CROW CREEK SIOUX TRIBE

P.O. BOX 50
FORT THOMPSON, SOUTH DAKOTA 57339
TEL: (605) 245-2221 – FAX: (605) 245-2470

November 8, 2026

As sovereign nations, we entered into treaties with the United States of America. Congress must honor those commitments and respect our individual sovereign authority to protect our lands, waters, and sacred places.

On behalf of the Crow Creek Sioux Tribe, I strongly oppose S. 5653, the Bipartisan American Affordability and Jobs Act, and its manager's amendment. Title III as amended would weaken the Section 106 process under the National Historic Preservation Act, limiting the ability of Tribal Nations to identify threats to sacred places and press federal agencies to prevent harm before projects move forward.

Congress drafted S. 5653 behind closed doors, denying Tribal Nations the opportunity to testify at public hearings or submit comments while they could still shape the bill. Congress must hear directly from Tribal governments before voting on legislation that would weaken protections for our sacred places and affect the exercise of our treaty rights.

I condemn any closed-door negotiations by the Coalition of Large Tribes with Congress conducted without the express authorization of the Tribal governments on whose behalf it claims to speak. Each Tribal Nation decides who speaks for it and what that representative is authorized to negotiate. **Membership in a coalition confers no authority to bargain away a Nation's rights or imply its consent.** Congress must hear directly from Tribal leaders and verify any claim of Tribal support with the governments themselves.

The Crow Creek Sioux Tribe is prepared to work on permitting reform that honors treaty rights, protects sacred places, and preserves meaningful Tribal consultation and effective judicial remedies. Congress should delay action on this bill, release the full proposed text, hold public hearings where Tribal leaders can testify, and engage affected Tribal Nations directly while they can still shape the legislation. **If the Senate proceeds without that process, it must strike Title III in its entirety.**

Peter Lengkeek
Chairman
Crow Creek Sioux Tribe