

Clean Energy Policy Priorities for the 119th Congress

Issue Brief

July 30, 2024

In November 2024, voters will elect 34 Senators and 435 members of the House. The outcome of these elections will impact and shape the outreach strategy of the clean energy sector. With significant turnover expected, BCSE will develop a strategy to engage with new members of Congress and new members of key committees.

This issue brief covers what to expect from the 119th Congress, including policies up for consideration and the party platform.

Potential 2024 Election Result Scenarios

The parties that hold control of the U.S. House of Representatives and the Senate will determine the energy policy agenda that will be considered in the 119th Congress.

There are six broad scenarios that could unfold after November's elections:

1. A **Democrat** wins the Presidency and **Democrats take both branches** of Congress.
2. A **Democrat** wins the Presidency and **Republicans take both branches** of Congress.
3. A **Democrat** wins the Presidency and Congress is **divided**.
4. **Trump** wins the Presidency and **Democrats take both branches** of Congress.
5. **Trump** wins the Presidency and **Republicans take both branches** of Congress.
6. **Trump** wins the Presidency and Congress is **divided**.

If control of Congress and the Presidency are divided, political differences could either hinder efforts to expand clean energy policies or provide more momentum to enact policies that have bipartisan support.

Policies Up for Consideration in the 119th Congress

Starting in January 2024, the 119th Congress will consider policies that could greatly impact the clean energy sector. BCSE is following several pieces of legislation currently in development, including:

Tax Cuts and Jobs Act (TCJA)

Impact

Enacted by a Republican-led Congress and former President Donald Trump in 2017, the Tax Cuts and Jobs Act (TCJA) is a tax bill that will expire by the end of the [2025 calendar year](#).

Several provisions are set to expire, including the Section [199 A tax](#) deduction for pass-through business income.

The [current marginal](#) tax rates on taxable income, the standard reduction amount, and personal exemptions from the TCJA will also expire if Congress does not renew them by the end of 2025.

Bill not yet introduced.

Deadline for reauthorization: end of 2025 calendar year

[Click here](#) for more information.

Current Status and Potential Actions

House Republicans on the Ways and Means Committee have already formed “[Tax Teams](#)” to assess which parts of the TCJA they could include in the 2025 tax bills and what provisions they would like to add. These tax teams are asking for input from the public and interest groups regarding tax provisions through an online portal. Senate Finance Committee Republicans have also formed tax working groups to begin thinking about potential action on tax policy in the 119th Congress.

If Republicans control both branches of the 119th Congress, the prospects of renewing the TCJA are high, and additional tax cuts may be considered. Congress would likely pass the legislation through a “budget reconciliation” process, which can be done on a partisan basis. Clean energy tax provisions from the Inflation Reduction Act may be impacted by any potential action on tax policy.

If Congress is divided, passing a new tax bill with TCJA provisions may be more difficult. If Congress [does not renew](#) the TCJA, tax rates will return to pre-TCJA levels, resulting in large tax increases.

The BCSE Federal Policy Committee has been meeting with both Republican and Democratic staff of the tax writing committees to learn more about their plans for advancing tax policy.

Policies Up for Consideration in the 119th Congress (Cont.)

Farm Bill

The Farm Bill must be reauthorized every five years. It was originally scheduled to be reauthorized in the fall of 2023 but was extended for one year until September 30, 2024, through a continuing resolution.

Impact

The version of the bill passed by the House Agriculture Committee on May 24, 2024, included [several energy provisions](#), including:

- Banning U.S. Department of Agriculture (USDA) funds being used for a project that procures a solar energy component produced, assembled, or manufactured in a foreign country of concern.
- Establishing the USDA strategy on sustainable aviation fuel (SAF).
- Repealing the Carbon Utilization and Biogas Education Program (Section 9014 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8115)).

The Senate Agriculture Committee put forward an outline for reauthorization of the Farm Bill with provisions to [expand Inflation Reduction Act provisions](#) for climate smart agriculture and reduce methane emissions.

BCSE previously [sent a letter](#) to the House and Senate Committees on Agriculture advocating for inclusion of important energy efficiency and clean energy provisions to support economic development, energy efficiency and clean energy jobs, and resilience in rural communities.

Current Status and Potential Actions

On May 24, 2024, the House Agriculture Committee [passed its version](#) of the Farm Bill, which includes the provisions affecting solar and SAF development. It is unclear when Congress will bring the Farm Bill for a full vote in the House.

Lawmakers and [farmers alike](#) are concerned that Congress will not reauthorize the Farm Bill by the new deadline of September 30, 2024, leaving it to the 119th Congress to complete.

PROVE IT Act

Impact

The [PROVE IT Act](#) is a bill that would allow the U.S. Department of Energy (DOE) to conduct a study and obtain high-quality data regarding the carbon intensity of U.S. manufactured products.

Bill number: [H.R.8467](#)

Date introduced: 5/21/24 in House

Deadline for reauthorization:
9/30/24

[Click here](#) for more information.

Bill number: [S.1863](#) and [H.R.8957](#)

Date introduced: 6/7/23 in Senate and 7/9/24 in House

Primary sponsors: Senators Chris Coons (D-DE) and Kevin Cramer (R-ND); Congressmen John Curtis (R-UT-03) and Scott Peters (D-CA-50)

Policies Up for Consideration in the 119th Congress (Cont.)

Sponsors and supporters of the bill believe the data will demonstrate that industries in the United States produce high quality products, with low carbon emissions. In turn, the data will be useful in accelerating the deployment of U.S. clean energy technologies and solutions to global markets.

BCSE previously sent a [letter of support](#) to Senators Chris Coons (D-DE) and Kevin Cramer (R-ND) in response to [Senate advancement](#) of the PROVE IT Act in January 2024.

Current Status and Potential Actions

The PROVE IT Act was introduced in the Senate in June 2023 by Senators Chris Coons (D-DE) and Kevin Cramer (R-ND) and was advanced by the Senate Environment and Public Works Committee in January 2024.

The bill was [introduced in the House](#) on July 9, 2024 by Congressmen John Curtis (R-UT-03) and Scott Peters (D-CA-50).

Bill sponsors would like to see this legislation enacted as part of an end of year package, but if that does not occur, work will likely continue in the 119th Congress.

Energy Permitting Reform Act of 2024

Impact

The [Energy Permitting Reform Act of 2024](#) was introduced as part of a continued bipartisan effort to reform federal permitting and siting processes. It builds upon the [2023 Fiscal Responsibility Act](#), which contained several reforms to the National Environmental Policy Act (NEPA) to speed up energy project permitting and siting.

- These reforms included establishing page limits and deadlines on environmental review documents and requiring lead agency designation for multi-agency projects.
- Since the passage of the Fiscal Responsibility Act, [several pieces of permitting reform legislation](#) have been proposed.

The Energy Permitting Reform Act would:

- Streamline environmental reviews for “low-disturbance renewable, electric grid, and storage projects.”
- Set a 90-day deadline for the Secretary of Energy to grant or deny liquefied natural gas (LNG) export applications following environmental reviews.
- Establish a 150-day statute of limitations from the date of the final agency action on a project.

BCSE [released a statement](#) in response to the bill’s introduction, citing the importance of speeding up federal permitting and siting processes to boost U.S. energy security.

Bill number: [S.4753](#)

Date introduced: 7/23/24 in Senate

Primary sponsors: Senators Joe Manchin (I-WV) and John Barrasso (R-WY)

Policies Up for Consideration in the 119th Congress (Cont.)

Current Status and Potential Actions

The Energy Permitting Reform Act was introduced on July 23, 2024 by Senators Joe Manchin (I-WV) and John Barrasso (R-WY). It has been referred to the Senate Energy and Natural Resources Committee.

It is unclear if the legislation [will pass in the 118th Congress](#). Both Senator Manchin and Senator Barrasso will be stepping down from their respective roles as Chair and Ranking Member of the Senate Energy and Natural Resources Committee at the end of this session, which may provide added momentum to pass all or part of this bill – or to pass another bill to address permitting and siting reforms.

Appropriations

In addition to these policies, the 119th Congress must consider all twelve of the annual appropriations bills for fiscal year 2026. BCSE [advocates](#) for the inclusion of energy efficiency and clean energy funding in appropriations packages considered by Appropriations Subcommittees on Energy and Water Development; Interior, Environment and Related Agencies; State, Foreign Operations and Related Programs; and more.

FY 2026 bills not yet introduced.

Deadline: 9/30/25



The Parties: Where the Future of Energy Policy Stands

Republican Stances on Clean Energy

Republicans in Congress have proposed legislation in the 118th Congress to [reduce funding](#) across the federal government, including the energy sector. In April 2023, House Republicans passed the [Limit, Save, Grow Act](#), which would decrease funding for energy efficiency and clean energy production incentives. This is one of the existing proposals that may be revisited if Republicans take control of both branches of Congress in 2025.

Republicans have also expressed strong support of enacting federal permitting and siting reforms. Energy security and competition with China are of high concern as well. Regarding climate policy, there is a [growing coalition](#) of conservative lawmakers exploring climate mitigation and adaptation policy options. However, it is unclear how this coalition's priorities will fit into the broader Republican platform for the 119th Congress.

Of note, Congressional Republicans diverge in their support for the energy efficiency and clean energy investments under the [Inflation Reduction Act](#), which was passed by Democratic

The Parties: Where the Future of Energy Policy Stands (Cont.)

leadership in 2022 through the “budget reconciliation” process. Some Republicans support certain specific policies under the law, while others are advocating to repeal it entirely.

Democratic Stances on Clean Energy

Congressional Democrats are generally united around the Biden-Harris Administration’s current energy and climate change agenda to expand sustainable energy and strengthen greenhouse gas (GHG) emissions requirements. Since the start of the Biden presidency, Democrats have supported the passage of the bipartisan [2021 Infrastructure Investment and Jobs Act](#), [2022 CHIPS and Science Act](#), and [2022 Inflation Reduction Act](#), which together have provided [billions of dollars](#) of federal investment in energy efficiency and clean energy industries – and leveraging billions more in private sector capital.

Democratic policymakers would likely pursue a more expansive version of the policies currently being enacted under the Biden Administration to support deployment and investment in the energy transition and to reduce GHG emissions.

For more information on this topic:



[BCSE Issue Brief: 2024 Congressional Elections and Committee Makeup](#)

[BCSE Issue Brief: 2024 Presidential Candidate Positions on Energy and Climate Policy](#)

[BCSE Issue Brief: The “Best in Class” Trackers on IRA Implementation and Impact](#)

[BCSE Issue Brief: Permitting Reform Proposals in the 118th Congress](#)

[Republican Platform Heavy on Energy, Silent on Climate – E&E News](#)

[The Rural Prosperity and Food Security Act](#)

About the Author

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