

Learning How to Build Back Better through Clean Energy Policy Evaluation

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Workshop on Tracking and Evaluation of
RD&D Programs at Department of Energy
Resources for the Future
May 23, 2023

Build Back Better through the *Inflation Reduction Act* and the *Infrastructure Investment and Jobs Act*

136 STAT. 1818

PUBLIC LAW 117-169—AUG. 16, 2022

Public Law 117-169
117th Congress

An Act

Aug. 16, 2022
[H.R. 5176]

Appropriations
authorizations.

To provide for reconciliation pursuant to title II of S. Con. Res. 14.

Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,

TITLE I—COMMITTEE ON FINANCE

Subtitle A—Deficit Reduction

SECTION 10001. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this sub-
title an amendment or repeal is expressed in terms of an amend-
ment to, or repeal of, a section or other provision, the reference
shall be considered to be made to a section or other provision
of the Internal Revenue Code of 1986.

PART 1—CORPORATE TAX REFORM

SEC. 10101. CORPORATE ALTERNATIVE MINIMUM TAX.

26 USC 55.

(a) IMPOSITION OF TAX.—

(1) IN GENERAL.—Paragraph (2) of section 55(b) is amended
to read as follows:

“(2) CORPORATIONS.—

“(A) APPLICABLE CORPORATIONS.—In the case of an
applicable corporation, the tentative minimum tax for the
taxable year shall be the excess of—

“(i) 15 percent of the adjusted financial statement
income for the taxable year (as determined under sec-
tion 56A), over

“(ii) the corporate AMT foreign tax credit for the
taxable year.

“(B) OTHER CORPORATIONS.—In the case of any corpora-
tion which is not an applicable corporation, the tentative
minimum tax for the taxable year shall be zero.”

(2) APPLICABLE CORPORATION.—Section 59 is amended by
adding at the end the following new subsection:

“(k) APPLICABLE CORPORATION.—For purposes of this part—

“(1) APPLICABLE CORPORATION DEFINED.—

“(A) IN GENERAL.—The term ‘applicable corporation’
means, with respect to any taxable year, any corporation
(other than an S corporation, a regulated investment com-
pany, or a real estate investment trust) which meets the

Determinations.



PUBLIC LAW 117-58—NOV. 15, 2021

135 STAT. 429

Public Law 117-58
117th Congress

An Act

To authorize funds for Federal-aid highways, highway safety programs, and transit
programs, and for other purposes.

Nov. 15, 2021
[H.R. 3684]

Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ‘Infrastructure
Investment and Jobs Act’.

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

Sec. 1. Short title; table of contents.
Sec. 2. References.

DIVISION A—SURFACE TRANSPORTATION

Sec. 10001. Short title.
Sec. 10002. Definitions.
Sec. 10003. Effective date.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 11101. Authorization of appropriations.
Sec. 11102. Obligation ceiling.
Sec. 11103. Definitions.
Sec. 11104. Apportionment.
Sec. 11105. National highway performance program.
Sec. 11106. Emergency relief.
Sec. 11107. Federal share payable.
Sec. 11108. Railway-highway grade crossings.
Sec. 11109. Surface transportation block grant program.
Sec. 11110. Nationally significant freight and highway projects.
Sec. 11111. Highway safety improvement program.
Sec. 11112. Federal lands transportation program.
Sec. 11113. Federal lands access program.
Sec. 11114. National highway freight program.
Sec. 11115. Congestion mitigation and air quality improvement program.
Sec. 11116. Alaska Highway.
Sec. 11117. Toll roads, bridges, tunnels, and ferries.
Sec. 11118. Bridge investment program.
Sec. 11119. Safe routes to school.
Sec. 11120. Highway use tax evasion projects.
Sec. 11121. Construction of ferry boats and ferry terminal facilities.
Sec. 11122. Vulnerable road user research.
Sec. 11123. Wildlife crossing safety.
Sec. 11124. Consolidation of programs.
Sec. 11125. GAO report.
Sec. 11126. Territorial and Puerto Rico highway program.
Sec. 11127. Nationally significant Federal lands and Tribal projects program.
Sec. 11128. Tribal high priority projects program.
Sec. 11129. Standards.
Sec. 11130. Public transportation.

Infrastructure
Investment and
Jobs Act.
23 USC 101 note.

Data, Institutionalization, and Evaluation Culture

- Benefits of Clean Energy Program Evaluation
- Institutionalizing Evaluation:
Lessons from Regulatory Review
- Producing Data for Evaluation:
Lessons from the 2009 Recovery Act
- Planning for Clean Energy Policy Evaluations

Benefits of Clean Energy Policy Evaluation

Policy Objectives

BUY AMERICAN

No New Climate Policy CO2 Emissions

DAVIS-BACON ACT



NEPA
NATIONAL ENVIRONMENTAL
POLICY ACT

ENVIRONMENTAL
JUSTICE

2000 2010 2020 2030 2040

Demonstrate Policy Efficacy

- Progress towards emission goals
 - Distribution of benefits, costs, impacts, etc.
 - Policy cost-effectiveness
 - Other socially and politically desirable metrics
- Inform policy updating over time, addressing interests of White House and Congress

Advance Learning Agenda for Climate

- Implement *Foundations for Evidence-Based Policymaking Act of 2018*
 - Institutionalize learning agenda for climate
 - Inform strategic and budget planning for climate
- Sharing data and evidence with stakeholders can facilitate durable demand for evaluation

Institutionalizing Evaluation: Lessons from Regulatory Review

Lessons from Regulatory Review

- “Compelling need” standard for regulatory review applies equally to clean energy spending
 - “Modernizing regulatory review”
- Standardize evaluation methods and processes
 - OMB guidance: Circular A-4
 - Agency guidance for economic analysis
- Support iterative policy and retrospective analysis

Producing Data for Evaluation:
Lessons from the Academic Literature
on the 2009 Recovery Act

Producing Data

- ARRA 2009 clean energy program evaluations rely on program design for empirical strategy
 - Program design stage: evaluation can inform design and data collection
- Data collected/produced by implementing agency
 - Data informing funding decisions
 - Data on recipient actions
 - Minimize need for recipient interpretation

Connecting Data

- Data collected by other agencies
 - Energy Information Administration
 - Census and Annual Survey of Manufactures
 - U.S. Patent and Trademark Office
 - National Center for Health Statistics
 - Bureau of Labor Statistics

→ Provide information about non-recipients and information about outcomes influenced by outputs
- Data collected by private sector

Planning for Clean Energy Program Evaluations

Guidance for Planning

- Develop guidance and resources for evaluations
- Identify priority outcomes to evaluate
- Identify policies/programs with learning potential
- Develop evaluation plans and data protocols
- Ensure evaluation plan transparency
- Promote performance evaluation culture

Energy Program Performance Scorecard

- Commit to public communication of impacts of energy programs
 - Integrate with climate evidence across government
 - Annual report to Congress
 - Produce a set of metrics that reflect key outcomes
 - Energy technology and market outcomes
 - Justice40
 - Place-based economic outcomes
- Use scorecard in appropriations, energy bill processes

Thank You!

RFF working paper: <https://tinyurl.com/AldyBBB>

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