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HPBA Government Affairs Update: November 2026

Featuring Jason Tolleson
With Tim Reed

Tim Reed: *Joining me once again is Jason Tolleson, senior director of government affairs with the HPBA. Jason, how are you doing?*

Jason Tolleson: I'm doing great. Thanks for the time. I really appreciate it.

TR: *As we record this, it's November 4, the day after the election. We purposely tried to record this as close as possible to its release because we wanted to see how the chips fell. And I can only imagine that your world has been pretty crazy for the last 48 hours.*

JT: Absolutely. We're picking the chips off the floor, trying to sort out what's happened and make some plans and strategy based on that.

TR: *I feel like we have to start with the election. Obviously, we all woke up this morning and read that the House has flipped and the Senate has flipped, along with a lot of really surprising election*

results across the country. What does this look like from your perspective?

JT: This isn't the first time we've seen these historic waves: 1994 and the Contract with America, 2010 and the flip during the midterms under the first Obama administration, and now this, right? These things happen in politics. But the key takeaway is that it reminds us you've got to go in, make the introductions, say hello, and introduce yourself. New people are going to come into play all the time, and the most important thing is to go in and tell your story, right? Now we've got new committee chairs, we'll have new assignments, and we have new stakeholders to go talk to. And honestly? Challenge accepted.

Let's go in and tell our story about our industry, about the mom-and-pop businesses at the retail level and the manufacturing presence in so many states. As policymakers shift and policy priorities change, it's still really important to be consistent in our message and narrative.

TR: *I live in Oregon, which is a very liberal, progressive state. At least in this part of the country, I feel like those of us in the industry often find ourselves playing defense, trying to defend the legitimacy of the fact that EPA-certified stoves are actually incredibly clean and aren't hurting the environment. They're really offering alternative sources of heat for people who are low-income or for whom electricity or other things simply aren't feasible. That's something we're kind of used to, at least in this part of the country. But it seems as though, for the last couple of years, our industry has been able to have a little bit of breathing room, whether that's right or wrong from a regulation perspective. Looking at this, it seems like that breathing room is probably going to be challenged. Is that fair to say?*

JT: Yes, I think so, looking at multiple fronts. At the state level, we're now looking at the makeup of state legislatures and governors' offices. With these election results, several Republican trifectas, where one party holds the governor's office, the house, and the senate, were broken up, which was surprising in some of these states. And some states have now gone to a full Democratic trifecta: Minnesota, Wisconsin, Nevada, possibly Arizona, Pennsylvania, and Michigan. So in places where opportunities may have existed in the past, say in Michigan with a fuel choice bill or in Pennsylvania, where it would make it through one chamber but not the other, we may end up having to play a little more defense.

Again, it's more about the education side. When we get into the affordability conversation, energy prices are high. There's no doubt about that. In the Northeast, heating oil is $6 a gallon. So we can come in with these other alternatives, whether it's natural gas or solid fuel like wood stoves, where you have resiliency and essential heat available through some of these products. So I think there's opportunity in areas where maybe we haven't had to play as much defense. But now the offense is going in and sharing that story and that narrative directly. These affiliate lobby days are going to become even more important. Our Washington, D.C., fly-in next summer is even more important—because we need to go in and tell that story.

TR: *I totally agree. But what would you say to people who have been making the effort to build a relationship with a representative who's going to be gone now? What do you say to that?*

JT: I was just on a call earlier today with a counterpart from another organization. That organization had just hosted a member of Congress at one of its members' facilities, and sure enough, that member lost yesterday. So what do you do? You start again. That's the nature of the business. In some ways, it might be like a retailer with sales acquisitions and targets, finding new customers and retaining customers, only to find out that they're moving or selling their homes, so you have to start again. Government affairs is

no different. It's constantly establishing those relationships. Some states have term limits, like California, so there's a natural turnover that happens there. In others, it's just elections. This one was just a little more significant. But again, I think it's maybe time to shake off the cobwebs, dust off the playbook, and go into states where maybe we didn't have to do this before.

TR: *Let me ask you this: It's a little bit of a tangent, but AI is one of the major hot-button issues sweeping our country right now, and really, a lot of the Western world. I've heard it said that America's problem isn't chips and GPUs. It's a power problem: We physically don't have enough power to do the things AI companies want to do. It seems like we're coming to a reckoning point where more and more power is being consumed, and I have to believe that means there's opportunity for alternative heat in a way that there wasn't before, especially if prices rise. With all the Democrats in government now, I feel like this narrative of lower emissions and affordability is a huge thing to play on. It's a true story too: We're not making up a fable. This is genuine alternative heat, and it helps people who are low-income or don't have the means for another heat source. What do you think about that?*

JT: To take apart those different issues, AI and technology have benefits to society, but yes, they're also a power drain. For readers who get our weekly "Hot Headlines," where we provide snippets from news publications and internet sources, I've started to focus a lot on that energy dynamic, not just the appliance itself. It's more about the power conversation and the utility conversation, simply because we're a user of that product as well. When you get into the natural gas perspective, you see some different options. Based on information from the U.S. government, we're now a net exporter of natural gas, with production growing faster than consumption. So within that delta, is there an opportunity as well? But at the same time, you have states and localities attacking that very fuel source. It's alarming how much electric power generation comes from natural gas. Since it's a vital fuel in that space, why not use it to heat your home?

That's especially true as we get into the winter months, when you need resiliency and backup in extreme weather situations, right? So having all of those options available is so important. And I think one of those deep freezes or ice storms, like Texas a few years ago or Michigan seemingly every year, kind of resets that conversation for a second. Well, now throw in energy usage for data centers. How does that play out? So being part of the conversation when it comes to the overall power dynamic, as well as being an end user of natural gas, is going to be very interesting to watch.

"Next year may be the year of litigation more than legislation."

TR: *Let me ask you this, then: How does this affect where national fuel choice stands? We've been in a holding pattern for a number of months on that.*

JT: Since our last report, there have been conversations in the House about leadership redrafting the language to maybe get it through to a full vote. Based on yesterday's results, we'll see. That seems a little problematic. If the races had been a little closer, maybe. But with the way the majority has flipped in the House, I'm not sure how much of a legislative priority list they're going to get through in the coming

weeks, other than maybe some essential bills, like funding mechanisms to keep the government open. The Senate side was always a little stickier, and that's flipped as well. So we'll have to watch how the committee assignments play out, with a number of individuals retiring. You may have some chairs pop up who have a different opinion or approach.

And it's not just fuel choice. The permitting bill that was out there also had some fuel choice implications, trying to codify the Berkeley decision in legislation. That was part of the effort to get a compromise permitting bill, and I'm not sure how that's going to play out in these last couple of weeks, especially given how significant the swing was in the Senate: seven seats, and possibly more the way we sit today.

TR: *We've worked for two years on pushing this through. If it doesn't pass, is it worth starting over, given how the seats have flipped?*

JT: I think so, given the importance of the issue. Fuel and energy sources have national implications. They go across state lines. There's an interstate commerce issue.

TR: *And it has bipartisan support.*

JT: Exactly. We've seen support from both sides of the aisle. What version it looks like moving forward, we'll see. But again, if the affordability narrative is what pivoted the election, can we fall back into this space and have those discussions? So we're 100% behind supporting efforts to get that in place.

Candidly, though, next year may be the year of litigation more than legislation. There's already an effort underway. You've got conflicting circuit court decisions in New York and Illinois, and the Berkeley decision in California was the initial precedent, and those need to be resolved. New York is saying that the fuel can be prohibited, even though the appliance using the fuel is subject to federal regulations. So now we need the Supreme Court to ultimately decide this issue. At this point, that may provide more clarity than legislation will. At the same time, we have to make sure the states that have previously enacted fuel choice don't go backward. So again, it's a good mix of offense and defense going into 2027.

TR: *As we start to wrap up, let me ask you this: In the midst of all this, how are things going with EPA?*

JT: Thanks for asking. EPA is still working on the New Source Performance Standards. It's under a deadline of December 15 of this year to provide a draft rule specific to cord and pellet heaters, which is what we call Subpart AAA. At this point, we're having engaging conversations with the agency, and they've been very positive. We'll continue those discussions as we get closer to the deadline and as the rule goes into an open comment period. Overall, it's just been some great engagement across the board with multiple stakeholders, but especially those at the agency. So there's more to follow there as we get closer to that December 15 deadline for the draft rule.

TR: *I guess what I take away is that the mission is the same: We need to continue to advocate and continue to build relationships with our governing authorities, whoever those are. There's a lot of diversity in people's opinions on issues, but I guess it ultimately comes down to this: We really believe that providing heat in a safe and clean way is not a red or blue issue. It's an issue of loving our neighbor, and that's what we can stand up and advocate for. While there may have been some breathing room over the last couple of years, what I'm taking to the table is that we need to continue to stand up and advocate. We can't get lazy.*

JT: Absolutely. And along those lines, that means bringing it to the absolute grassroots level, to the retailer and to the distributor who talks

to multiple people in multiple states, increasing that level of engagement and reaching out to the affiliates. And that's a great segue to talk about the HPBA Leaders Academy. This is our program to help train the industry to be advocates out there, and the application window is open through December 15. I'd encourage people to apply. This is not just an opportunity to become an advocate, but to learn more about the industry, to identify yourself as someone who wants to do more, to challenge yourself to engage more, to serve on affiliate boards and committees, and to really help engage at the forefront. So it's part advocacy, part leadership development, and part networking, impact, and empowerment. And it gives those who participate a holistic education on the industry itself. Having retailers sitting next to manufacturers and distributors, and learning how this whole industry operates as an ecosystem, is part of that focus as well. So again, we're looking forward to having more people come in. Check out the website at hpba.org for more information. But that window closes December 15.

TR: *And again, if you've been thinking about it for yourself, or if you're at a distributor, a retailer, or a manufacturer and you have people who are newer to your company whom you want to grow into leaders, this is the place to do it. My experience at the Government Affairs Academy years ago was truly transformational, and this is just that, but supercharged. It's something everyone needs to take advantage of. Jason, as always, thanks for the work that you and the HPBA are doing. I'm super excited to talk to you next month.*

JT: Thanks, Tim. I appreciate it. We'll talk soon.

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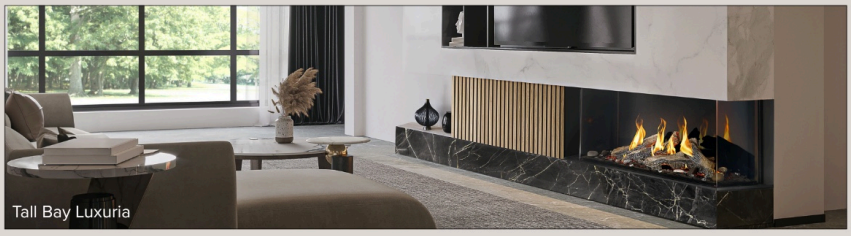
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