Permits People Can Count On

The case for permitting reform, and why the House should pass BAAJA now

America has a building problem. A new power line or power plant can spend years in federal review and years more in court, and even a finished permit can be pulled by the next administration. Families pay for every year of delay. Demand isn't waiting: the North American Electric Reliability Corporation forecasts summer peak demand on the grid it oversees to rise by more than 224 gigawatts in 10 years, a forecast 69% higher than last year's.

62-33
Senate vote to pass the bill, November 19, 2026

67%
of voters support the permitting legislation in Congress

150
days to file a challenge, the same limit highway projects already have

Jan. 3
when this Congress ends and an unpassed bill dies

The Problem: Approvals That Don't Last

- **Permits that don't hold.** Revolution Wind had final federal approval in 2023 and was 80 percent complete when it was ordered to halt in August 2025. It was stopped again in December 2025, at 87 percent complete.
- **It cuts both ways.** The Keystone XL permit was granted by one administration and revoked by the next, and the 2024 pause on LNG export approvals taught the same lesson.
- **Families foot the bill.** A $5 billion project halted at 80 percent complete costs about $320 million a year to carry. As the Rainey Center puts it, "The saver pays three times: as an investor, a ratepayer, and a taxpayer."

Voters Are Ahead of Washington

- **67% to 17%:** voters support the permitting legislation in Congress, including 73% of Republicans, 65% of Democrats, and 66% of independents.
- **53% to 34%:** once an energy project has all of its permits, the government shouldn't be able to cancel it unless the company breaks the rules.

Rainey Center national surveys: November 8 to 12, 2026, 1,001 likely voters, margin of error plus or minus 4.0 points; October 14 to 20, 2026, 1,279 registered voters, margin of error plus or minus 3.6 points.

The Fix: BAAJA

The Bipartisan American Affordability and Jobs Act was written by the Republican and Democratic leaders of both Senate committees with jurisdiction: Sens. Shelley Moore Capito, Sheldon Whitehouse, Mike Lee, and Martin Heinrich. On November 19, 2026, the Senate passed it 62 to 33, with 47 Republicans, 14 Democrats, and one independent voting yes. It keeps environmental review and ends the delay:

- **Deadlines with consequences:** it strengthens the review deadlines already in law and adds consequences when an agency misses one.
- **A firm window to sue:** a 150-day window to file a challenge, the same limit that already applies to highway and transit projects.
- **Permits that hold:** no revoking a permit except in the cases the bill lists, such as a court order, a material violation, or fraud.
- **Lines that get built, paid for fairly:** a federal backstop to site interstate lines of 230 kV or more, and customers who get no benefit from a line don't pay for it.
- **Data centers pay their own way:** none of the added cost of serving a data center can be charged to other customers.

The ask. This Congress ends January 3, 2027. A bill that isn't law by then dies, and any change in the House sends it back to the Senate. **The House should pass the Bipartisan American Affordability and Jobs Act now, as the Senate passed it.**

Sources: U.S. Senate roll call vote 270, November 19, 2026; Bipartisan American Affordability and Jobs Act, Senate substitute amendment, and Congressional Research Service and C2ES summaries; North American Electric Reliability Corporation, 2025 Long-Term Reliability Assessment; Rainey Center, *When Permits Aren't Permanent*, September 2026; 23 U.S.C. 139(l); Rainey Center national surveys, November and October 2026.