

November 13, 2024

The Honorable Chuck Schumer
Majority Leader, United States Senate
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader, United States Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Mike Johnson
Speaker of the House of Representatives
H-232, The Capitol
Washington, DC 20510

The Honorable Hakeem Jeffries
Minority Leader, House of Representatives
H-204, The Capitol
Washington, DC 20510

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Johnson, and Minority Leader Jeffries:

On behalf of the undersigned associations, we write to respectfully express our interest in advancing a group of bipartisan energy and tax policy proposals that sit before the House and Senate during the brief remaining balance of the 118th Congress.

As you know, beginning January 1, 2025, and following enactment of the Inflation Reduction Act of 2022 (PL 117-169), the tax code institutes a planned shift from the longstanding structure of energy tax incentives flowing from the Energy Policy Act of 2005 toward a new “technology-neutral” energy tax regime. This new regime, anchored by the Section 48E clean electricity investment tax credit, 45Y clean electricity production tax credit, and 45Z clean fuels credit, will represent a significant change for which many of our companies and industries have spent much of 2024 planning. Unfortunately, the Treasury Department has not yet implemented final regulations for any of these policies, meaning we approach 2025 with significant uncertainty.

Bipartisan House and Senate Members have proposed numerous pieces of legislation that would constructively impact this scheduled transition and prevent unnecessary disruption in energy and fuel markets. These proposals in many cases include extensions of prior tax incentives that would preserve existing, longstanding and settled rules for a limited period of time. These policies include:

- IRC § 40A – Biodiesel tax credit
- IRC § 40B – Sustainable aviation fuel tax credit
- IRC § 40(b)(6) – Second generation biofuel producer credit
- IRC § 48(c)(1) – Qualified fuel cell investment tax credit
- IRC § 48(c)(7) – Qualified biogas investment tax credit
- IRC § 6426, 6427 – Alternative fuel tax credit

Particularly given the upcoming 2025 tax policy debate, enacting a modest, short-term tax package this fall would help to ensure energy and agriculture market stability and predictability while preserving grounds for an open energy and tax debate in the 119th Congress.

Absent the certainty provided by a bridge package, American consumers would face rising energy and fuel prices, and our organizations and the members we represent would face regulatory, legal, and tax filing uncertainty. The combination of these effects would be economic headwinds at a time when Congress and tax-writers are attempting to consider more broad, holistic reforms and extensions in the tax system.

We are grateful for your work with our industries and for your time and consideration regarding these matters. We welcome opportunities to work with you and your colleagues moving forward.

Sincerely,

Advanced Biofuels Association
Airlines for America
American Biogas Council
American Public Gas Association
American Soybean Association
American Trucking Associations
Coalition for Renewable Natural Gas
Connecticut Energy Marketers Association
Empire State Energy Association Inc.
Energy Marketers Association of Rhode Island
Energy Marketers of America
Energy Marketers of New Hampshire
Fuel Cell and Hydrogen Energy Association (FCHEA)
Illinois Soybean Growers
Iowa Biodiesel Board
Iowa Soybean Association
Kentucky Soybean Association
Maine Energy Marketers Association
Massachusetts Energy Marketers Association
Mid-Atlantic Soybean Association (DE, MD, NJ, PA)
Minnesota Soybean Growers Association
National Association of Convenience Stores (NACS)
National Association of Oil and Energy Service Professionals (OESP)
National Energy & Fuels Institute (NEFI)
National Private Truck Council
National Propane Gas Association
NATSO, Representing America's Travel Centers and Truck Stops
Pennsylvania Petroleum Association
Propane Gas Association of New England
Renewable Fuels Association
SIGMA: America's Leading Fuel Marketers
Sustainable Advanced Biofuel Refiners (SABR)
New York State Energy Coalition
The Transport Project
Truckload Carriers Association
Wisconsin Soybean Association

Cc: Members of the U.S. House of Representatives
Members of the U.S. Senate