November 7, 2026

U.S. Senate
Washington, D.C. 20510

Dear Senator:

America's demand for electricity is growing rapidly, driven by new manufacturing investments, data centers, expanding businesses, and increasingly energy-intensive industries. Meeting that demand will require significant investment in new generation, transmission, and distribution infrastructure and the skilled electrical workforce needed to build it. Yet an outdated and unpredictable federal permitting process continues to delay critical infrastructure projects, drive up costs, and create uncertainty for the businesses responsible for getting them built.

Congress has a timely opportunity to address these challenges. After months of bipartisan negotiations, Senators Capito, Lee, Whitehouse, and Heinrich have reached agreement on S. 5653, the *Bipartisan American Affordability and Jobs Act of 2026* (BAAJA). This legislation represents a meaningful, bipartisan effort to modernize federal permitting laws while maintaining important environmental protections. With the future of permitting reform in the 120th Congress uncertain following the recent elections, lawmakers should seize the opportunity to advance this carefully negotiated legislation before the end of the year.

On behalf of Independent Electrical Contractors (IEC), I urge you to support BAAJA and oppose amendments that would undermine the bipartisan agreement its sponsors have worked so hard to achieve. Enacting these reforms would help unlock critical infrastructure investment, expand opportunities for electrical contractors and skilled workers, and ensure America is better positioned to meet its growing electricity needs.

Founded in 1957, Independent Electrical Contractors (IEC) is a national nonprofit trade association representing more than 4,500 members, including merit shop electrical and systems contractors, industry service and manufacturing partners, and workforce development providers. IEC members install, maintain, and service the electrical and energy systems that power America's homes, businesses, industries, and communities. Their work is essential to building and modernizing the nation's electric transmission and distribution infrastructure, power generation facilities, manufacturing plants, and rapidly expanding data center sector. As electricity demand grows, the need for qualified electricians and the contractors who employ them has never been greater.

Unfortunately, the federal permitting process can stand in the way of getting these critical projects built. Electrical infrastructure projects frequently require reviews and authorizations under the National Environmental Policy Act (NEPA), Clean Water Act (CWA), Endangered Species Act (ESA), and National Historic Preservation Act (NHPA), among other federal requirements. These reviews can

become prolonged, fragmented, and unpredictable due to overlapping agency responsibilities, administrative delays, and litigation. Projects can be held up for years, increasing costs and making it difficult for utilities, developers, and electrical contractors to plan investments, schedule construction, and deploy their workforces. These delays ultimately postpone the infrastructure needed to deliver reliable electricity, support economic development, and create new opportunities for America's skilled workforce.

BAAJA offers meaningful solutions to these longstanding challenges through several important provisions:

Greater Certainty Through Judicial Review Reform: BAAJA establishes a 150-day deadline for bringing certain legal challenges to federal project authorizations, replacing the general six-year limitations period that can otherwise apply. Shortening this window would provide greater certainty to project developers, utilities, and contractors that projects can move forward once the required reviews and authorizations are complete.

Keeping Permitted Projects Moving: The legislation provides that, in specified circumstances involving NEPA, NHPA, and Clean Water Act Section 404 claims, courts may allow a project to proceed while an agency remedies a violation or procedural deficiency. BAAJA also limits subsequent federal actions that could prevent the construction or operation of fully permitted projects at full capacity. These provisions would help prevent procedural disputes from unnecessarily holding up critical infrastructure investments after the permitting process has been completed.

Modernizing Electric Transmission Siting: BAAJA strengthens the Federal Energy Regulatory Commission's (FERC) authority to permit certain interstate electric transmission facilities when state siting processes fail to act within established timeframes or otherwise meet the statutory conditions. The legislation expands FERC's backstop authority to cover qualifying transmission facilities rated at 230 kilovolts or greater, subject to the bill's requirements. By providing a more effective federal pathway for certain transmission projects, BAAJA would help address one of the significant barriers to expanding and modernizing America's electric grid.

Electricity Cost Accountability and Ratepayer Protections: BAAJA establishes a framework for allocating the costs of certain transmission investments based on the benefits received by electricity customers. These benefits include improved reliability, reduced congestion and power losses, and increased transmission capacity. Customers receiving no meaningful benefit would be protected from being involuntarily assigned costs for those investments. Greater transparency and accountability in cost allocation can help remove barriers to needed transmission projects while protecting electricity consumers.

For IEC and its members, these reforms have important implications for America's electrical construction workforce. New generation facilities, expanded transmission and distribution networks, and the infrastructure needed to support data centers and other energy-intensive industries all require qualified electricians. When permitting delays hold up these projects, they also delay construction

opportunities, workforce deployment, and the ability of electrical contractors to put skilled Americans to work.

IEC's nationwide network of electrical contractors and apprenticeship programs is helping prepare the next generation of skilled electricians to meet America's growing energy and infrastructure needs. A more predictable permitting process will help unlock private investment, accelerate infrastructure development, and create greater demand for the 23,000 electrical apprentices enrolled in IEC programs and experienced electricians who will build and maintain these essential systems.

The bipartisan agreement reflected in BAAJA represents a significant and hard-won opportunity to address permitting challenges that have persisted for decades. Senators from both parties have invested considerable time and effort in negotiating a balanced package that can secure broad support. Congress should not allow another opportunity for meaningful permitting reform to disappear while America's infrastructure needs continue to grow.

IEC urges the Senate to move quickly to advance S. 5653, the *Bipartisan American Affordability and Jobs Act of 2026*, without amendments that would undermine its carefully negotiated provisions. Passage this year would be an important step toward getting critical energy infrastructure built, strengthening America's electrical construction workforce, and ensuring that our nation's growing demand for electricity can be met. IEC respectfully urges Congress to seize this opportunity before the end of the year.

Sincerely,



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CC: Independent Electrical Contractors Executive Director Amy Biedenharn