

118TH CONGRESS
1ST SESSION

H. R. 5496

To reduce greenhouse gas emissions and protect the climate.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2023

Mr. LIEU introduced the following bill; which was referred to the Committee
on Energy and Commerce

A BILL

To reduce greenhouse gas emissions and protect the climate.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Climate Solutions Act of 2023”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—RENEWABLE ENERGY

Sec. 101. National renewable energy standard.

TITLE II—ENERGY EFFICIENCY

Sec. 201. National energy efficiency standard.

TITLE III—SCIENCE-BASED REDUCTIONS

Sec. 301. Net emissions reduction targets.

Sec. 302. National Academies review.

Sec. 303. Regulations.

Sec. 304. Savings clause.

Sec. 305. Definitions.

1 **SEC. 2. FINDINGS.**

2 Congress finds as follows:

3 (1) The United States and a number of other
4 countries have the stated objective of stabilizing
5 greenhouse gas concentrations in the atmosphere at
6 a level that would prevent “dangerous anthropogenic
7 interference” with the climate system. To that end,
8 the United States has pledged to reduce its green-
9 house gas emissions by 50 to 52 percent below 2005
10 levels by 2030. To support that target, the United
11 States has enacted a wide range of policies, includ-
12 ing tax incentives, regulations, and funding for
13 greenhouse gas reduction technologies.

14 (2) To achieve this objective, the increase in
15 global mean surface temperature should not exceed
16 2°C (3.6°F) above preindustrial temperature by
17 2100 consistent with the Paris Agreement that en-
18 tered into force in 2016.

19 (3) The risks associated with a temperature in-
20 crease above 2°C (3.6°F) are grave, including the
21 disintegration of the Greenland ice sheet, which, if
22 it were to melt completely, would raise global aver-

1 age sea level by approximately 23 feet, devastating
2 many of the world’s coastal areas and population
3 centers.

4 (4) A 2018 report by the Intergovernmental
5 Panel on Climate Change demonstrated that limiting
6 the temperature increase to 1.5°C will result in still
7 harmful, but significantly less severe outcomes than
8 a 2°C increase.

9 (5) The Intergovernmental Panel on Climate
10 Change projects that temperatures will rise 1.5°C
11 between 2030 and 2052. In order to limit the tem-
12 perature increase to 1.5°C, global net anthropogenic
13 carbon dioxide emissions must reach net zero by
14 2050. The Intergovernmental Panel on Climate
15 Change notes in their 2023 report that the level of
16 reduction in greenhouse gas emissions this decade
17 will largely determine whether warming can be lim-
18 ited to 1.5°C or 2°C.

19 (6) A 2023 report by the Intergovernmental
20 Panel on Climate Change highlights that “Deep,
21 rapid, and sustained reductions in greenhouse gas
22 emissions would lead to a discernible slowdown in
23 global warming within around two decades, and also
24 to discernible changes in atmospheric composition
25 within a few years.”.

1 (7) The 2018 National Climate Assessment, au-
2 thored by more than 300 experts and released by the
3 United States Global Change Research Program,
4 makes clear that the present unprecedented rises in
5 global temperature are primarily due to human ac-
6 tivities. The changing climate will devastate all sec-
7 tors of society and disproportionately harm the most
8 vulnerable communities.

9 (8) Serious global warming impacts have al-
10 ready been observed in the United States and world-
11 wide, including—

12 (A) increases in heat waves and other ex-
13 treme weather events;

14 (B) rise in sea level, retreat of glaciers and
15 polar ice;

16 (C) decline in mountain snowpack, in-
17 creased drought (including droughts in the
18 West and South United States) resulting in
19 damage to our economy and property;

20 (D) extreme weather conditions resulting
21 in wildfires, stronger hurricanes, and polar vor-
22 tex occurrences resulting in further damage to
23 property and our economy;

24 (E) damage to our environment such as
25 ocean acidification, extensive coral bleaching,

1 migrations, and shifts in the yearly cycles of
2 plants and animals; and

3 (F) effects on human population, including
4 population displacement and adverse health ef-
5 fects such as the spread of infectious diseases
6 and climate-related conditions such as asthma.

7 (9) Scientists project that under a midrange es-
8 timate of global warming, by 2050, roughly one-
9 third of animal and plant species will be committed
10 to extinction.

11 (10) The Energy Information Administration's
12 International Energy Outlook report estimates an
13 increase of 20 percent in global carbon dioxide emis-
14 sions between 2021 and 2050.

15 (11) Decisive action is needed to minimize the
16 many dangers posed by global warming.

17 (12) The timing of such action is critical, given
18 that greenhouse gases can persist in the atmosphere
19 for more than a century.

20 (13) With less than 5 percent of the world pop-
21 ulation, the United States emits approximately 11.5
22 percent of the world's total greenhouse gas emissions
23 and must be a leader in addressing global warming.

24 (14) The State of California, the 5th largest
25 economy in the world, has shown that renewable en-

1 energy standards and greenhouse gas emissions regula-
2 tion can reduce greenhouse gas emissions while fos-
3 tering significant economic growth.

4 (15) Existing energy efficiency and clean, re-
5 newable energy technologies can reduce global warm-
6 ing pollution, while saving consumers money, reduc-
7 ing our dependence on oil, enhancing national secu-
8 rity, cleaning the air, and protecting pristine places
9 from drilling and mining.

10 **TITLE I—RENEWABLE ENERGY**

11 **SEC. 101. NATIONAL RENEWABLE ENERGY STANDARD.**

12 Title VI of the Public Utility Regulatory Policies Act
13 of 1978 is amended by adding at the end the following:

14 **“SEC. 610. NATIONAL RENEWABLE ENERGY STANDARD.**

15 “(a) IN GENERAL.—The Secretary shall promulgate
16 regulations requiring that—

17 “(1) beginning in calendar year 2023, the per-
18 centage of electric energy generated from renewable
19 sources that is sold at the retail level in the United
20 States shall increase each year; and

21 “(2) in calendar year 2035 and each subse-
22 quent calendar year, such percentage shall not be
23 less than 100 percent of the total electric energy
24 sold at the retail level in the United States.

1 “(b) CONSULTATION.—The Secretary shall carry out
2 this section in consultation with the Administrator of the
3 Environmental Protection Agency.

4 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion shall be construed to preempt or limit State actions
6 to enhance renewable energy generation or energy effi-
7 ciency.”.

8 **TITLE II—ENERGY EFFICIENCY**

9 **SEC. 201. NATIONAL ENERGY EFFICIENCY STANDARD.**

10 (a) IN GENERAL.—Title VI of the Public Utility Reg-
11 ulatory Policies Act of 1978, as amended by section 101
12 of this Act, is further amended by adding at the end the
13 following:

14 **“SEC. 611. NATIONAL ENERGY EFFICIENCY STANDARD.**

15 “(a) IN GENERAL.—The Secretary shall promulgate
16 regulations in accordance with this section setting end-
17 user—

18 “(1) electricity savings targets for retail electric
19 energy suppliers; and

20 “(2) natural gas savings targets for retail nat-
21 ural gas suppliers.

22 “(b) CONSULTATION.—The Secretary shall carry out
23 this section in consultation with the Administrator of the
24 Environmental Protection Agency.

1 “(c) REQUIREMENTS.—With respect to targets under
2 subsection (a):

3 “(1) The targets shall require each retail elec-
4 tric energy supplier to secure annual electricity sav-
5 ings, and each retail natural gas supplier to secure
6 annual natural gas savings, of a set percentage of
7 the quantity of electricity or natural gas sold in the
8 most recent year to retail customers.

9 “(2) The electricity savings and natural gas
10 savings shall be achieved through end-use efficiency
11 improvements at customer facilities.

12 “(3) The targets are cumulative. Each year’s
13 electricity savings or natural gas savings shall be
14 achieved in addition to the previous years’ savings.

15 “(4) For each of calendar years 2023 through
16 2030, the targets are as follows:

“Calendar Year	Cumulative Electricity Savings Percentage	Cumulative Natural Gas Savings Percentage
2024	0.375	0.25
2025	1.125	0.60
2026	2.25	1.05
2027	3.75	1.55
2028	6.25	2.38
2029	8.75	3.21
2030	11.25	4.05

17 “(d) REQUIRED PERCENTAGES AFTER 2030.—The
18 Secretary may, upon petition or upon the Secretary’s own

1 initiative, increase the required percentage of end-user
 2 electricity savings or natural gas savings for years after
 3 2030.

4 “(e) MARKET-BASED TRADING SYSTEM.—The Sec-
 5 retary shall allow suppliers to achieve the required per-
 6 centage of end-user electricity savings or natural gas sav-
 7 ings under this section through a market-based trading
 8 system.

9 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
 10 tion shall be construed to preempt or limit State actions
 11 to enhance renewable energy generation or energy effi-
 12 ciency.”.

13 (b) CONFORMING AMENDMENT.—The table of con-
 14 tents for the Public Utility Regulatory Policies Act of
 15 1978 is amended by inserting after the item relating to
 16 section 608 the following:

“Sec. 609. Rural and remote communities electrification grants.

“Sec. 610. National renewable energy standard.

“Sec. 611. National energy efficiency standard.”.

17 **TITLE III—SCIENCE-BASED** 18 **REDUCTIONS**

19 **SEC. 301. NET EMISSIONS REDUCTION TARGETS.**

20 Not later than 1 year after the date of enactment
 21 of this Act, the Administrator of the Environmental Pro-
 22 tection Agency (in this title referred to as the “Adminis-
 23 trator”) shall promulgate annual net emissions reduction
 24 targets for each of calendar years 2030 through 2050, so

1 as to ensure that the quantity of United States net green-
2 house gas emissions—

3 (1) in 2035, is at least 52 percent below the
4 quantity of such emissions in 2005; and

5 (2) in 2050, is zero.

6 **SEC. 302. NATIONAL ACADEMIES REVIEW.**

7 Not later than 5 years after the date of the enact-
8 ment of this Act, and every 5 years thereafter, the Admin-
9 istrator shall enter into an arrangement with the National
10 Academies (or, if the National Academies decline to enter
11 into such arrangement, another appropriate entity) under
12 which the National Academies, acting through the Na-
13 tional Academy of Sciences and the National Research
14 Council, will submit a report to the Administrator and the
15 Congress on the prospects for avoiding dangerous anthro-
16 pogenic interference with the climate system and the
17 progress made to date. Each such report shall—

18 (1) evaluate whether the net emissions reduc-
19 tion targets promulgated pursuant to section 301
20 and the other policies to reduce United States net
21 greenhouse gas emissions under this Act, the amend-
22 ments made by this Act, and other provisions of law,
23 including the Clean Air Act (42 U.S.C. 7401 et
24 seq.), are likely to be sufficient to avoid dangerous

1 anthropogenic interference with the climate system,
2 taking into account the actions of other nations; and

3 (2) if the National Academies concludes that
4 such targets and policies are not likely to be suffi-
5 cient to avoid dangerous anthropogenic interference
6 with the climate system—

7 (A) identify the needed amount of further
8 reductions in atmospheric greenhouse gas con-
9 centrations; and

10 (B) recommend additional United States
11 and international actions to further reduce at-
12 mospheric greenhouse gas concentrations.

13 **SEC. 303. REGULATIONS.**

14 (a) IN GENERAL.—The Administrator shall—

15 (1) not later than 7 years after the date of en-
16 actment of this Act, promulgate final regulations to
17 implement the net emissions reduction targets under
18 section 301; and

19 (2) not less than every 5 years thereafter—

20 (A) review such regulations, taking into ac-
21 count the reports under section 302; and

22 (B) revise such regulations as necessary to
23 implement such net emissions reduction targets.

24 (b) RULEMAKING ON RECOMMENDATIONS OF NA-
25 TIONAL ACADEMIES.—If any report under section 302 in-

1 cludes a recommendation under section 302(2)(B) for reg-
2 ulatory action by a Federal department or agency, and
3 such regulatory action is within the authority of such de-
4 partment or agency (under law other than this sub-
5 section), the head of such department or agency shall, not
6 later than 2 years after the submission of such report, fi-
7 nalize a rulemaking—

8 (1) to carry out such regulatory action; or

9 (2) to explain the reasons for declining to act.

10 (c) ADDITIONAL REGULATIONS.—The regulations
11 promulgated under subsection (a) may include additional
12 requirements to reduce United States net greenhouse gas
13 emissions from any source or sector. Any such regulations
14 that address sources whose greenhouse gas emissions are
15 regulated pursuant to section 111(d) of the Clean Air Act
16 (42 U.S.C. 7411(d)) shall account for the compliance
17 schedule promulgated pursuant to such section 111(d).
18 Regulations under this section may include market-based
19 measures, emissions performance standards, efficiency
20 performance standards, best management practices, tech-
21 nology-based requirements, and other forms of require-
22 ments.

23 (d) RELATION TO OTHER AUTHORITY.—The author-
24 ity vested by this title is in addition to the authority to

1 regulate greenhouse gas emissions pursuant to other pro-
2 visions of law.

3 **SEC. 304. SAVINGS CLAUSE.**

4 Nothing in this title shall be interpreted to preempt
5 or limit State actions to address climate change.

6 **SEC. 305. DEFINITIONS.**

7 In this title:

8 (1) GREENHOUSE GAS.—The term “greenhouse
9 gas” means—

10 (A) carbon dioxide;

11 (B) methane;

12 (C) nitrous oxide;

13 (D) hydrofluorocarbons;

14 (E) perfluorocarbons;

15 (F) sulfur hexafluoride; or

16 (G) any other anthropogenically emitted
17 gas that is determined by the Administrator,
18 after notice and comment, to contribute to glob-
19 al warming to a non-negligible degree.

20 (2) UNITED STATES NET GREENHOUSE GAS
21 EMISSIONS.—The term “United States net green-
22 house gas emissions” means net greenhouse gas
23 emissions, as calculated by the Administrator on an
24 annual basis and reported to the United Nations

- 1 Framework Convention on Climate Change Secre-
- 2 tariat.

○