



## NECA Discussion Topics for In-District Congressional Meetings – August 2024

Members of Congress will be back in their home districts for August, and this is a great opportunity to reinforce your existing relationship or create a new one! Provided below is a list of topics NECA Government Affairs is currently working on that you can discuss with your Member of Congress.

### NECA 2024 August Recess Asks:

#### 1. **Enact Permitting Reform to Ensure Timely Approval for Projects**

Permitting reform has long been a priority for NECA contractors nationwide. Despite efforts to address reforms to the system, the permitting process has continued to slow down projects of all sizes and scope. Federal permitting reform for energy, minerals, and infrastructure projects is imperative and would allow for projects to come online faster and provide much needed relief to NECA contractors performing this work.

- i. Set clear deadlines, require simultaneous agency reviews, and effectively communicate to applicants of required materials for certification. (Partial Enacted)
- ii. Codify key elements of the “One Federal Decision” framework. (Enacted)
- iii. Improve the Clean Water Act Section 401 certification process. (Passed House)
- iv. Shorten unnecessary litigation delays and judicial reviews. (Passed House)
- v. Improve the siting process.

#### **Update on Permitting Reform:**

The House of Representatives was able to pass H.R. 1 Lower Energy Costs Act on March 30<sup>th</sup>. The Fiscal Responsibility Act included provisions of permitting reform such as codifying ‘One Federal Decision’ framework, developing clear schedules of completion of environmental review, adding battery storage to covered projects, two-year limitation for EIS, and developing e-NEPA to help digitize the process. This legislation also studies electric transferability between energy grids.

**Senate Ask:** *Senate Energy and Natural Resources Chairman Senator Joe Manchin (I-WV) and Ranking Member Senator John Barrasso (R-WY) released a new permitting package – S. 4753, the Energy Permitting Reform Act of 2024 - which aims to speed up approvals for coal, oil, and gas development, renewables, critical mining projects, and transmission lines.*

**House Ask:** *The House of Representatives has yet to address transmission, siting, and FERC process. NECA would like to see these policy issues addressed in the larger final package.*

#### 2. **Support H.R. 8812 or S. 4367, the Water Resources Development Act (WRDA)**

The House passed WRDA on July 22, 2024, with overwhelming bipartisan support. This legislation authorizes construction of 12 new Army Corps of Engineers projects and feasibility studies for 159 community-proposed projects, among other provisions.

**Senate Ask:** *The Senate has only passed their version of WRDA (S.4367, the Water Resources Development Act of 2024) out of committee. We urge the Senate to pass this*



*legislation on the Floor so that they can formally negotiate a final bill with the House of Representatives.*

### **3. Make the Tax Cuts and Jobs Act of 2017 Permanent**

NECA supported passage of this landmark tax legislation, the first time the tax code had a massive overhaul in 31 years. This legislation greatly benefits NECA contractors nationwide as it includes multiple provisions that simplify the tax code and keep them competitive. Most of these provisions are set to expire at the end of 2025.

- i. Make the 199A Pass-Through Deduction permanent.
- ii. Repeal the Estate Tax.
- iii. Repeal the Alternative Minimum Tax.
- iv. Reinstate 100% Bonus Depreciation.

**Update on Tax Reform:** Earlier this year the House passed H.R. 7024, the Tax Relief for American Families and Workers Act with resounding bipartisan support. This legislation would reauthorize many of these expiring provisions but does not address all of them. NECA Government affairs is working with Members of Congress to reauthorize in full the 2017 TCJA.

- H.R. 7024, the Tax Cuts for Working Families Act
- H.R. 4721/ S. 1706, the Main Street Tax Certainty Act

***House Ask/Senate Ask:** The TCJA starts to expire in 2025. In order to provide certainty to businesses, the House and Senate should fully reauthorize the TCJA provisions as soon as possible to ensure stability and tax certainty. The 'bonus depreciation' deduction has already begun to phase out from 100% to 80% in 2023.*

### **4. Enact the Leveraging and Energizing America's Apprenticeship Programs (LEAP) Act**

*H.R. 1536 sponsored by Rep. Nikki Budzinski (D-IL).*

NECA contractors, both small businesses and major corporations, contribute approximately \$300 million annually to our apprenticeship and training programs across the country. A career in the construction trades offers an opportunity for a substantive post-secondary education at a minimal cost to the participants and at no cost to the federal government. Congress should promote existing skilled apprenticeship programs as an option for post-secondary education that offers a real education, economic growth, and a debt-free pathway. Enact the Leveraging and Energizing America's Apprenticeship Programs (LEAP) Act to:

- Allow a one-time \$1,500 tax credit for hiring new apprentices.
- Encourage the creation of pre-apprenticeship programs that can provide a pathway to Registered Apprenticeship programs.

***House Ask:** We ask Members of congress to cosponsor this legislation. To see if your Representative has already cosponsored the legislation [click here](#).*

***Senate Ask:** This legislation has yet to be introduced. Your senator has an opportunity to introduce the senate companion bill.*



**5. Enact the Small Business Payment for Performance Act H.R. 2726 introduced by Congressman Pete Stauber (R-MN).**

Changes to a contract, commonly known as "change orders," inevitably occur on construction projects. On federal projects, the government may issue change orders without the contractors' consent and often do not abide by change order rules, like formalizing change orders in writing. This often results in significant financial hardship to contractors, small and large alike, as they and their subcontractors must effectively finance the changed work until the agency agrees to the cost of that unilateral change.

- Ensure small business contractors can perform federal government construction projects by having an equitable adjustment policy in place.
- Ensure the federal government pays small business contractors upfront for change orders to ensure they have the cash flow to do the extra work.

**House Ask:** *The legislation has yet to have a hearing in the Committee of Small Business. NECA asks Members of Congress to cosponsor this legislation. To find out if your Representative cosponsored the legislation [click here](#).*

**Senate Ask:** *This legislation has not yet been introduced in the Senate. Your senator has an opportunity to introduce the senate companion bill.*