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Results of a National Survey on Permitting Reform and the Bipartisan American Affordability and Jobs Act (BAAJA)

Overview

Earthjustice worked with YouGov to conduct a nationally representative survey of 1,000 U.S. voters from October 21-23, 2026, to assess people's support for the Senate permitting bill, the Bipartisan American Affordability and Jobs Act (BAAJA), given its impact on environmental laws, transmission, and clean energy.[1] Results show that voters broadly oppose weakening bedrock environmental laws to speed up construction of energy and infrastructure projects. Once voters hear the trade-offs in BAAJA – weakening environmental protections for clean water and endangered species and restricting access to the courts – support for the bill drops 22 percentage points and opposition rises 42 points. Voters rank protecting public health, clean water and air, endangered species, and historical places, along with community input in permitting, above completing projects quickly. Provisions in the bill that would limit judicial review and provide permit certainty are also unpopular with voters. Large majorities want courts to be able to pause projects with flawed permits. They also want future administrations to be able to revisit permits if previous reviews were inadequate or if new information reveals public health risks.

Key Findings

Speed versus Environmental Protection

Voters prefer to maintain the strength of current laws protecting the environment and public health, and don't prioritize faster approval of energy and infrastructure projects.

- Support for BAAJA fell from 46% to 24% and opposition rose from 18% to 60% (including 39% strongly opposed) when voters read a description that included the bill's trade-offs – weaker protections for clean water and endangered species and limits on the ability to sue – compared to only a short positive description.
- Given a choice, 77% of voters said the U.S. should maintain existing laws that protect the environment and public health even if some projects take longer to build. Only 23% preferred building faster if it meant weakening environmental laws.
- Faster approval and construction of infrastructure projects was not a top concern for voters. Only 13% said completing projects quickly should be a top priority when the government considers approving new energy projects, the lowest of any option, compared with 58% who named protecting public health and clean air and water as a top priority. Other issues that

[1] The survey is based on 1,000 interviews conducted by YouGov on the internet of registered voters. The sample was weighted according to gender, age, race/ethnicity, education, and U.S. Census region. The margin of error is ±3.7%.

large majorities rated as top or high priorities included providing opportunities for public input (74%), protecting endangered species (73%), and protecting historical places (71%) as top or high priorities.

Limiting Government Authority and Environmental Protections

Provisions in BAAJA that would limit the authority of federal, state, and Tribal governments to protect clean water and culturally important places are unpopular.

- 59% of voters opposed reducing federal, state, and Tribal governments' ability to regulate industrial pollution that affects lakes, rivers, and streams.
- 62% of voters opposed limiting Tribes' ability to protect culturally important places.
- A plurality of voters (45%) opposed restricting scientific data that government agencies consider when evaluating impacts on endangered species. However, 22% were not sure – the highest share of "not sure" responses among the provisions tested.

Clean Energy and Grid Upgrades

Voters place greater priority on building clean energy faster than on fossil fuel projects. They also support policies that would modernize the electrical grid and make it more efficient. Yet many see faster permitting as primarily benefiting energy companies, not consumers.

- 65% of voters said faster approval and construction of clean energy projects should be a top or high priority compared to 44% for oil and gas pipelines and power plants.
- Asked which energy sources the U.S. should prioritize building quickly, a plurality of voters (49%) chose clean energy, compared with 34% for all forms of energy and only 17% for fossil fuels.
- 80% of voters supported incentivizing cost-saving new technologies to make the grid more efficient.
- Only 8% of voters said consumers would benefit most from faster permitting. A plurality (40%) said energy and utility companies would benefit most, and 29% said all groups listed would benefit equally.

Data Centers

Voters strongly support BAAJA's provisions requiring data centers to pay their fair share of costs, but they do not want data center projects built faster and a plurality would oppose legislation to speed up energy projects if it meant faster construction of data centers.

- Nearly all voters (90%) supported requiring data center companies to pay for new electricity infrastructure and for their use of existing infrastructure.
- 46% (11 percentage points net disapproval) of voters would oppose legislation to speed-up energy projects and modernize the grid if it meant faster construction of data centers powered by fossil fuels.

- Only 16% of voters said faster approval and construction of data centers should be a top or high priority — half as many as the 32% who said it should not be a priority.

Judicial Review and Project Certainty

Limits on the power of courts and BAAJA's "project certainty" provisions, which could lock in permits for polluting projects, are not popular with voters. This opposition comes as most voters also do not trust the Trump administration to treat clean energy fairly.

- A large majority of voters (73%) agreed that a presidential administration should be able to change a permit if a previous administration did not adequately study a project's environmental impacts, or if new information reveals public health risks.
- There is broad support for courts being able to issue injunctions. 78% of voters said a court should be able to pause construction of a project while an agency corrects a violation compared to 22% who said construction should continue while the violation is addressed.
- Most voters (64%) don't trust the Trump administration to treat wind and solar projects as fairly as fossil fuel projects, including 48% who do not trust it at all.