



MEMORANDUM

TO: IEDA Board
FROM: Ed Gerak
RE: Federal Legislative Committee Report
DATE: February 1, 2024

Federal Legislation

Hydro Act – Senator Kelly & Representative Maloy (R-UT) introduced a new iteration of legislation that was introduced last year. This iteration grants/allows WAPA Administrator to reduce costs if reduction in generation triggers are met. These limits were set last year based on DCP triggers. Due to the differences in contracts (firming vs. run of the river), some people have questioned the levels. Possibly a bigger issue is that a better vetting process is necessary.

Help Hoover Dam Act – Senator Sinema and Representative Lee (D-NV) are putting the finishing touches on legislation that would allow the BOR to access the PRB funds. We were able to get Rep. Lee to sponsor an amendment to the appropriations bill in September, but it got declined by the parliamentarian. Initially planned as a stand-alone bill, California has pushed for a modification of the Boulder Canyon Project Act. This has caused us some concern that this might be a larger lift than expected. We have attempted to accommodate some requests from CA to get their support (trying to get members from all the Lower Basin states). *See Attached Draft Legislation*

Biggs –

- H.R. 69 - Nullify Occupational Safety and Health Administration Act
- H.R. 83 – Repeal National Voter Registration Act of 1993
- H.R. 6695 – Funding a Secure America Act (Funding Armed Forces in Case of a Government Shutdown)
- H.R. 6939 – REMAIN in Mexico Act of 2024

- H.R. 6941 – Criminalizing Fleeing from Immigration Enforcement Act of 2024
- H.R. 6942 – Count Only Citizens Act
- H.R. 7031 – Ultrasound Prior to Abortion (No Text Available)
- H.R. 7035 – Amend IRS Tax Code for Estate Tax (No Text Yet)
- H.R. 7083 – Prohibits Feds from Removing State Barrier/Fence

Ciscomani –

- H.R. 6979 – Amend IRS Code of 1986, Drug Related Issues
- H.R. 7011 – Rename Duncan Post Office for Sandra Day O’Connor
- H.R. 7035 – Amend IRS Tax Code for Estate Tax (No Text Yet)
- H.R. 7100 – Amend Title 38, Office of Survivors Assistance DAV
- H.R. 7123 – Amend the Communications Act of 1934 (Robocalling)

Crane –

- H.R. 6695 – Funding a Secure America Act
- H.R. 7049 – Repeal Dept. Veteran Affairs Covid-19 Vaccine Program
- H.R. 7083 – Prohibits Feds from Removing State Barrier/Fence
- H.R. 7102 – Establish Office of Native American Affairs at SBA
- H.R. 7129 – Amend Small Business, Establish Whistleblowers Office

Gallego –

- H.R. 7138 – Amend Title XVI, Social Security Act

Gosar –

- No Activity

Grijalva –

- H.R. 6961 – Nutrition CARE Act of 2024
- H.R. 6981 – Preventing Private Paramilitary Activity Act of 2024
- H.R. 6988 – Jane’s Law (Spousal/Child Support)
- H.R. 7003 - National Landslide Preparedness Act Reauthorization Act
- H.R. 7028 – Issuance of Visa for Immigrants
- H.R. 7039 – USC Title 49, Grants to Support Public Transportation
- H.R. 7041 – Internal Revenue Code – Corporate Tax Rate Increase
- H.R. 7089 – Public Health Service Act – Grants for Abortion Services
- H.R. 7138 – Amend Title XVI, Social Security Act

- H.R. 7011 – Rename Duncan Post Office for Sandra Day O’Connor

Lesko –

- H.R. 6918 – Supporting Pregnant and Parenting Women and Families
- H.R. 7011 – Rename Duncan Post Office for Sandra Day O’Connor
- H.R. 7044 – Medical Abortion Notification & Consent
- H.R. 7035 – Amend IRS Tax Code for Estate Tax (No Text Yet)

Schweikert –

- H.R. 7011 – Rename Duncan Post Office for Sandra Day O’Connor
- H.R. 7083 - Prohibits Feds from Removing State Barrier/Fence
- H.R. 7141 – Title XI, Social Security Act, Algorithm Pilot, Medicare

Stanton –

- H.R. 7011 – Rename Duncan Post Office for Sandra Day O’Connor
- H.R. 7070 - Wildfire Response Improvement Act
- H.R. 7086 - Traffic Safety Campaign Shall have No Force or Effect
- H.R. 7126 – Prohibition of MVD Against Discriminating Disability

Kelly –

- S. 3564 – GSA Disposal Process Tribal Parity Act of 2024 (Tribal)
- S. 3581 – HYDRO Act of 2024 (Highlighted Above)
- S. 3591 – Stop Fentanyl at the Border Act
- S. 3599 – FEC Act of 1971, Against Corporate PAC
- S. 3627 – Distribution Transformer Efficiency and Supply Chain Reliability Act of 2024
- S. 3658 – Office of Space Commerce, Space Situational Awareness
- S. 3689 - Office to Enforce/Protect Against Child Sexual Exploitation

Sinema –

- S. 3581 – HYDRO Act of 2024 (Highlighted Above)
- S. 3061 – Financial Stability Oversight Council Improvement Act
- S. 3627 – Distribution Transformer Efficiency and Supply Chain Reliability Act of 2024
- S. 3627 – OPM Pilot Study, Employment w/ BLM for Veterans
- S. 3658 – Office of Space Commerce, Space Situational Awareness
- S. 3697 – Establish Space National Guard

Hill Update

Continuing Resolution – A new CR extension has been passed, pushing the new deadline to March 1st & 7th. The need to pass the 12 appropriation bills continues. Progress in this area has been made with the agreement of a top line spending level (\$1.59T). This has apparently trickled down to the committee levels with top line levels for them as well.

Immigration/Border Deal – The border issue has risen to the forefront given the number of crossings over the last few months. An immigration deal has been being negotiated, but the issue has been seized as a campaign issue. Although it is likely that a bipartisan deal would be better than what could be agreed upon after the election (unlikely that Senate could get 60 votes), it is getting pushback recently.

Tax Deal – House passed a bipartisan bill (357-70) to extend family tax credits and business tax breaks. This bill was fast tracked under “suspension” and required a 2/3 approval. It may face challenges in the Senate. To pay for the new tax credits, it would eliminate the employee retention tax credits.

Farm Bill – While the Farm Bill has been extended to September 30, 2024, this 5-year, multi-billion-dollar bill might fall victim to the election cycle this year.

Chevron Doctrine – Two cases (*Relentless, Inc. v. Dept. of Commerce* and *Loper Bright Enterprises v. Raimondo*) at the Supreme Court will likely overturn or severely limit the deference that agencies receive in interpreting law/statutes. This could have huge impacts regarding environmental oversight.

2 Vote Majority– Due to resignations, etc., the House majority is sitting at 2 Votes.

Debt- National Debt at \$34T, Issue for Freedom Caucus.

Campaign Updates

Presidential Race - Depending on where you are at, it is currently a two-person race. For the Republicans, except for Trump and Haley, every other candidate has suspended their campaign. Nikki Haley performed well in NH

(possibly due to non-republicans voting in the primary), but probably not enough to give her momentum going into SC. South Carolina Senator Tim Scott has endorsed President Trump, as a possible VP attempt. Trump, instead of pivoting to the General Election after the NH results, railed against Haley for her position to stay in the race.

Biden's write in votes in NH all but assured the end of Dean Phillips campaign. If you are looking for something enjoyable out of this campaign season, look up the NH Bigfoot video for Dean Phillips on YouTube.

Ultimately, elections come down to issues and money. Both candidates have personal and professional baggage, it will depend on elector sentiment and turnout. Money may drive turnout; Biden has a lead going into 2024. Trump spent more than he raised in 2023, which has placed him behind on the money race. End of 2023 saw Biden at \$46M and Trump at \$33M, but this doesn't account for Super PACs, etc.

The race will boil down to roughly six states, but some have anticipated it might just come down to PA. Everything might change with a viable third-party candidate, which would likely pull votes from Biden.

AZ Senate Race – The great unknown continues to be whether incumbent Senator Sinema's decision on whether to run again. The longer she delays entering the race, the more likely it is that she has already decided to not do it.

Kari Lake made headlines recently with her decision to release recorded conversations with Jeff DeWitt. Apparently, this heavily edited recording occurred 8 months ago. Not sure why it took so long for her to release this, but it probably hasn't helped her campaign.

Congressman Gallego's campaign has been somewhat quiet. Not sure if the recent articles discussing Sinema's chartered flights might be an initial attack (or normal journalism during an election year).