  
15      proportion of the relevant renewable electricity gen-  
16      eration that is attributable to the retail electric sup-  
17      plier’s payments, as determined pursuant to regula-  
18      tions issued by the Secretary. For any remaining  
19      portion of the relevant renewable electricity genera-  
20      tion, the Secretary shall issue Federal renewable  
21      electricity credits to the generator, as provided in  
22      paragraph (1), provided that in no event shall more  
23      than 1 Federal renewable electricity credit be issued  
24      for the same kilowatt hour of electricity. In deter-  
25      mining how Federal renewable electricity credits will

1 be apportioned among retail electric suppliers and  
2 generators in such circumstances, the Secretary  
3 shall consider information and guidance furnished by  
4 the relevant State or States.

5 “(3) CERTAIN POWER SALES CONTRACTS.—  
6 When a generator has sold renewable electricity to  
7 a retail electric supplier under a contract for power  
8 from a facility placed in service before the date of  
9 enactment of this section, and the contract does not  
10 provide for the determination of ownership of the  
11 Federal renewable electricity credits associated with  
12 such generation, the Secretary shall issue such Fed-  
13 eral renewable electricity credits to the retail electric  
14 supplier for the duration of the contract.

15 “(4) CREDIT MULTIPLIER FOR DISTRIBUTED  
16 GENERATION.—

17 “(A) IN GENERAL.—Except as provided in  
18 subparagraph (B), the Secretary shall issue 3  
19 Federal renewable electricity credits for each  
20 kilowatt hour of renewable electricity generated  
21 by a distributed generation facility.

22 “(B) ADJUSTMENT.—Except as provided  
23 in subparagraph (C), not later than January 1,  
24 2014, and not less frequently than every 4  
25 years thereafter, the Secretary shall review the

1 effect of this paragraph and shall, as necessary,  
2 reduce the number of Federal renewable elec-  
3 tricity credits per kilowatt hour issued under  
4 this paragraph, but not below 1, to ensure  
5 that—

6 “(i) such number is no higher than  
7 the Secretary determines is necessary to  
8 make distributed generation facilities cost  
9 competitive with other sources of renewable  
10 electricity generation; and

11 “(ii) if such number is greater than 1,  
12 the total quantity of Federal renewable  
13 electricity credits issued for electricity from  
14 distributed generation facilities in any cal-  
15 endar year does not exceed 20 percent of  
16 the total quantity of Federal renewable  
17 electricity credits issued in that year.

18 “(C) FACILITIES PLACED IN SERVICE  
19 AFTER ENACTMENT.—For any distributed gen-  
20 eration facility placed in service after the date  
21 of enactment of this section, subparagraph (B)  
22 shall not apply for the first 10 years after date  
23 of enactment. For each year during such 10-  
24 year period, the Secretary shall issue the facil-  
25 ity the same number of Federal renewable elec-

1           tricity credits per kilowatt hour as are issued to  
2           that facility in the year in which such facility  
3           is placed in service. After such 10-year period,  
4           the Secretary shall issue Federal renewable en-  
5           ergy credits to the facility in accordance with  
6           the current multiplier as determine<sup>4d</sup> pursuant  
7           to subparagraph (B).

8           “(5) CREDITS BASED ON INCREMENTAL HY-  
9           DROPOWER.—For purposes of this subsection, the  
10          number of Federal renewable electricity credits  
11          issued for qualifying hydropower described in sub-  
12          section (a)(9)(A) shall be calculated—

13                 “(A) based solely on the increase in aver-  
14                 age annual generation directly resulting from  
15                 the efficiency improvements or capacity addi-  
16                 tions described in subsection (a)(9)(A); and

17                 “(B) using the same water flow informa-  
18                 tion used to determine a historic average an-  
19                 nual generation baseline for the hydroelectric  
20                 facility, as certified by the Secretary or by the  
21                 Commission.

22          “(6) GENERATION FROM MIXED RENEWABLE  
23          AND NON-RENEWABLE RESOURCES.—If electricity is  
24          generated using both a renewable energy resource  
25          and an energy source that is not a renewable energy

1 resource (as, for example, in the case of co-firing of  
2 biomass and fossil fuel), the Secretary shall issue  
3 Federal renewable electricity credits based on the  
4 proportion of the electricity that is attributable to  
5 the renewable energy resource.

6 “(7) PROHIBITION AGAINST DOUBLE-COUNT-  
7 ING.—Except as provided in paragraph (4) of this  
8 subsection, the Secretary shall ensure that no more  
9 than 1 Federal renewable electricity credit will be  
10 issued for any kilowatt hour of renewable electricity  
11 and that no Federal renewable electricity credit will  
12 be used more than once for compliance with this sec-  
13 tion.

14 “(e) TRADING AND BANKING OF CREDITS.—

15 “(1) TRADING.—The lawful holder of a Federal  
16 renewable electricity credit may sell, exchange,  
17 transfer, submit for compliance in accordance with  
18 subsection (c), or submit such credit for retirement  
19 by the Secretary.

20 “(2) BANKING.—A Federal renewable elec-  
21 tricity credit may be submitted in satisfaction of the  
22 compliance obligation set forth in subsection (c) for  
23 the compliance year in which the credit was issued  
24 or for any of the 3 immediately subsequent compli-  
25 ance years. The Secretary shall retire any Federal



1 renewable electricity credit that has not been sub-  
2 mitted under subsection (c) by the deadline for the  
3 compliance year that is 3 years after the compliance  
4 year in which the credit was issued.

5 “(3) DELEGATION OF MARKET ADMINISTRA-  
6 TION.—The Secretary may delegate to one or more  
7 appropriate market-making entities the administra-  
8 tion of a Federal renewable electricity credit market  
9 for purposes of creating a transparent and efficient  
10 national market.

11 “(4) OVERSIGHT.—The Secretary, in consulta-  
12 tion with relevant Federal agencies, may prescribe  
13 such rules as the Secretary determines necessary to  
14 ensure the transparency, fairness, and stability of  
15 the market in Federal renewable electricity credits  
16 and any derivative instruments based on such cred-  
17 its.

18 “(f) RENEWABLE ELECTRICITY DEPLOYMENT  
19 FUND.—

20 “(1) IN GENERAL.—There is established in the  
21 Treasury of the United States a Renewable Elec-  
22 tricity Deployment Fund.

23 “(2) DEPOSITS.—All Federal alternative com-  
24 pliance payments submitted to the Secretary pursu-

1 ant to subsection (c)(3) and civil penalties assessed  
2 under this section shall be deposited into the Fund.

3 “(3) USE.—

4 “(A) IN GENERAL.—Amounts deposited in  
5 the Fund shall be available exclusively for use  
6 by the Secretary, subject to appropriations, to  
7 make payments to retail electric suppliers in ac-  
8 cordance with subparagraph (B).

9 “(B) ALLOCATION.—Not later than May 1  
10 of each year from 2013 through 2040, the Sec-  
11 retary shall distribute amounts deposited in the  
12 Fund during the preceding 12-month period  
13 among the retail electric suppliers which have  
14 submitted Federal renewable electricity credits  
15 to the Secretary in total or partial compliance  
16 with their obligations under subsection (c) for  
17 the preceding calendar year. Each retail electric  
18 supplier shall receive a payment equal to the  
19 product of—

20 “(i) the total payments made to all re-  
21 tail electric suppliers under this subsection;  
22 and

23 “(ii) the quotient obtained by dividing  
24 the quantity specified in subclause (I) by  
25 the quantity specified in subclause (II):

1                   “(I) The quantity of Federal re-  
2                   newable electricity credits submitted  
3                   by the retail electric supplier for the  
4                   preceding calendar year pursuant to  
5                   subsection (c).

6                   “(II) The total quantity of Fed-  
7                   eral renewable electricity credits sub-  
8                   mitted by all retail electric suppliers  
9                   for the preceding calendar year pursu-  
10                  ant to subsection (c).

11               “(g) INFORMATION COLLECTION.—In accordance  
12 with section 13 of the Federal Energy Administration Act  
13 of 1974 (15 U.S.C. 772), the Secretary may require any  
14 retail electric supplier, renewable electricity generator, or  
15 such other entities as the Secretary deems appropriate, to  
16 provide any information the Secretary determines appro-  
17 priate to carry out this section.

18               “(h) ENFORCEMENT AND JUDICIAL REVIEW.—

19                   “(1) CIVIL PENALTY.—If any person fails to  
20                   comply with the requirements of subsection (c), such  
21                   person shall be liable to pay to the Secretary a civil  
22                   penalty equal to the product of—

23                           “(A) double the Federal alternative compli-  
24                   ance payment calculated under subsection  
25                   (c)(3), and

1           “(B) the aggregate quantity of Federal re-  
2           newable electricity credits (or equivalent Fed-  
3           eral alternative compliance payments) that the  
4           person failed to submit to the Secretary in vio-  
5           lation of the requirements of subsection (c).

6           “(2) ENFORCEMENT.—The Secretary shall as-  
7           sess a civil penalty under paragraph (1) in accord-  
8           ance with the procedures described in section 333(d)  
9           of the Energy Policy and Conservation Act of 1954  
10          (42 U.S.C. 6303).

11          “(3) JUDICIAL REVIEW.—Any person who will  
12          be adversely affected by a final action taken by the  
13          Secretary under this section, other than the assess-  
14          ment of a civil penalty under this subsection, may  
15          use the procedures for review described in section  
16          336(b) of the Energy Policy and Conservation Act  
17          (42 U.S.C. 6306). For purposes of this paragraph,  
18          references to a rule in section 336(b) of the Energy  
19          Policy and Conservation Act shall be deemed to refer  
20          also to all other final actions of the Secretary under  
21          this section other than the assessment of a civil pen-  
22          alty under this subsection.

23          “(i) SAVINGS PROVISIONS.—Nothing in this section  
24          shall—

1           “(1) diminish or qualify any authority of a  
2 State or political subdivision of a State to—

3           “(A) adopt or enforce any law or regula-  
4 tion respecting renewable electricity, including  
5 programs that exceed the required amount of  
6 renewable electricity under this section, pro-  
7 vided that no such law or regulation may relieve  
8 any person of any requirement otherwise appli-  
9 cable under this section; or

10           “(B) regulate the acquisition and disposi-  
11 tion of Federal renewable electricity credits by  
12 retail electric suppliers located within the terri-  
13 tory of such State or political subdivision, in-  
14 cluding the authority to require such retail elec-  
15 tric supplier to acquire and retire Federal re-  
16 newable electricity credits associated with elec-  
17 tric energy it sells to end-use customers; or

18           “(2) affect the application of, or the responsi-  
19 bility for compliance with, any other provision of law  
20 or regulation, including environmental and licensing  
21 requirements.

22           “(j) COST RECOVERY.—An electric utility, the retail  
23 electricity sales of which are subject to rate regulation,  
24 shall not be denied the opportunity to recover the full  
25 amount of the prudently incurred incremental cost of re-

1 newable electricity obtained to comply with the require-  
2 ments of subsection (c).

3 “(k) PROGRAM REVIEW.—

4 “(1) NATIONAL ACADEMY OF SCIENCES RE-  
5 VIEW.—The Secretary shall enter into a contract  
6 with the National Academy of Sciences under which  
7 the Academy shall, not later than July 1, 2017, and  
8 every 5 years thereafter through 2032, submit to the  
9 Secretary and to Congress a comprehensive evalua-  
10 tion of all aspects of the program established under  
11 this section, including—

12 “(A) an evaluation of the effectiveness of  
13 the program, including its specific design ele-  
14 ments, in increasing the market penetration  
15 and lowering the cost of the eligible renewable  
16 electricity generation technologies;

17 “(B) the opportunities for any additional  
18 technologies and sources of renewable electricity  
19 generation that have emerged since enactment  
20 of this section;

21 “(C) the program’s impact on the regional  
22 diversity and reliability of electricity supply;

23 “(D) the net benefits or costs of the pro-  
24 gram to the national and State economies, in-  
25 cluding effects on retail electricity costs, eco-

1            nomic development benefits of investment, envi-  
2            ronmental benefits, impacts on natural gas de-  
3            mand and price, and avoided costs related to  
4            environmental and congestion mitigation invest-  
5            ments that otherwise would have been required;

6                  “(E) an assessment of the benefits and  
7            costs of increasing or extending the renewable  
8            electricity requirements set forth in subsection  
9            (c) of this section; and

10                  “(F) recommendations regarding potential  
11            changes to this section, to regulations and pro-  
12            cedures for implementing this section, or to re-  
13            lated public policies.

14                  “(2) RECOMMENDATIONS TO CONGRESS.—Not  
15            later than January 1, 2018, and every 5 years there-  
16            after through 2033, the Secretary shall transmit to  
17            the Committee on Energy and Commerce of the  
18            United States House of Representatives and the  
19            Committee on Energy and Natural Resources of the  
20            United States Senate a report making recommenda-  
21            tions for modifications and improvements to the pro-  
22            gram established under this section and any related  
23            programs, including an explanation of the inconsisten-  
24            encies, if any, between the Secretary’s recommenda-

1 tions and those included in the National Academy of  
2 Sciences evaluation under paragraph (1).

3 “(l) SUNSET.—This section expires on December 31,  
4 2040.”.

5 (b) TABLE OF CONTENTS AMENDMENT.—The table  
6 of contents of the Public Utility Regulatory Policies Act  
7 of 1978 (16 U.S.C. 2601 and following) is amended by  
8 adding at the end of the items relating to title VI the fol-  
9 lowing:

10 **“SEC. 610. Federal renewable electricity standard.”.**