Oppose the Bipartisan Affordability and American Jobs Act (BAAJA)!

Our History Is at Stake. BAAJA Risks Erasing the Places That Tell America's Story.

The Historic Preservation provisions in BAAJA (Part B, Title III) would significantly weaken the National Historic Preservation Act and its protections that help ensure historic places are adequately taken into account before federal projects are approved. From our Main Streets and historic battlefields, to the landmarks, historic buildings, and sacred cemeteries that are cornerstones of our communities, BAAJA puts at risk these irreplaceable cultural resources that tell America's story.

BAAJA Undermines Tribal Sovereignty and Cultural Stewardship.

Tribal Nations have a unique government-to-government relationship with the federal government and a fundamental interest in protecting their ancestral lands, sacred places, and cultural resources. BAAJA would diminish Tribal Nations' ability to participate in decisions affecting their heritage and sovereignty and reflects a legislative process conducted without meaningful input from Tribal Nations.

BAAJA Ends Meaningful Judicial Review

BAAJA would allow federal agencies that break the law to continue illegal projects unimpeded. By eliminating the ability of courts to stop illegal projects – including remedies that are necessary to prevent the demolition of historic places – the legislation would allow irreversible damage to occur, even when a court finds that the project is unlawful.

BAAJA Undermines State and Local Input and Public Participation.

BAAJA would eliminate meaningful participation by state and local governments in federal project decisions and would end all public participation. Communities, state and local governments, and citizens deserve a seat at the table when projects threaten their neighborhoods, historic resources, and quality of life. Permitting reform should make decisions more efficient—not silence the people most affected by them.

BAAJA Would Exempt from Review Projects that Only Receive Federal Financial Assistance.

Federally funded projects such as transportation and large housing projects often have substantial adverse effects on historic properties, but those adverse impacts would be exempt from consideration, unless the project involves federal transportation funding of more than $10 million. In addition, federal funding for disaster relief would be exempt from review, so decisions about whether to demolish or repair historic buildings damaged in a disaster would no longer be required to consider preservation.

BAAJA Would Exclude Visual, Noise, and Air Pollution Impacts from Review.

When projects such as data centers require a federal permit, BAAJA would prohibit consideration of visual, noise, and atmospheric impacts on historic properties unless the community could prove that the impacts would "significantly diminish" the National Register-eligibility of historic properties. This ambiguous standard will be constantly disputed and will lead to unnecessary litigation. **These types of adverse effects require consistent and universal consideration, not vague exclusions.**

We support responsible permitting reform. We support building infrastructure, strengthening our economy, and creating jobs. But we should not have to sacrifice our history, Tribal sovereignty, community participation, or local decision-making to achieve those goals. The House should reject BAAJA's deeply flawed Historic Preservation Title and pursue permitting reforms that improve efficiency while preserving the public safeguards that protect America's historic places. For more information, visit the National Trust for Historic Preservation - savingplaces.org/permitting-reform.