



Navigating Through a Divided Government and 2024 Elections


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2024 Policy Outlook



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Legislative Recap: 118th Congress

- H.R. 3935, Federal Aviation Authorization (FAA)
 - Signed into law 5/16/24
- H.R. 8812/S. 4367, Water Resources Development Act (WRDA)
 - H.R. 8812 Passed House 7/22/24
 - S. 4367 Passed Senate 8/1/24
 - In Conference
- S. 4753, Energy Permitting Reform Act
 - Passed Senate Committee 7/31/24
- H.R. 7024, the Tax Relief for American Families and Workers Act
 - Passed House 1/31/24
 - Failed Senate 8/1/24
- H.R. 4721/S. 1706, Main Street Tax Certainty Act
 - Introduced in House – 186 cosponsors
 - Introduced in Senate – 33 cosponsors
- H.R. 8070/S. 4638, National Defense Authorization Act (NDAA)
 - Passed House 6/14/24
 - In Senate Committee
- FY2025 Appropriations



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Continuing Resolution Funds Federal Government through December 20

OVERVIEW

- Congress passed bipartisan CR Sept. 25 avoiding a federal shutdown -- until Dec. 20
- The CR maintains FY2024 funding levels and allocates more than \$230M for Secret Service enhancements ahead of the 2024 elections
- Conservative legislative priorities, such as the SAVE Act for voter registration ahead of the general election and additional defense spending, were excluded to secure bipartisan
- Work on the 12 appropriations bills will continue, with the new deadline setting up another potential funding battle in late December

\$230+ million

to bolster Secret Service security for presidential candidates

FEDERAL DISASTER RELIEF AID

Extends \$20+ billion in federal disaster relief aid

NOTABLY EXCLUDES

- Voter registration requirements
- Border security measures

SENATE VOTES (78-18)

Not voting 1

Yes	46	28	4
No	18		

HOUSE VOTES (341-82)

Not voting 3

Yes	209	132
No	82	

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Regulatory Recap: 118th Congress

- OSHA Final Worker Walkaround Representative Rule in Federal Register
- IRS Guidance On IRA Solar And Wind Powered Energy Facilities
- DOL Final Rule To Extend Overtime Pay To Additional Salaried Workers
- DOL Final Rule To Update ERISA Definition Of Investment Advice Fiduciary
- IRS Guidance Regarding IRA Bonus Credit For Green Energy Projects
- DOE Final Rule To Move Federal Buildings Toward Zero Emissions
- FTC Final Rule Banning Noncompete Agreements
- FAR Council Final Rule On Procurement Requirements On Federal Projects
- OMB Final Rule Updating Federal Grants, Agreements, And Financial Assistance Guidance
- DOL ETA Reviewing Pre-Apprenticeship Programs To Increase Access
- EO Scaling And Expanding The Use Of Registered Apprenticeships
- IRS Proposed Rule On Clean Electricity Production And Clean Electricity Investment Credits
- NIST Comments Regarding Davis-Bacon Compliance Under The CHIPS Incentives Program Created
- EPA Comments To Inform Program For Labeling Low Embodied Carbon Construction Materials
- FAR Council Proposed Rule Regarding Pay Equity And Transparency In Federal Contracting
- DOL Apprenticeship Enhancements
- OSHA Indoor and Outdoor Heat Illness Prevention Rule
- FERC Final Rule on Regional Transmission Planning and Cost Allocation

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Lame Duck Scenarios

- Many of our priorities depend on whether Democrats maintain control of the White House and Senate.
 - After election season, Members of Congress are less concerned with political factors.
- The remaining congressional calendar will likely be spent funding the government.
 - The odds the remaining appropriations bills pass are extremely low.
 - Another CR funding at last year's levels is most likely
- **NECA will continue to push for Permitting Reform and Targeted Tax Provisions in the lame duck session**

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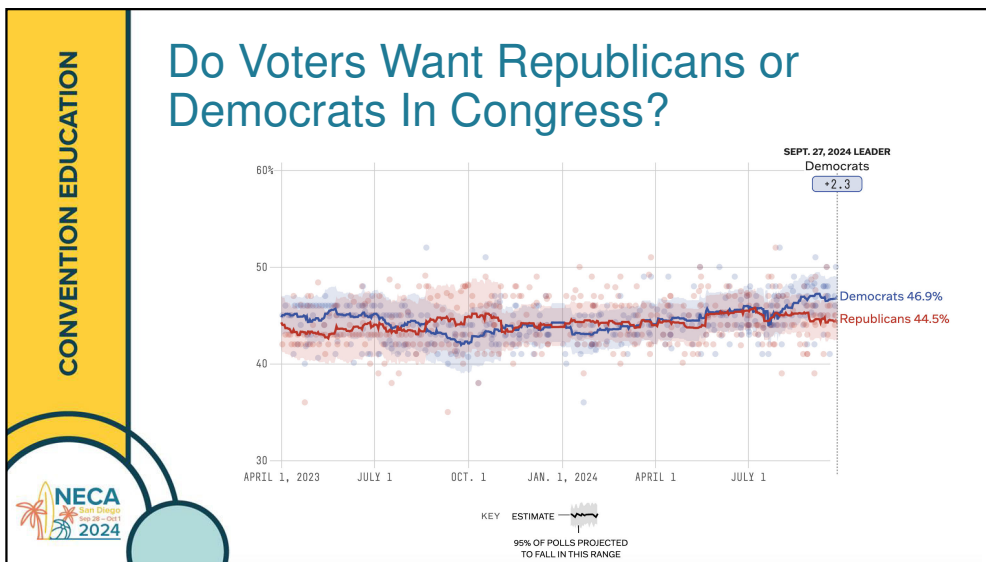
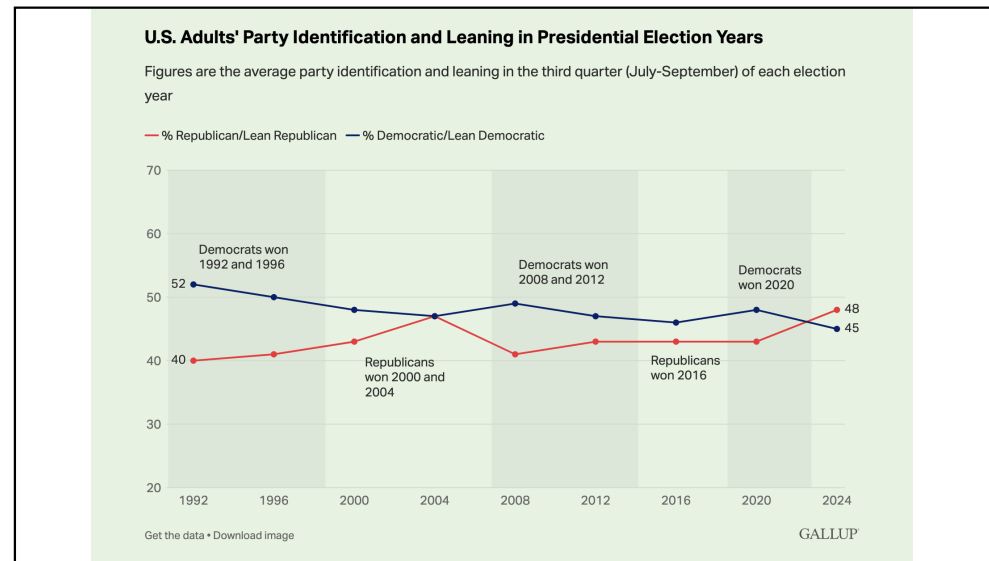
Political Recap: 118th Congress

- **NECAPAC has raised over \$1.3 million this cycle**
 - \$853,570 from 645 donors in 2023
 - \$530,435 from 431 donors YTD
- **NECAPAC has disbursed over \$1.3 this cycle – anticipated to total \$1.8**
 - \$929,000 disbursed to reelect for 161 candidates in 39 states
 - \$235,000 disbursed to party PACs
 - \$167,500 disbursed to party sponsorships
- **The Operational Fund has broken records this cycle**
 - \$448,274 raised in 2023 from 216 contributors
 - \$354,985 raised from 91 contributors YTD (\$55k over Aug '23)

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NECA San Diego 2024

2024 Elections Outlook



The House

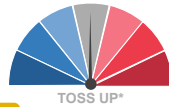
Likely Democrat 15 DEM, 1 GOP	Lean Democrat 12 DEM, 1 GOP	Toss Up 11 DEM, 13 GOP	Lean Republican 6 GOP	Likely Republican 10 GOP
AL-02 New Seat	CA-47 Open	AK-AL Peltola	IA-01 Miller-Meeks	CA-03 Kiley
CA-09 Harder	CT-05 Hayes	CO-08 Caraveo	IA-03 Nunn	CA-40 Kim
CA-49 Levin	IL-17 Sorenson	ME-02 Golden	MI-10 James	CO-03 Open
FL-09 Soto	IN-01 Mivan	MI-07 Open	PA-10 Perry	FL-13 Luna
KS-03 Davids	MN-02 Craig	MI-08 Open	VA-02 Kiggans	FL-27 Salazar
MD-06 Open	NV-03 Lee	NC-01 Davis	WI-03 Van Orden	MT-01 Zinke
MI-03 Scholten	NY-18 Ryan	NM-02 Vasquez		NY-01 LaLota
NH-01 Pappas	NY-22 Williams	OH-13 Sykes		PA-01 Fitzpatrick
NH-02 Open	OH-09 Kaptur	PA-07 Wild		TX-15 De La Cruz
NV-01 Titus	OR-06 Salinas	PA-08 Cartwright		WI-01 Steil
NV-04 Horsford	PA-17 Deluzio	WA-03 Perez		
NY-03 Suozzi	TX-34 Gonzalez	AZ-01 Schweikert		
OH-01 Landsman	VA-07 Open	AZ-06 Ciscomani		
OR-04 Hoyle		CA-13 Duarte		
TX-28 Cuellar		CA-22 Valadao		
WA-08 Schrier		CA-27 Garcia		
		CA-41 Calvert		
		CA-45 Steel		
		NE-02 Bacon		
		NJ-07 Kean Jr.		
		NY-04 D'Esposito		
		NY-17 Lawler		
		NY-19 Molinaro		
		OR-05 Chavez-DeRemer		

Democrat-held seat
 Republican-held seat
 Freshman member

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House Race Spotlight: AZ-1



CANDIDATES



Amish Shah (D)
Representative, Arizona State House of Representatives, District 5, 2023-2024, District 24, 2019-2023



David Schweikert (R)
Incumbent
NECA-Supported

Rep. Schweikert's Key Committees

- House Ways & Means
- U.S. Congress Joint Economic Committee Vice Chair

Rep. Schweikert's Key Issues

- One of the few members that worked on and supported passage of the 2017 Tax Cuts and Jobs Act
- Huge proponent of the 199a deduction for S-Corps

PRIMARY ELECTION RESULTS

DEM	GOP
Amish Shah 23.5%	David Schweikert 62.7%
Andrei Cherny 21.3%	Kim George 27.5%
Marlene Galan-Woods 21.2%	Robert Backle 9.8%

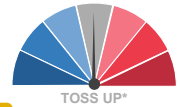
PREVIOUS AZ-1 RESULTS

Election	Winner	Runner-Up	Margin
2022 House	Schweikert (R) 50.4%	Hodge (D) 49.6%	R + 0.9%
2020 House	O'Halleran (D) 51.6%	Shedd (R) 48.4%	D + 3.2%
2020 Presidential	Biden (D) 50.1%	Trump (R) 48.6%	D + 1.5%

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House Race Spotlight: CA-22



CANDIDATES



Rudy Salas (D)
Assembly Member, California State Assembly, District 32, 2012-2022



David Valadao (R)
Incumbent
NECA-Supported

NECA's Take

Rep. Valadao's Key Committees

- House Appropriations
- House Budget

Rep. Valadao's Key Issues

- Huge supporter of the NDAA and military construction funding

ALL-PARTY PRIMARY RESULTS

David Valadao (R) 32.7%
Rudy Salas (D) 31.3%
Chris Mathys (R) 22.0%
Melissa Hurtado (D) 14.0%

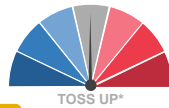
PREVIOUS CA-22 RESULTS

Election	Winner	Runner-Up	Margin
2022 House	Valadao (R) 51.5%	Salas (D) 48.5%	R + 3.0%
2020 House	Nunes (R) 54.2%	Arballo (D) 45.8%	R + 8.4%
2020 Presidential	Biden (D) 55.3%	Trump (R) 42.3%	D + 13.0%

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House Race Spotlight: OH-9



CANDIDATES



Marcy Kaptur (D)
Incumbent
NECA-Supported



Derek Merrin (R)
Realtor, Key Realty, Limited, 2013-2017

NECA's Take

Rep. Kaptur's Key Committees

- House Appropriations
- Ranking Member - Energy & Water Subcommittee
- Defense Subcommittee

Rep. Kaptur's Key Issues

- Advocate for funding for federal infrastructure investment

PRIMARY ELECTION RESULTS

DEM	GOP
Marcy Kaptur Uncontested	Derek Merrin 52.5%
	Craig Riedel 34.4%
	Steve Lankenau 13.2%

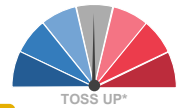
PREVIOUS OH-9 RESULTS

Election	Winner	Runner-Up	Margin
2022 House	Kaptur (D) 56.6%	Majewski (R) 43.4%	D + 13.2%
2020 House	Kaptur (D) 63.1%	Weber (R) 36.9%	D + 26.2%
2020 Presidential	Trump (R) 50.6%	Biden (D) 47.7%	R + 2.9%

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House Race Spotlight: WA-3



CANDIDATES



Marie Gluesenkamp Perez (D)
Incumbent
NECA-Supported



Joe Kent (R)
Project Manager, Technology Startup, 2019-present

NECA's Take

Rep. Gluesenkamp Perez Key Committees

- House Agriculture
- House Small Business

Rep. Gluesenkamp Perez Key Issues

- Pro business, bipartisan member

ALL-PARTY PRIMARY RESULTS

Marie Gluesenkamp Perez 46.9%
Joe Kent 38.4%
Leslie Lewallen 12.4%
John Saulie-Rohman 2.3%

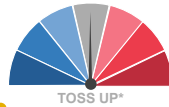
PREVIOUS WA-3 RESULTS

Election	Winner	Runner-Up	Margin
2022 House	Gluesenkamp Perez (D) 58.4%	Kent (R) 49.6%	D + 8.8%
2020 House	Herrera Beutler (R) 56.5%	Long (D) 43.5%	R + 13.0%
2020 Presidential	Trump (R) 50.8%	Biden (D) 46.6%	R + 4.2%

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House Race Spotlight: PA-8



CANDIDATES



Matt Cartwright (D)
Incumbent



Robert Bresnahan (R)
President, RPB Ventures LLC,
2016-present
NECA-Supported

CAMPAIGN FINANCE

CAMPAIGN FINANCE DATA AS OF JUN. 30, 2024

■ Total receipts ■ Total disbursements



PRIMARY ELECTION RESULTS

DEM	GOP
Matt Cartwright Uncontested	Robert Bresnahan Uncontested

PREVIOUS PA-8 RESULTS

Election	Winner	Runner-Up	Margin
2022 House	Cartwright (D) 51.2%	Bognet (R) 48.8%	D + 2.4%
2020 House	Cartwright (D) 51.8%	Bognet (R) 48.2%	D + 3.6%
2020 Presidential	Trump (R) 56.9%	Biden (D) 48.0%	R + 2.9%

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The Senate



Solid Democrat
12 DEM, 2 IND

Likely Democrat
1 DEM

Lean Democrat
2 DEM, 1 IND

Toss Up
2 DEM

Lean Republican
1 DEM

Likely Republican
3 GOP

Solid Republican
1 DEM, 8 GOP

Open (CA)
Murphy (CT)
Open (DE)
Hirono (HI)
Warren (MA)
Klobuchar (MN)
Menendez (NJ)
Heinrich (NM)
Gillibrand (NY)
Whitehouse (RI)
Kaine (VA)
Cantwell (WA)
King (ME)*
Sanders (VT)*

Open (MD)

Open (AZ)*
Casey Jr. (PA)
Baldwin (WI)
Rosen (NV)

Open (MI)
Brown (OH)

Tester (MT)

Scott (FL)
Cruz (TX)
Fischer (NE)

Open (WV)*
Open (IN)
Hawley (MO)
Wicker (MS)
Cramer (ND)
Ricketts (NE)
Blackburn (TN)
Open (UT)
Barrasso (WY)

Democrat-held seat
Republican-held seat
Incumbent not seeking reelection

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Senate Race Spotlight: Maryland



CANDIDATES



Angela Alsobrooks (D)
County Executive, Prince
George's County, 2018-present

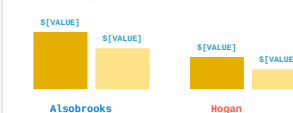


Larry Hogan (R)
Governor, State of Maryland,
2014-2023
NECA-Supported

CAMPAIGN FINANCE

CAMPAIGN FINANCE DATA AS OF JUN. 30, 2024

■ Total receipts ■ Total disbursements



PRIMARY ELECTION RESULTS

DEM	GOP
Angela Alsobrooks 53.8%	Larry Hogan 61.9%
David Trone 42.0%	Robin Ficker 38.1%
Michael Cobb 6.8%	Chris Chaffee 3.3%

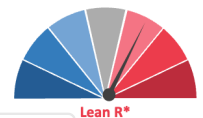
PREVIOUS MD RESULTS

Election	Winner	Runner-Up	Margin
2022 Senate	Van Hollen (D) 65.8%	Chaffee (R) 34.1%	D + 31.7%
2020 Presidential	Biden (D) 65.6%	Trump (R) 32.1%	D + 33.5%

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Senate Race Spotlight: Montana



CANDIDATES



Jon Tester (D)
Incumbent

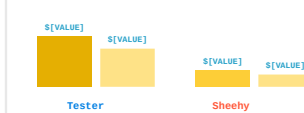


Tim Sheehy (R)
NECA-Supported

CAMPAIGN FINANCE

CAMPAIGN FINANCE DATA AS OF JUN. 30, 2024

■ Total receipts ■ Total disbursements



PRIMARY ELECTION RESULTS

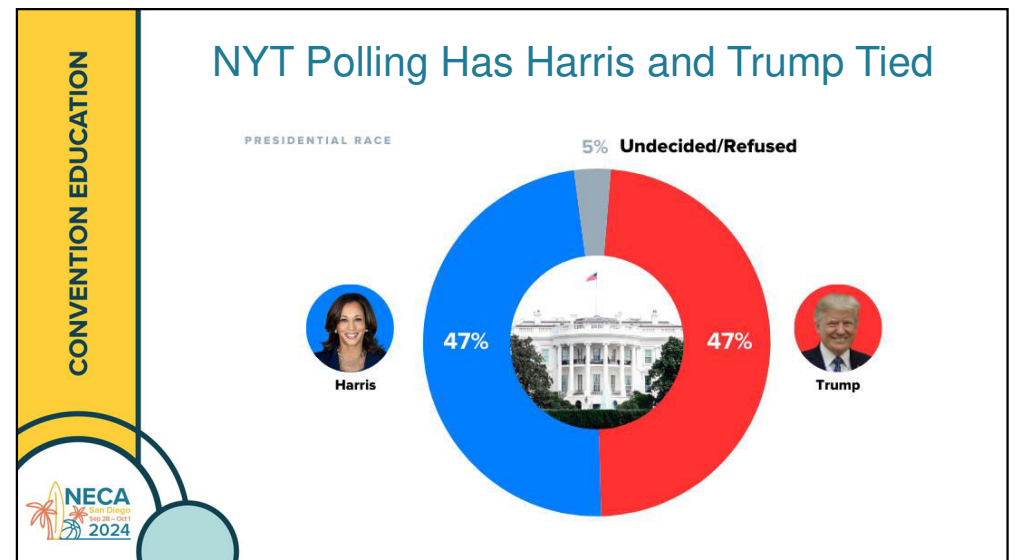
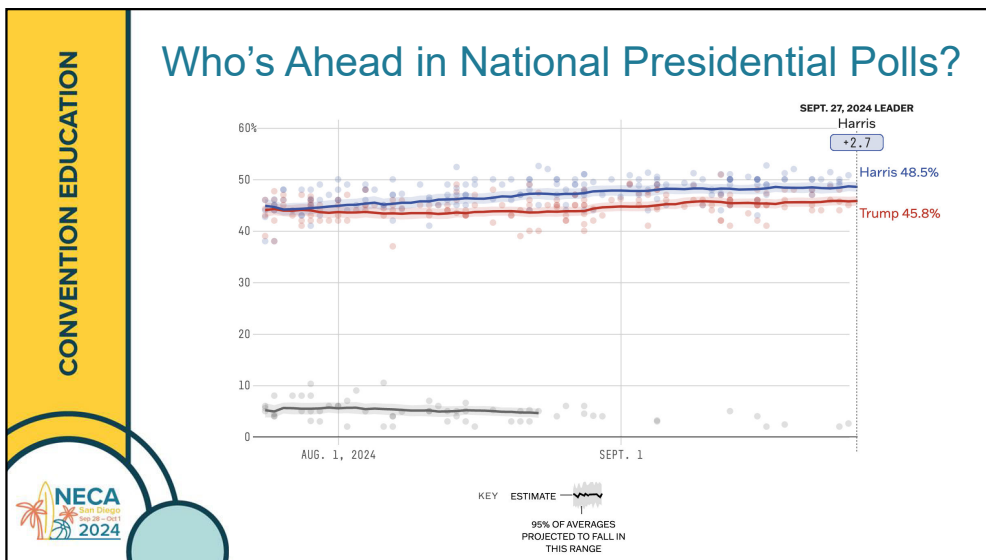
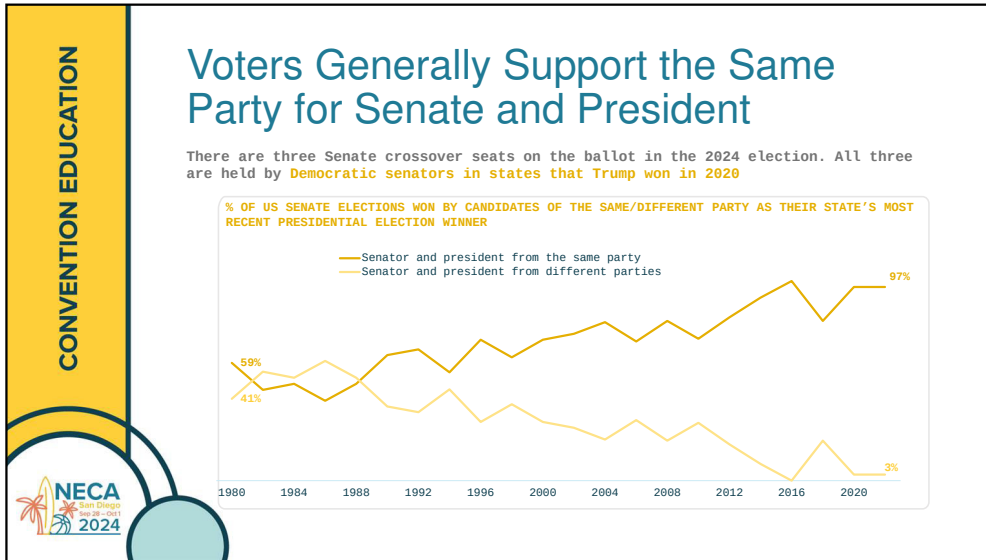
DEM	GOP
Jon Tester 97.1%	Tim Sheehy 73.6%
Michael Hummert 2.9%	Brad Johnson 18.7%
	Charles Walking Child 7.5%

PREVIOUS MT RESULTS

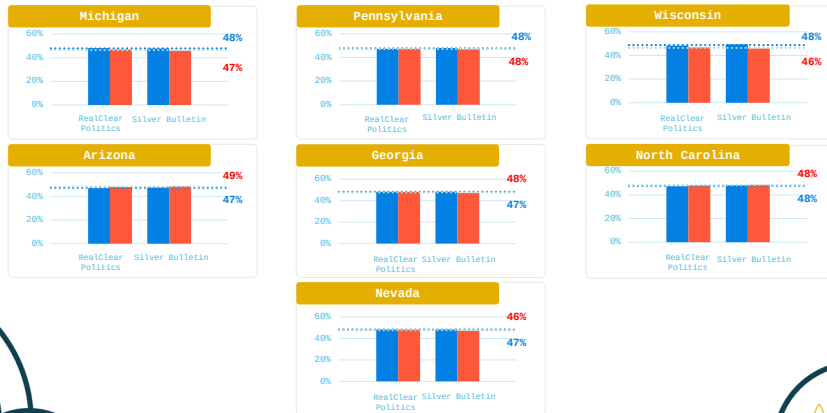
Election	Winner	Runner-Up	Margin
2018 Senate	Tester (D) 58.3%	Rosendale (R) 46.8%	D + 3.5%
2020 Presidential	Trump (R) 56.8%	Biden (D) 40.4%	R + 16.4%

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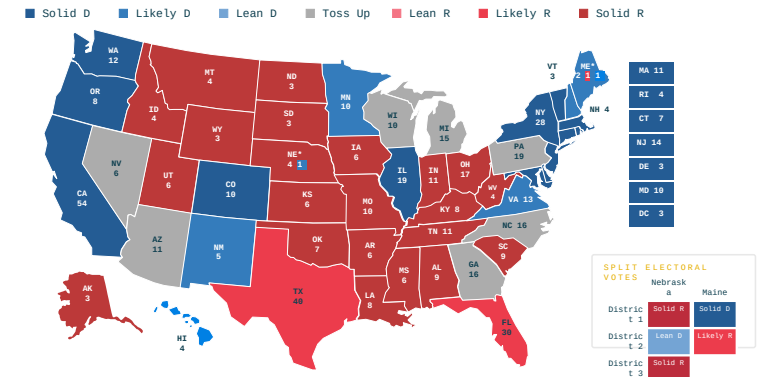
Swing State Polling



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93 Electoral Votes are Considered Toss Ups



*Nebraska and Maine award two electors each to the winner of their state's popular vote and one elector to the winner of each of their congressional districts

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When Will We Know?

What we're watching:

- **Arizona's** drawn-out process causing notoriously long delays in finalizing results is unchanged from 2020.
- In **Pennsylvania**, county officials are sounding the alarm that counting again will probably take days.
 - The state doesn't allow offices to begin opening mail-in ballots until 7 a.m. on Election Day.
- In **Wisconsin**, a bipartisan effort that would have allowed election officials to begin processing absentee ballots before Election Day failed to pass the legislature this year.

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Potential 2024 Election Outcomes

President	House	Senate	Likelihood	Likelihood analysis
R	D	R	High	Presidential race is a toss up; Democrats have a chance to regain control of the House, but GOP will likely flip the Senate
D	D	R	High	Presidential race is a toss up; Democrats have a chance to regain control of the House, but GOP will likely flip the Senate
R	R	R	Medium	GOP has a chance to win control of Congress
D	R	R	Medium	GOP has a chance to win control of Congress, but it's less likely for Democrats to win the presidency and lose both chambers of Congress
R	R	D	Low	Democrats will struggle to retain Senate control; unlikely that GOP would win the presidency and House but fail to flip the Senate
D	R	D	Low	Democrats will struggle to retain Senate control; unlikely that GOP would win House control but fail to flip the Senate
R	D	D	Very Low	Highly unlikely for Democrats to lose the presidency but win both chambers of Congress
D	D	D	Very Low	Democrats are unlikely to win both chambers of Congress

Tax Policy

Harris-led Divided Government	Democratic Trifecta	Trump-led Divided Government	Republican Trifecta
<ul style="list-style-type: none"> A compromise tax bill in Congress to address the TCJA expiring provisions would likely include extensions of the child tax credit (including with a lookback provision) and bipartisan business tax provisions, including research and development credits. It is unclear whether these provisions would also be applied retroactively. A Democratic-led government will likely extend TCJA provisions benefiting the middle class, including those that reduced tax rates for households earning under \$400,000 annually. 	<ul style="list-style-type: none"> Democrats will seek to promote tax fairness through tax rate increases on wealthy taxpayers, including through novel proposals like the taxation of unrealized gains. Increased audits on high income taxpayers and corporations. Expiration of multiple TCJA provisions, mainly provisions benefiting businesses. This would result in corporate tax increases and modifications to provisions like Sec. 199A. 	<ul style="list-style-type: none"> Compromise bill to address TCJA expiring provisions, likely including extensions of the child tax credit, research and development credits, and other business tax provisions. It is unclear whether these provisions would be applied retroactively. Mild embrace of tariffs as a pay-for to extend the TCJA, and potentially letting some TCJA provisions expire to reduce the cost of an extension. Protection of tax rates for low- and middle-income taxpayers. A consensus on an overall 2025 tax bill, including the extent to which offsets will be included, has yet to emerge within the 	<ul style="list-style-type: none"> Full-throated extension of TCJA tax provisions, protecting or further reducing tax rates across the board for individuals and passthrough businesses. Emphasis on tariffs as a pay-for to extend the TCJA, 10% tariff on imports possible. Make permanent or extend Section 199A deduction. Repealing or cutting back some IRA energy-tax credits. Scaling back recent expansions of IRS enforcement.

Energy Policy

Harris-led Divided Government	Democratic Trifecta	Trump-led Divided Government	Republican Trifecta
<ul style="list-style-type: none"> If Republicans win the Senate, Democrats will likely need the support from Republican moderates like Sens. Lisa Murkowski (R-AK) and Susan Collins (R-ME) as negotiators to pass climate or permitting legislation, mainly due to Sen. Joe Manchin (I-WV) and Sen. Kyrsten Sinema's (I-AZ) retirements. Federal agencies will continue implementation of the IRA and BIL and increase funding for clean energy and electrification programs. While Harris, in her current role as vice president, is aligned with President Biden's energy policy, it remains to be seen where a President Harris might differ. 	<ul style="list-style-type: none"> Increase Inflation Reduction Act (IRA) and Bipartisan Infrastructure Law (BIL) grants and loans to fund renewable energy technologies and expand IRA tax credits. 	<ul style="list-style-type: none"> Undoing some of the Biden administration's environmental regulations. Targets could include regulations that increased or created new fees for oil and gas operators, limited federal leasing capacity, or incentives that remove government blockades and allow energy companies to operate with more certainty in the U.S. Energy and mineral 	<ul style="list-style-type: none"> Lawmakers would look to expand oil and gas leasing opportunities and solidify policies that create certainty for industry and establish a better business environment for companies to produce in the United States. makers would produce in the United States. Potential permitting package

Labor Policy

Harris-led Divided Government	Democratic Trifecta	Trump-led Divided Government	Republican Trifecta
<ul style="list-style-type: none"> Expanded paid family and medical leave program could be established Harris will likely rely on rulemaking and executive orders to implement labor priorities 	<ul style="list-style-type: none"> A broad family and medical leave program could be established Federal minimum wage could be raised 	<ul style="list-style-type: none"> A narrower paid family and medical leave could be established Department of Labor likely to see cuts, although not as drastic as under a republican trifecta 	<ul style="list-style-type: none"> Workplace diversity, equity and inclusion initiatives will be eliminated Drastic Department of Labor cuts
<ul style="list-style-type: none"> Democrats will reintroduce the Protecting the Right to Organize Act and the Raise the Wage Act, which would likely pass in whichever chamber is controlled by Democrats but fail in the chamber controlled by Republicans. Harris would continue defending final rules currently in litigation, such as the Overtime Rule and Noncompete Rule. 	<ul style="list-style-type: none"> Biden-era final rules such as the Overtime Rule and the Noncompete Rule that are currently stuck in litigation are at risk and will not be defended by the Trump administration. Trump's Industry-Recognized Apprenticeship Program (IRAP) could be reinstated. 		

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2024 Political Leadership Council Retreat

November 8-10

JW Marriot in Marco Island, FL

Registration Opens September 3rd



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