SPEAK UP FOR SECTION 106

A CALL TO ACTION FOR GEORGIA PRESERVATION ADVOCATES

October 29, 2026

THE GEORGIA TRUST *for* HISTORIC PRESERVATION



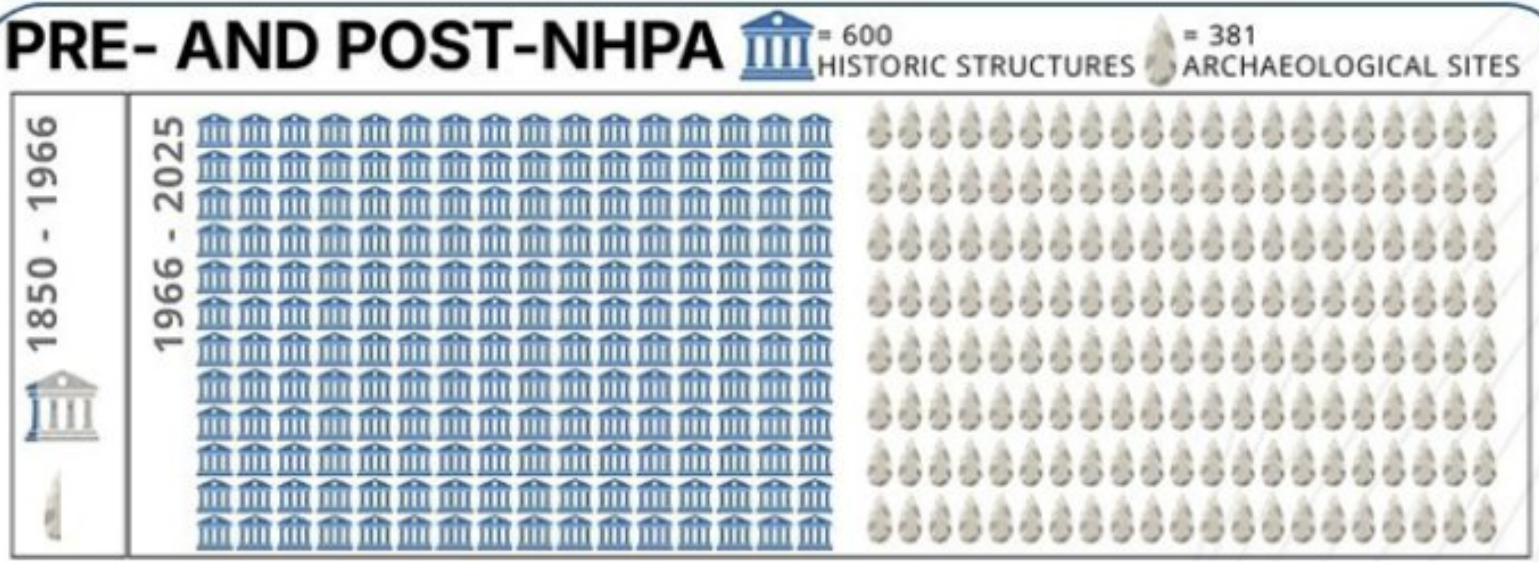
National Historic Preservation Act (1966)

- Established a national preservation program and a system of procedural protections, encouraging both the **identification** and **protection** of historic resources, including archeological resources, at the federal level.
- Authorizes several facets of the preservation ecosystem that are foundational to historic preservation in the United States:
  - A National Register of Historic Places
  - A review process, known as Section 106 (after its location in the original law), to ensure that federal agencies **consider the effects** of federally supported undertakings **on historic properties listed or eligible for listing** on the National Register.
  - Authority for a grant program, supported by the Historic Preservation Fund, to provide funds to states and
  - individuals.
  - The Advisory Council on Historic Preservation, an independent federal agency, that advises the President and Congress on historic preservation matters. The Council and its staff also advise federal agencies on their roles in the national historic preservation program, **especially their compliance with Section 106** of NHPA.

Section 106

The head of any Federal agency having **direct or indirect jurisdiction** over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, shall **take into account the effect of the undertaking on any historic property**. The head of the Federal agency shall afford the Council a reasonable opportunity to comment with regard to the undertaking.

PRE- AND POST-NHPA



PRIOR TO THE ENACTMENT OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA) IN 1966, **SEVEN** HISTORICAL SITES AND **164** ARCHAEOLOGICAL SITES WERE RECORDED. BETWEEN 1966 AND 2025, THE GEORGIA SHPO HAS RECORDED **115,000** HISTORIC STRUCTURES AND **64,000** ARCHAEOLOGICAL SITES.



Source: GSU Library Digital Collections

July

ACHP unveils proposed changes to Section 106 that would eviscerate existing protections

September

Bipartisan Senate group announces permitting reform bill that rewrites Section 106.

November 9

Senate leaders' target date for a procedural vote on S. 5653.

November 10

The ACHP meets on its separate rewrite of the Section 106 rules.



Section 106 Review Process

36 CFR § 800.3-7

CONSULTATION



INITIATE the process

- Determine undertaking
- Coordinate with other reviews
- Identify SHPO/THPO, Indian tribes/NHOs, and other parties
- Plan to involve the public

Undertaking with potential to affect historic properties?

NO

YES



IDENTIFY historic properties

- Determine APE and scope of effort
- Make reasonable and good faith effort to identify
- Determine National Register eligibility
- Consult SHPO/THPO, Indian tribes/NHOs, and other parties
- Involve the public

Historic properties present or affected?

NO

YES



ASSESS adverse effects

- Apply Criteria of Adverse Effects
- Consult SHPO/THPO, Indian tribes/NHOs, and other parties
- Involve the public

Historic properties adversely affected?

NO

YES



RESOLVE adverse effects

- Develop and consider alternatives or modifications to avoid, minimize, or mitigate adverse effects
- Notify the ACHP
- Consult SHPO/THPO, Indian tribes/NHOs, and other parties
- Involve the public

AGREEMENT or Council Comment

PROCEED

97%

Projects reviewed on time by SHPO under current regs

5%

Projects found to have an adverse effect under current regs

75%

Fewer projects reviewed for adverse effects if rules are changed

What the proposed bill would do:

- Exempt many federally supported projects from existing review.
- Ignore impacts on historic places that are not considered ‘direct effects’ including visual impacts such as viewsheds.
- Permit federal agencies to unilaterally decide that other priorities, such as project cost, outweigh the need for preservation.
- Make consultation with municipalities and states optional.
- Limit citizens’ ability to go to court before a historic site is lost.



Section 106 Serves Underrepresented Communities

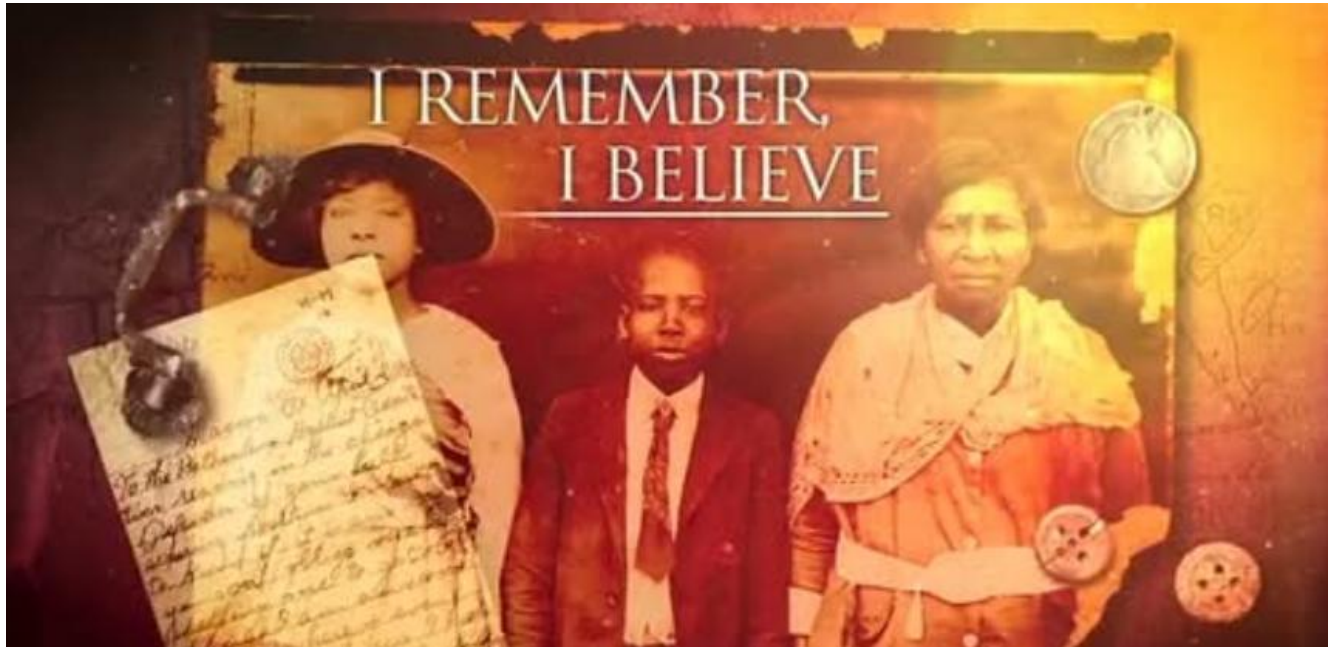
Avondale Burial Ground

Pleasant Hill in Macon

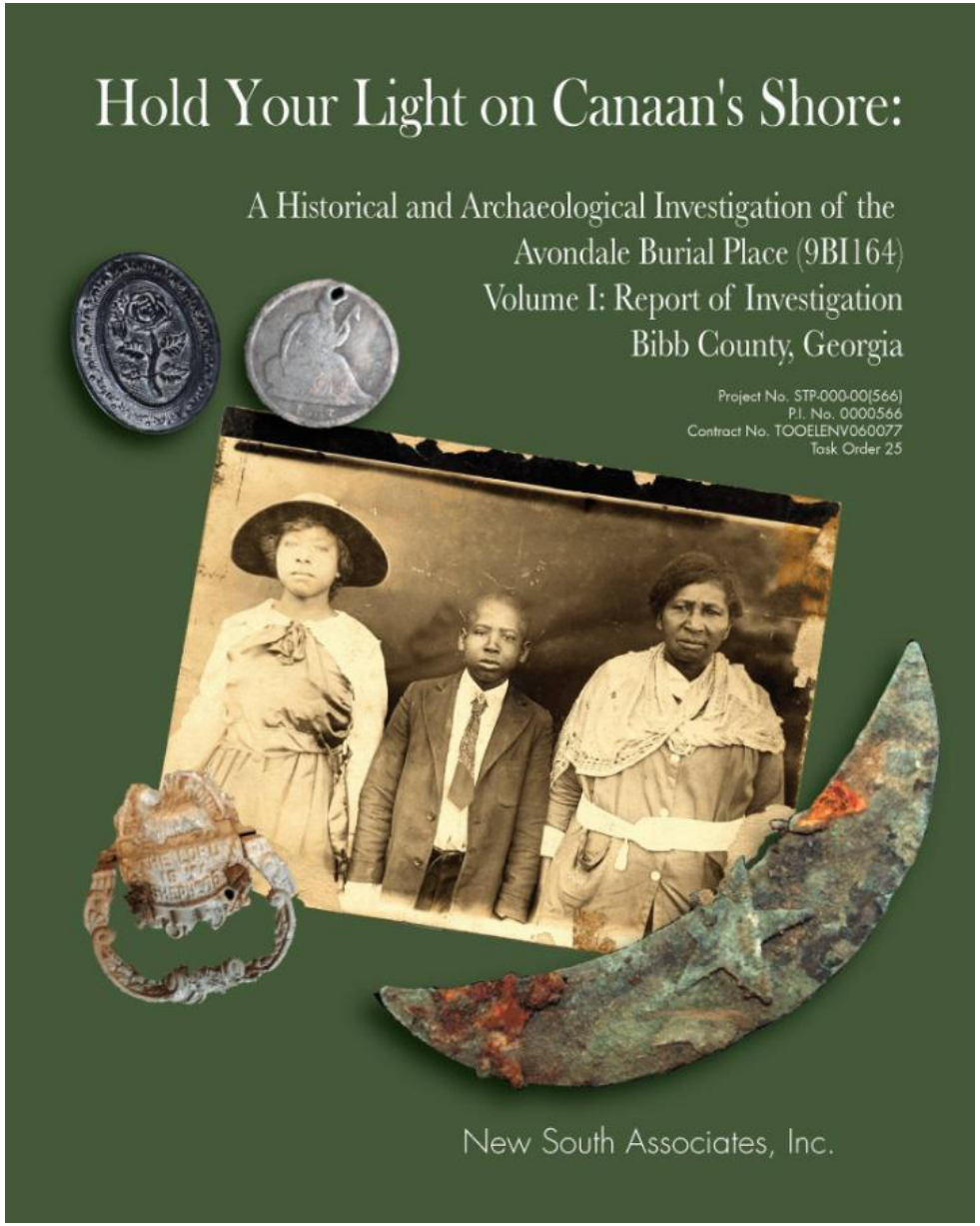
New Echota

- Avondale Burial Ground





- Avondale Burial Ground

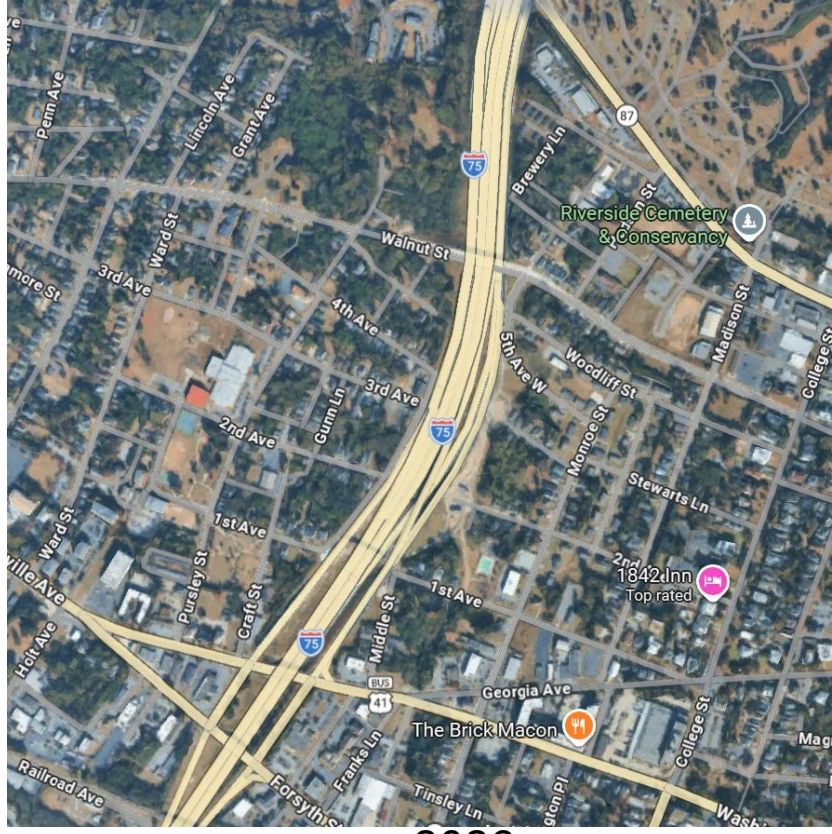




1954



1972



2026

- Pleasant Hill, Macon









- Pleasant Hill, Macon

SECTION 106 CASE STUDY : LITTLE RICHARD HOUSE & RESOURCE CENTER





LITTLE RICHARD PENNIMAN'S CHILDHOOD HOME

THIS IS WHAT SECTION 106 DOES.



The Little Richard House & Resource Center
Macon, Georgia

MITIGATION MEASURE: RELOCATION AND REHABILITATION

Penniman Resource Center



- Pleasant Hill, Macon





- Pleasant Hill, Macon






TOUR
PATH


GEORGIA
1776
NEW ECHOTA
Cherokee National Capital
The sprawling town of New Town which had stood here since 1819 was designated the seat of government for the new Cherokee Nation in a legislative act of 1825 and it was renamed New Echota for a former principal town in Tennessee. In its short history New Echota was the site of the first Indian language newspaper office, a court case which carried to the U.S. Supreme Court, one of the earliest experiments in national self-government for an Indian tribe, the signing of a treaty which relinquished Cherokee claims to lands east of the Mississippi, and the assembly of Indians for the removal west.
GEORGIA HISTORICAL COMMISSION

- New Echota

A VIEW FROM RURAL GEORGIA

Federal Highway Administration

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Georgia Department of Transportation



Providence United Methodist Church Cemetery est. 1857

Providence United Methodist Church









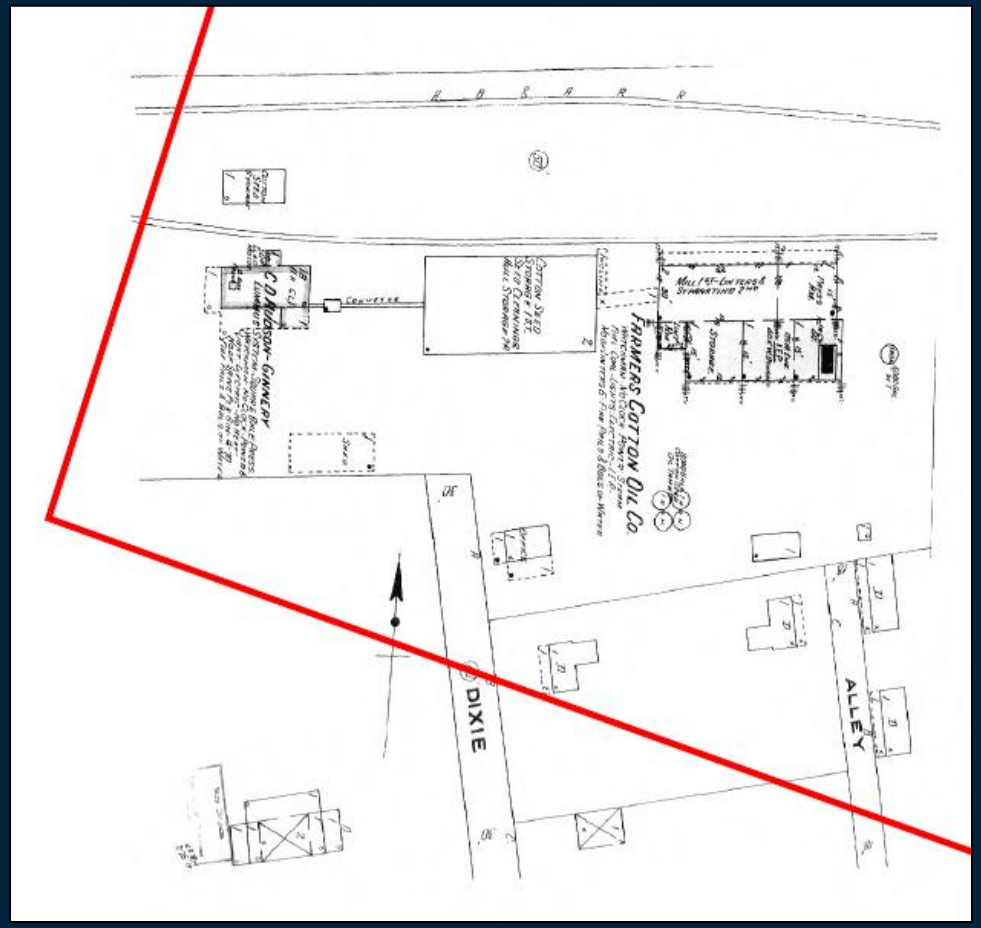
Troup County

US Department of Housing and Urban Development

Department of Community Affairs & Municipal Housing Authorities



Commerce Ave Property, LaGrange







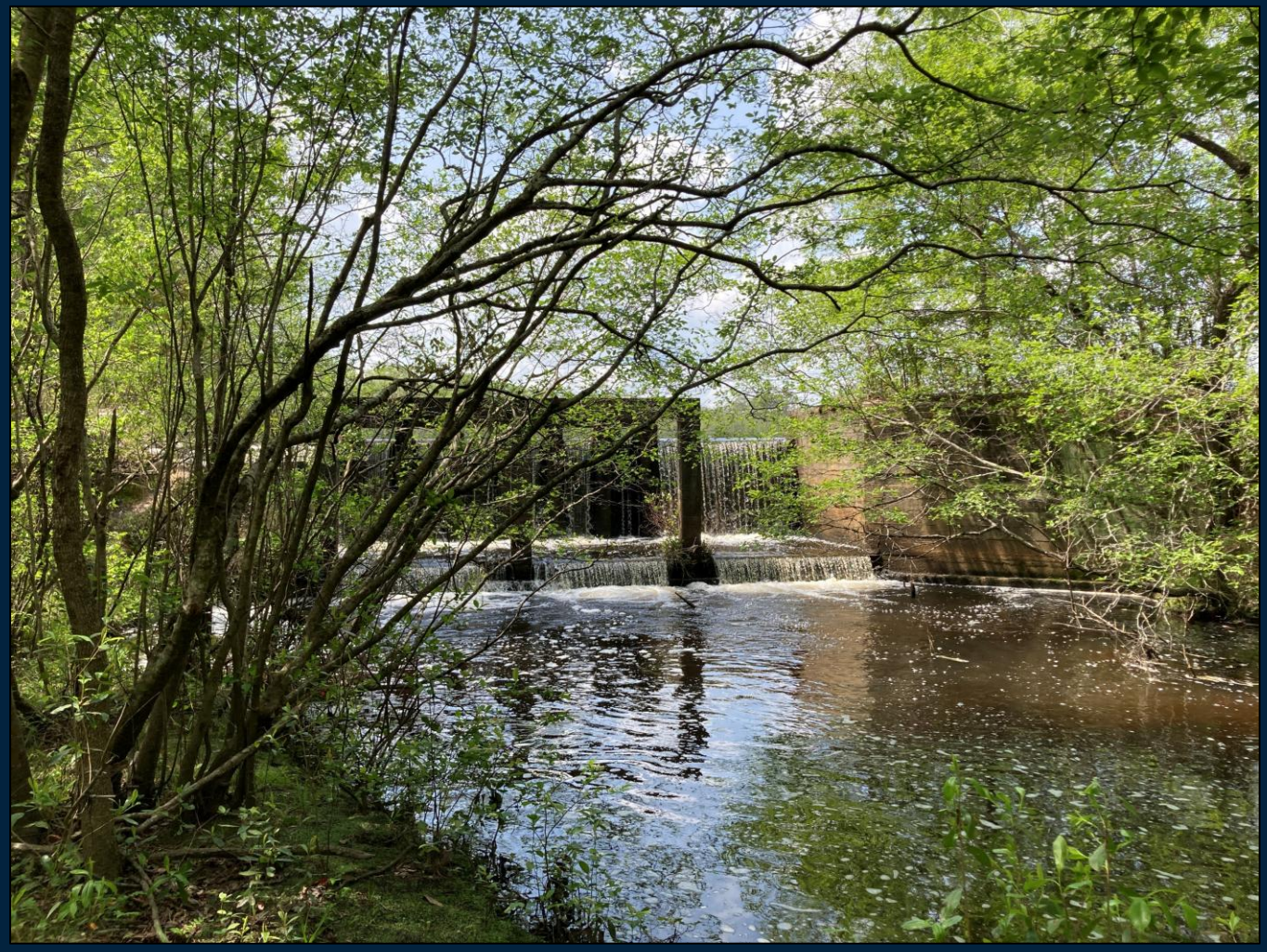
Macon, Talbot, and Taylor Counties

Federal Communications Commission

↓

Broadband Fiber Optics Rural Expansion Initiative

(E-Connectivity)



8 Miles of Broadband









www.georgiatrust.org/our-programs/advocacy

CURRENT ADVOCACY PRIORITY

Help Protect Section 106 and Your Voice in Preservation

Proposed federal legislation threatens the process that gives communities a voice when federal projects affect historic places.

TAKE ACTION | LEARN ABOUT THE THREAT | HELPFUL RESOURCES

www.georgiatrust.org/our-programs/advocacy

Take Action

Tell Congress: Protect Section 106

Your voice matters! The Senate is set to vote on the *Bipartisan American Affordability and Jobs Act* (S. 5653) on **November 9**. Contact your U.S. senators and representatives to urge them to protect Section 106 and preserve meaningful public participation in decisions affecting historic places.

Here's how you can help:

1. **Find your legislators.** Use the link below to find contact information for your U.S. senators and representatives.
2. **Send a message.** Use suggested language in our position statement and helpful resources below. You can also strengthen your message by personalizing it to explain why protecting historic places matters to you and your community. Most importantly, urge them to oppose the bill unless its preservation provisions are improved.
3. **Spread the word.** Encourage friends, colleagues, and fellow preservation advocates to speak up.

FIND YOUR FEDERAL LEGISLATORS

Statewide letter in support of Section 106

October 29, 2026

The Honorable Jon Ossoff, United States Senate
Hart Senate Office Building
Suite 317
Washington, DC 20510

The Honorable Raphael Warnock, United States Senate
Hart Senate Office Building
Suite 717
Washington, DC 20510

Re: Protecting Georgia's communities and their history in S. 5653, the Bipartisan American Affordability and Jobs Act of 2026

Dear Senators:

As professional and advocacy organizations dedicated to preserving Georgia's cultural and architectural heritage, we write to urge you both to oppose the Bipartisan American Affordability and Jobs Act of 2026 (S. 5653), unless its historic preservation provisions are substantially revised or removed. We recognize the benefits of streamlining federal permitting and support efficient government action. However, this bill will take away the voice Georgia communities have when federal projects could reshape their neighborhoods, towns and sacred places.

For 60 years, Section 106 of the National Historic Preservation Act has given Georgians a seat at the table before federal projects are started. The genius of the NHPA and Section 106 is that it recognizes the federal government does not know what is best for Georgia. Review requires input and consideration of local stakeholders, and it leads to better projects. It does so without slowing projects down. Nationally, about 120,000 federal undertakings are reviewed each year; the average review takes just 16 days, and only about 2 percent find any adverse effect at all. In Georgia, over the past 6 years, over 35,000 projects have been reviewed through Section 106, with 98% of reviews meeting the currently mandated 30-day review.

The challenges with the bill's historic preservation provisions are extensive, but the broad concerns are this:

- **Federally funded projects escape review.** The bill would redefine an "undertaking" to require a federal permit plus substantial federal control. Most projects paid for with federal grants or loans would no longer require consultation.
- **Communities lose their voice.** The communities most affected are often those whose history is least documented: African American neighborhoods and burial grounds, rural towns without preservation staff, and the ancestral lands of the Muscogee (Creek) and Cherokee peoples.

Make noise at the local *and* federal level

Make sure your local elected officials understand the consequences of these changes.

- HPCs, Mayors, and County Commissions will lose a direct avenue for engagement on federal projects
- The most common projects impacting local communities - roads, bridges, and energy infrastructure - would not longer be reviewed under Section 106
- Federal agencies could unilaterally determine no adverse effects on local districts & landmarks

Share with local media

- Use real examples of places that would be at risk
- Point them toward resources to learn more



Senator Jon Ossoff

Washington, DC office

(202) 224-3521

317 Hart Senate Office Building
Washington, DC 20510

Write: ossoff.senate.gov/contact-us/share-your-views

Request a meeting: ossoff.senate.gov/contact-us/scheduling-requests

Atlanta

271 17th Street NW
Suite 1510
Atlanta, GA 30363

(470) 786-7800

Augusta

One Tenth Street
Suite 660
Augusta, GA 30901

(706) 261-5031

Columbus

18 9th Street
Suite 513
Columbus, GA 31901

(706) 780-7053

Savannah

532 Stephenson Avenue
Suite 103B
Savannah, GA 31405

(912) 200-9402

Oppose the Bipartisan American Affordability and Jobs Act (S.5653) unless its preservation provisions are removed or drastically improved.

Senator Raphael Warnock

Washington, DC office

(202) 224-3643

717 Hart Senate Office Building
Washington, DC 20510

Write: warnock.senate.gov/contact/contact-form

Request a meeting: warnock.senate.gov/services/scheduling-request

Atlanta office

201 17th Street NW, Suite 530
Atlanta, GA 30363

(770) 694-7828

Name the bill

S. 5653 - Bipartisan American Affordability and Jobs Act

Oppose the Bipartisan American Affordability and Jobs Act (S.5653) unless its preservation provisions are removed or drastically improved.

THE
GEORGIA TRUST
for HISTORIC PRESERVATION

Questions?

bsutton@georgiatrust.org

www.georgiatrust.org/our-programs/advocacy