America the Beautiful for all.

*Saving nature. Upholding justice. Defending health. Together.*

November 16, 2026

Dear Members of Congress,

On behalf of the 88 undersigned organizations, the America the Beautiful for All Coalition respectfully urges you to eliminate the most controversial parts of Senate Bill 5653, the Bipartisan American Affordability and Jobs Act ("BAAJA"), or otherwise oppose the legislation. **While the "Manager's Amendment" package made modest changes to the bill, they are on the whole insufficient and serious concerns remain**. The sweeping changes proposed to bedrock conservation and historic preservation laws such as the National Environmental Policy Act (NEPA), the Clean Water Act (CWA), the Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA) and project certainty provisions pose grave and compounding threats to the health and vitality of ecosystems and our communities across the country.

The America the Beautiful for All Coalition (Coalition) was founded in 2022 to advance a national policy agenda at the intersection of conservation, health, and justice. Today we are 300+ members strong, working in and with communities that have the most at stake when it comes to climate impacts, nature loss, and natural resource exploitation. Our communities are already reeling from the Trump administration's swift deregulatory, pro-industry, anti-equity agenda that has fallen disproportionately on rural, low-income, indigenous, immigrant and people of color communities.

As written, BAAJA gives more power to the Trump Administration to carry out this harmful agenda. **The manager's amendment package does not change this reality**. The bill represents a false choice between a clean energy transition and common sense protections for our land, air, water, sacred sites, and public health. Weakening environmental oversight, overhauling bedrock environmental and conservation laws, and restricting judicial accountability do not resolve underlying causes of permitting delays, which include inadequate agency capacity, incomplete project applications, poor planning, and failures to engage affected communities early. **We can and must do better.**

The Coalition would like to lift up five key areas of concern outlined below for your attention. We believe that any rush to finalize the legislation without resolving these concerns and without legislative hearings will lead to harmful outcomes that are both unnecessary and avoidable. **More time and input is needed to improve this far-reaching legislation.**

**Threatens sacred lands, cultural resources, and tribal sovereignty**

No tribes were consulted in the proposed changes to Section 106 of the National Historic Preservation Act. **There remains widespread opposition to these provisions even if some concerns were addressed in the manager's amendment.** As drafted, this bill is an affront to Tribal sovereignty and reverses federal commitments to government-to-government relationships and federal trust responsibility. Changes proposed directly threaten sacred sites and cultural resources across ancestral lands. It would also weaken meaningful Native Hawaiian consultation—Section 106 is one of the few federal tools Native Hawaiians have to be heard before a federal decision irreparably damages cultural resources or culturally significant places. Places of spiritual and cultural significance like Chaco Canyon or Bears Ears National Monument would also be at risk. For example, under these new standards, negative impacts from oil and gas rigs, mines, waste disposal facilities, roads and transmission infrastructure on the border of protected areas would not be considered a direct harm. The bill also attempts to rewrite the provision that is used to identify historic places, consult with Tribal Nations and affected communities, consider alternatives, and seek ways to avoid, minimize, or mitigate harm before federal undertakings move forward. It would make consultation with Tribes and communities optional, arbitrarily restrict what is considered an important cultural site, allow more projects to skip review and require fewer environmental impacts to be taken into consideration. While the manager's amendment walks back the proposed takeover of Tribal Historic Preservation Offices, altogether the provisions would restrict the power of Tribal Nations and communities to define the places that matter to them, silencing those who should have a voice in decisions that impact their lands.

**Locks in Trump-era decisions to sell out public lands and waters, endangering the health of our communities**

This bill opens the floodgates to unchecked exploitation of public lands and waters by locking in drilling, mining, and development projects (including AI data centers), even when permits were approved unlawfully, and prevents future administrations from correcting those decisions. **While the manager's amendment makes several changes to Title IV, none solves the core problem that Section 1401 gives the Trump administration broad authority to fast-track harmful projects across sectors, including energy, the environment, healthcare, immigration and commerce**. This bill emboldens the current administration to continue to make reckless, unlawful decisions and limits the public from being able to challenge illegal decisions and future administrations from fixing the damage—even if approvals were flawed, rushed, or based on inadequate science. The bill presents overwhelming disincentives for any future administration to act to rescind or alter the rash of unlawfully issued drilling projects and approvals that can be expected over the next two years. This could lock in authorized projects for decades or longer, even if new research reveals catastrophic effects. As President Trump recently recognized, the bill would "codify our America First Energy Agenda, and ensure we can build Pipelines, Mines, and Power Plants faster than ever before."

If this bill becomes law, important public lands such as the Greater Chaco Canyon region in New Mexico, Bears Ears and Grand Staircase-Escalante National Monuments in Utah, the Boundary Waters in Minnesota and the Arctic in Alaska will be opened to rampant exploitation from drilling and mining. Critical public waters are also threatened, including those subject to the administration's push to dramatically expand offshore drilling in areas such as the California coast, the eastern Gulf, and Alaska's Beaufort Sea. The administration's dangerous rush to issue permits for seabed mining in the U.S. Territories and data centers on public lands are also decisions that could not be challenged if this bill becomes law. Finally, as detailed in this letter to the bill's co-sponsors, the certainty provisions—as amended—will limit the Environmental Protection Agency's (EPA) ability to issue regulations and enforce environmental laws such as the Clean Air Act, Clean Water Act, and other environmental laws. This threatens to potentially turn EPA permitting upside down. EPA issues permits to protect public health from pollution, but BAAJA could turn permits into shields that protect polluters from updated standards, ultimately threatening our public health.

**Shuts the public out of public agency decision-making and limits access to the courts**. Participation in management decisions through public comment periods and other input opportunities ensures our public agencies serve the common good rather than private interests. Since 2025, the administration and Congress have weakened transparency and limited the public's ability to engage in decisions that shape and affect our communities. **The manager's amendment makes no attempt to address valid concerns regarding proposed changes to NEPA and NHPA**. The bill will narrow the ability for Tribes and *all* members of the public to raise concerns about projects that affect their lands, waters, cultural resources, and health. The opportunity for legal challenges will be significantly limited. If this bill becomes law, most public land management and energy infrastructure decisions will go under the radar and communities will be severely limited in their ability to comment on or oppose them. New science and research that could have informed a project will not be considered after the publication of a notice of intent. And communities will have to conform to stricter standards to prove harm from a project and challenge decisions in court.

**Expands infrastructure development and extractive industry impacts on public lands and waters with limited accountability**

In an effort to speed transmission and energy development, BAAJA expands the suite of projects exempted from NEPA, including exclusions for certain infrastructure repairs, pipeline transmission modifications within existing rights-of-way, and specified administrative or federally funded activities. These changes could exclude environmentally consequential projects from NEPA review while narrowing the alternatives considered for projects that remain subject to it, with a built-in bias for the project sponsor as opposed to the public interest. Also, narrowed judicial remedies mean that if a court determines a federal agency violated NEPA, construction could still continue while the agency attempts to correct its deficient review. For projects involving pipelines, mining, drilling, or

development near sensitive waterways, environmental damage may become irreversible before the legal violations are addressed. Furthermore, proposed federal mining law provisions would provide mining corporations, including foreign-owned companies, an unprecedented right to seize public lands for dumping their mining tailings and toxic waste dumps and building roads and powerlines. This free reign to dump toxic waste and build infrastructure wherever they want would apply regardless of impacts to recreation, wildlife, water and cultural resources.

**Puts America's wildlife and protected waters at risk**

BAAJA proposes fundamental changes to the management and protection of wildlife and waters through revisions to the Endangered Species Act (ESA) and Clean Water Act (CWA). **The manager's amendment makes no substantial improvements to ESA or CWA provisions and major problems remain.** First, the bill proposes to define "best scientific and commercial data available" under the ESA such that it would prevent protections for vulnerable wildlife and allow harmful projects to proceed without important safeguards. This would overturn the well-established principle that agencies can and must protect endangered species even in the face of scientific uncertainty. The bill would also shorten timelines for Section 7 consultations and allow states to take the place of federal wildlife agencies as leads on consultations over projects that could impact threatened or endangered species. This would result in a patchwork of wildlife management programs causing cross-border conflicts, inconsistent projections, and reduced oversight for projects on federal lands.

Proposed changes to Section 401 and 404 of the CWA would constrain the ability of states and eligible Tribal Nations to protect waterways from industrial pollution and infrastructure development. For communities already confronting contaminated drinking water, degraded fisheries, and industrial pollution, these restrictions could further diminish opportunities to prevent harm. New restrictions on judicial review and remedies would leave communities with fewer options to challenge harmful projects. Finally, the bill doubles the duration (from five to ten years) of water quality permits, locking in place outdated technology and methods, unnecessarily impairing the health of waters and wetlands.

**America the Beautiful for All Coalition members know we can move toward a clean energy future while ensuring that our shared public lands, waters, and wildlife habitat are conserved for future generations. That is the standard elected officials should insist on as well.** Smart permitting reform improves coordination among federal, state, and Tribal governments, avoids unnecessary duplication, protects public lands and cultural resources, improves community access to information and accountability measures, and ultimately should improve the health outcomes of all communities.

**Respectfully,**

Adamah
Alliance of Nurses for Healthy Environments
American Bird Conservancy
Azul
Californians for Western Wilderness
Carnivore Coexistence Lab
Carolina Ocean Alliance
Chesapeake Legal Alliance
Children's Environmental Health Network
Continental Divide Trail Coalition
FURIA Inc.
Gulf Reach Institute
John Muir Project
Kuaaina Ulu 'Auamo
Marine Conservation Institute
Minorities in Shark Sciences
Mountains to Sound Greenway Trust
Next 100 Coalition
Nimiipuu protecting the environment
Oceans Connect
Ocean Defense Initiative
One Mississippi
Pacific Islands Heritage Coalition
Papahānaumokuākea Coalition
Partnership for Southern Equity
Rio Grande International Study Center
Shark Stewards
The Culture Keepers Circle (The Circle)
The Water Collaborative of New Orleans
Vermont Law Environmental Justice Clinic
Women in Ranching

**Organizations below officially oppose S. 5653**

Alaska Wilderness League Action
Bayou City Waterkeeper
Brown Folks Fishing
CalWild
Cascade Volcanoes Chapter Great Old Broads for Wilderness
Center for Biological Diversity
Creation Justice Ministries
Earthjustice Action
Endangered Species Coalition
Florida Keys Environmental Coalition
FOUR PAWS USA
Great Old Broads for Wilderness
GreenLatinos
Healthy Ocean Coalition
Heartwood
Iditarod Historic Trail Alliance
Inland Ocean Coalition
Izaak Walton League Rapid City SD Chapter
Justice Outside
Kettle Range Conservation Group
Latino Outdoors
Los Padres ForestWatch
Monterey Bay Aquarium
NAIWA Daughters
Native American Rights Fund
Next Interior
North American Climate, Conservation and Environment (NACCE)
Northern California Council, Fly Fishers International
North Cascades Conservation Council
Nuestra Tierra Conservation Project
NYC Plover Project
Oceana
Oregon Natural Desert Association
Oregon Wild
Partnership for the National Trails System

People's Justice Council
Piscataway Indian Nation
Presbyterian Church U.S.A. Hunger Program
Refaluwasch Journal of Knowledge and Culture (RJKC)
Sacred Places Institute for Indigenous Peoples
San Luis Valley Ecosystem Council
Save Lake Superior Association
Save Our Sky Blue Waters
Save the Boundary Waters
Scenic Utah
Soda Mountain Wilderness Council
Southern Environmental Law Center
Standing Trees
Surfrider Foundation
The Ocean Project
The Wilderness Society
Tuleyome
Watauga Riverkeeper
Western Watersheds Project
Whale and Dolphin Conservation, North America
Wild Hope
Wildlife for All
Voters For Animal Rights