Dismantling Environmental Accountability: The Consequences of S. 5653 for Indigenous Peoples, Frontline Communities, and the Earth

An Analysis of Proposed Changes to Federal Environmental and Historic Preservation Protections

Water Protector Legal Collective | October 2026

Executive Summary

S. 5653, the Bipartisan American Affordability and Jobs Act of 2026 (BAAJA), proposes sweeping changes to cornerstone federal environmental and historic preservation laws, including the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), Clean Water Act (CWA), and Endangered Species (ESA), as well as natural resource law. The legislation would restrict judicial review and remedies, alter federal permitting procedures, and limit agencies' authority to revisit certain project authorizations.[1]

These laws serve distinct but complementary purposes: evaluating environmental consequences, protecting historic and culturally significant places, safeguarding water and wildlife, and providing mechanisms for public participation and government accountability. BAAJA would weaken protections at multiple stages of federal decision-making, from initial environmental review and consultation to project authorization, oversight, and judicial accountability.

The consequences would extend well beyond individual projects. Indigenous Peoples and frontline communities already bearing disproportionate environmental and public health burdens could face greater obstacles to preventing pollution, protecting sacred places and cultural landscapes, and obtaining meaningful relief when federal agencies violate the law. At a time of accelerating anthropogenic climate disruption, biodiversity loss, and mounting pressure on ecosystems, these changes would further shift the environmental and economic costs of industrial development onto communities and future generations.

This brief examines key amendments proposed by S. 5653, explains how they differ from existing law, and identifies their implications for Indigenous Peoples, frontline communities, and the Earth.

I. NATIONAL ENVIRONMENTAL POLICY ACT

Weakening Environmental Review, Public Participation and Judicial Remedies

NEPA requires federal agencies to evaluate the environmental consequences of major federal actions and consider reasonable alternatives before making decisions. Although primarily procedural, NEPA provides an essential mechanism for identifying environmental risks, informing the public, and ensuring that federal agencies consider the consequences of their actions before authorizing development.[2] BAAJA would narrow both the scope of environmental review and legal mechanisms available to challenge inadequate agency decisions.

[1] Bipartisan American Affordability and Jobs Act of 2026, S. 5653, 119th Cong. (2026) (introduced Sept. 30, 2026), Div. A, tit. I–IV; Div. B, tit. II–III.

[2] National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, 4332(2)(C), 4336a–4336e.

- **<u>Narrows Environmental Review - Sections 1102-1107</u>:**
- **Current law:** NEPA generally applies to major federal actions, including certain projects involving federal permits, approvals, or financial assistance. When preparing environmental impact statements, agencies must evaluate reasonable alternatives to proposed actions.[3]
- **S. 5653 would:**
    - **Narrow what qualifies as a "major federal action."** Currently, projects that fall under "major federal action" include projects with financial nexus that culminate in "sufficient control and responsibility" over an action. BAAJA rewrites this clause and changes the "sufficient" standards to "predominant control and responsibility."[4]
    - **Expand exclusions for certain infrastructure repairs, pipeline transmission modifications within existing rights-of-way, and specified administrative or federally funded activities.** These include transmission and pipeline repairs, upgrades, and modifications within existing right-of-ways, lifeline infrastructure repairs that do not increase capacity by more than 20%, routine administrative actions under $10 million, certain U.S. Army Corps of Engineers projects with a federal share under $50 million, and actions whose effects another agency has already evaluated.[5]
    - **Give greater weight to project sponsors' objectives when determining which alternatives warrant evaluation.** If the agency determines an alternative does not align with the sponsor's goals and statement of purpose and need, then that alternative must be removed from the informational document, often an environmental impact statement. Compliance with this new test will favor corporate interests and diminishes any separation that should exist between governmental agency evaluation and the interests of corporations, effectively ensuring that the public and Tribal interests are underserved by limiting analysis in evaluation and decision-making documents and processes.[6]

These changes could exclude environmentally consequential projects from NEPA review while narrowing the alternatives considered for projects that remain subject to it. Greater reliance on a sponsor's objectives also raises concerns about the independence of federal agency evaluation, particularly where alternatives that could reduce environmental harm conflict with a developer's preferred approach.

Reducing federal review does not eliminate environmental risks. It shifts the burden of those risks onto communities and ecosystems.

- **<u>Restricts Public Participation and Access to Judicial Review - Section 1110</u>:**

[3] 42 U.S.C. §§ 4332(2)(C), 4336e(10) (defining "major Federal action"), 4336e(1) (defining "reasonable alternatives").
[4] S. 5653 § 1102 (proposed NEPA § 3(18)(B)(iii), concerning federal financial assistance and "predominant control and responsibility"); compare 42 U.S.C. § 4336e(10)(B)(iii).
[5] S. 5653 § 1102 (proposed NEPA § 3(18)(B)(viii)–(xiv)); see also id. §§ 2102, 2213–2214 (additional provisions affecting infrastructure activities and permitting).
[6] S. 5653 §§ 1102, 1105–1106 (proposed amendments governing reasonable alternatives, purpose and need, and environmental review procedures); compare 42 U.S.C. §§ 4332(2)(C), 4336e(1).

- **Current law:** Under existing law, individuals and organizations challenging federal agency actions under NEPA must satisfy constitutional standing requirements and applicable procedural rules. Depending on the circumstances, participation in administrative proceedings may be necessary to preserve particular legal objections.[7]
- **S. 5653 would impose additional restrictions on covered NEPA challenges:**
    - **Substantive comments:** Where public comment was available, plaintiffs would need to have raised the particular issue in substantive comments **"sufficiently detailed to put the applicable Federal agency on notice of the particular issue on which the party seeks judicial review."**[8]
    - **Injury allegations:** Plaintiffs would be required to allege **"an actual or imminent injury in fact amounting to direct harm."**[9] As a result, individuals that perhaps did participate in the public comment process, but did not raise the specific issue that they would later want to bring suit for, then they are barred from doing so. The consequence of adding these requirements to standing would require lay-persons to monitor the Federal Register carefully, fully grasp potentially thousands of pages of highly technical documents, and fully anticipate harm that could result from federal action. BAAJA asks communities to have more expertise, wherewithal, and planning than the agencies themselves in order to effectively prepare for potential litigation.
    - **Statute of limitations:** Covered claims would generally need to be filed within **150 days rather than the six-year limitations period** ordinarily applicable to civil actions against the United States. Filing a lawsuit takes considerable time and resources that these changes do not contemplate.[10]
    - **Venue:** Covered challenges would proceed directly in the federal court of appeals, rather than generally beginning in federal district court. Section 1110(c)(1) would place original and exclusive jurisdiction over covered claims in the relevant federal court of appeals.[11]
    - **Judicial deference:** Pursuant to Section 1110(d), courts would be directed to afford substantial deference to agency determinations concerning the scope and contents of environmental documents.[12]

These changes would impose significant additional burdens on individuals and community organizations seeking judicial review. Environmental impact statements often contain thousands of pages of technical

[7] U.S. Const. art. III, § 2; *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–61 (1992) (constitutional standing); *Department of Transportation v. Public Citizen*, 541 U.S. 752, 764–65 (2004) (issue preservation in NEPA proceedings).
[8] S. 5653 § 1110(b)(2) (proposed NEPA § 111(b)(2), requiring sufficiently detailed substantive comments identifying the issue later raised in litigation).
[9] S. 5653 § 1110(b)(3) (proposed NEPA § 111(b)(3), requiring an allegation of actual or imminent injury in fact amounting to direct harm).
[10] S. 5653 § 1110(b)(1) (proposed NEPA § 111(b)(1), establishing a 150-day filing deadline for covered claims, unless a shorter federal deadline applies); compare 28 U.S.C. § 2401(a) (general six-year limitations period for civil actions against the United States).
[11] S. 5653 § 1110(c)(1)–(2) (proposed NEPA § 111(c)(1)–(2), addressing original, exclusive, and supplemental jurisdiction in federal courts of appeals).
[12] S. 5653 § 1110(d) (proposed NEPA § 111(d), concerning judicial deference to agency determinations); compare 5 U.S.C. § 706 (standards governing judicial review of agency action).

material, and identifying specific deficiencies may require scientific expertise, legal representation, and substantial resources.

The shortened filing period would further constrain the time available to review administrative records, identify plaintiffs, evaluate claims, and prepare litigation.

Taken together, the proposed requirements could make meaningful judicial review increasingly inaccessible to the communities most directly affected by federal decisions.

- **Limits Judicial Remedies - Section 1110:**
- **Current law:** When federal agencies violate NEPA, courts may grant appropriate relief under the Administrative Procedure Act and applicable equitable principles. Depending on the circumstances, remedies may include remand, vacatur of an unlawful authorization, or injunctive relief.[13]
- **S. 5653 would:**
    - **Generally limit relief for covered NEPA violations to remand without vacatur or an injunction**. Section 1110(c)(5) expressly provides that, subject to its exception, a court finding a NEPA violation may only remand the authorization without vacatur or an injunction.
    - **Allow the underlying authorization to remain effective during the remand.** Section 1110(c)(6) keeps the authorization intact and the activity may continue during remand.
    - **Permit project activities to continue while the agency corrects its environmental review.[14]**

These restrictions would fundamentally change the consequences of unlawful agency action.

A court could determine that a federal agency violated NEPA, yet construction could 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. A legal right to challenge an unlawful decision loses much of its practical value when courts cannot provide effective relief before irreversible harm occurs.

II. NATIONAL HISTORIC PRESERVATION ACT

Threatening Historic Places, Sacred Sites, and Tribal Sovereignty

Section 106 of the NHPA requires federal agencies to consider the effects of proposed undertakings on historic properties and provide the Advisory Council on Historic Preservation an opportunity to comment.

[13] Administrative Procedure Act, 5 U.S.C. §§ 702, 706(2); *Monsanto Co. v. Geertson Seed Farms*, 561 U.S. 139, 156–58 (2010) (equitable standards governing injunctive relief in NEPA cases); *Allied-Signal, Inc. v. U.S. Nuclear Regulatory Commission*, 988 F.2d 146, 150–51 (D.C. Cir. 1993) (remand without vacatur).

[14] S. 5653 § 1110(c)(5)–(6) (proposed NEPA § 111(c)(5)–(6), restricting judicial remedies and addressing the continued effectiveness of authorizations during remand).

Implementing regulations establish procedures for identifying historic properties, assessing adverse effects, and consulting with Tribal Nations and other parties.[15]

These protections are particularly important for sacred places, burial grounds, archaeological resources, and cultural landscapes whose significance may not be reflected in conventional historic property inventories.

- **Narrows Section 106 Review - Section 2301:**
- **Current law:** Currently, a project with either direct or indirect jurisdiction of a federal agency, which includes projects that require federal permitting, licensing, approval, or other oversight, and federal assistance trigger review under NHPA. The ACHP sets the standards for the "area of potential effect" ("APE") and sets the scope for agencies to locate and prevent harm to historic properties. Agencies must identify historic properties within an undertaking's area of potential effects and evaluate whether the undertaking may adversely affect them.[16]
- **S. 5653 would:**
    - **Narrow the definition of covered federal undertakings.** Only the area that required federal oversight would fall under NHPA review instead of the entirety of the project. **Restrict the scope and types of effects considered during historic preservation review.**
    - **Limit consideration of specified indirect effects on historic properties.[17]**

These changes could leave culturally significant places outside the immediate construction footprint inadequately considered. Sacred landscapes may be affected by visual intrusion, noise, restricted access, changes to surrounding ecosystems, or disturbances to interconnected geographic features even where a particular site is not directly excavated. Narrowing review could allow significant cultural and historic harms to go unidentified until development is underway.

These concerns are especially pronounced for hard-rock mining and critical minerals projects, where excavation, blasting, waste disposal facilities, roads, and transmission infrastructure can affect culturally significant places far beyond the immediate extraction site. Narrowing the scope of Section 106 review could leave associated facilities and impacts on surrounding cultural landscapes inadequately evaluated, even where the consequences for sacred places and ancestral homelands are irreversible.

- **Purports to Define What is Sacred - Section 2301:**

[15] National Historic Preservation Act, 54 U.S.C. § 306108; 36 C.F.R. §§ 800.1–800.16, particularly §§ 800.2(c)(2), 800.3–800.6 (Section 106 consultation, identification, assessment, and resolution of adverse effects).
[16] 54 U.S.C. §§ 300320 (definition of "undertaking"), 306108; 36 C.F.R. §§ 800.4(a)(1), 800.4(b)–(d), 800.5(a) (area of potential effects, identification of historic properties, and assessment of adverse effects).
[17] S. 5653 § 2301 (proposed amendments to the NHPA governing undertakings, the area of potential effects, and consideration of effects on historic properties).

- **Current law:** Existing federal law recognizes that properties of traditional religious and cultural importance to Tribal Nations and Native Hawaiian organizations may qualify for inclusion in the National Register of Historic Places.[18]
- **S. 5653 would:**
    - **Introduce a statutory definition tied to an identifiable geographic location or feature where an event of continuing religious or cultural significance occurred.[19]**
    - This proposed definition raises serious concerns for sacred mountains, rivers, springs, burial grounds, and cultural landscapes whose significance arises from continuing relationships, ceremonial responsibilities, and Indigenous knowledge rather than a particular historical event.
    - The definition could exclude culturally significant places that do not satisfy the proposed criteria and create uncertainty about the treatment of previously recognized properties.

Federal historic preservation law should not impose narrow definitions of sacred places that fail to reflect Indigenous cultural knowledge, traditions, and relationships with ancestral landscapes.

- **<u>Restricts Tribal Consultation and Preservation Authority - Section 2301-2302</u>:**
- **Current law:** Section 106 consultation provides an opportunity for Tribal Nations to identify culturally significant places, assess potential effects, and participate in developing measures to address harm. Tribal consultation is not optional and is required by applicable Section 106 regulations.[20]
- **S. 5653 would:**
    - **Change the statutory requirement for consultation optional.** The language of the legislation makes consultation discretionary at certain stages of defining the area of potential effects and identifying historic properties.
    - **Gives federal agencies the authority to unilaterally decide when consultation has concluded.** Under the proposed changes, Tribal Historical Preservation Officers ("THPOs") and State Historic Preservation Officers ("SHPOs") would sign an agreement with the agency and allow agency heads to determine whether adverse effects would interfere with historical property registration, or even determine "other considerations outweigh the consideration of historic preservation."
    - **Establishes a 30-day response period for certain agency findings.** Currently, there aren't many hard deadlines under NHPA for THPOs and SHPOs to follow. This is in part due to lack of capacity, but also because scoping and ensuring historical properties in the face of project construction takes a long time. The new regulations impose a strict deadline for response, undermining Tribal Sovereignty and meaningful consultation required under a Government-to-Government relationship.

[18] 54 U.S.C. § 302706(a)–(b) (recognizing properties of traditional religious and cultural importance to Indian Tribes and Native Hawaiian organizations as potentially eligible for the National Register).
[19] S. 5653 § 2301(a) (proposed amendment to 54 U.S.C. § 302706(a), defining "property of traditional religious or cultural importance" by reference to an identifiable geographic location or feature at which an event of continuing religious or cultural significance occurred).
[20] 54 U.S.C. § 306108; 36 C.F.R. §§ 800.2(c)(2), 800.3(f), 800.4(a)(4), 800.5(c), 800.6(a) (Tribal consultation requirements under Section 106).

- **Establishes additional federal oversight of THPOs**, including periodic evaluations and potential intervention and usurpation of Tribal preservation functions.[21]

These changes could diminish meaningful Tribal consultation and increase federal control over institutions responsible for protecting Tribal cultural heritage. Consultation requires sufficient time for Tribal governments to review technical documents, consult elders and cultural practitioners, and evaluate potential harm. Compressing these processes risks reducing government-to-government consultation to a procedural formality.

The bill's proposed grants for databases of culturally significant properties also raise concerns about confidentiality and Indigenous authority over sensitive cultural information. Although federal law provides qualified protections against disclosure of certain historic property information, those protections do not resolve every question concerning the collection, storage, accessibility, and control of Indigenous cultural knowledge.[22]

III. CLEAN WATER ACT

Reducing Protections for Waterways, Wetlands, and Aquatic Ecosystems

The Clean Water Act establishes a framework for protecting water quality and regulating discharges into jurisdictional waters. Sections 401 and 404 provide important mechanisms for reviewing activities that may affect waterways, wetlands, and surrounding ecosystems.[23]

- **Restricts Section 401 Water Quality Certification - Section 1202:**
- **Current law:** Section 401 authorizes states and eligible Tribal Nations to review certain federally licensed or permitted activities that may result in discharges into the waters of the United States. Certifying authorities may grant, condition, deny, or waive certification in accordance with applicable statutory requirements.[24]
- **S. 5653 would:**
  - Narrow the scope of Section 401 to state that Tribal Nations and states can only operate under 401 when water quality requirements under 301, 302, 303, 306, and 307 are at issue and cannot take into consideration "indirect effects."
  - Require certain certification conditions to represent the least burdensome means of addressing water quality concerns.
  - Establish narrower certification requirements for specified pipeline and transmission projects.

[21] S. 5653 §§ 2301–2302 (proposed amendments concerning Section 106 procedures, consultation timelines, SHPO and THPO oversight, and historic preservation program administration); compare 54 U.S.C. §§ 302301–302303, 302701–302706; 36 C.F.R. pt. 800.
[22] S. 5653 § 2302 (proposed historic preservation funding and grant provisions); 54 U.S.C. § 307103 (confidentiality of information concerning the location, character, or ownership of certain historic resources); 36 C.F.R. § 800.11(c) (confidentiality of information in the Section 106 process).
[23] Federal Water Pollution Control Act (Clean Water Act), 33 U.S.C. §§ 1251(a), 1341, 1344.
[24] 33 U.S.C. § 1341(a)–(d) (Section 401 water quality certification); 40 C.F.R. pt. 121 (implementing regulations governing water quality certification).

- Imposes heightened evidentiary requirements in specified circumstances, shifting the burden of proof from the project sponsor to the state also does not serve public interest, it serves corporate interests.[25]

These changes could significantly 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.

- **Expands Section 404 Permitting - Section 1204-1205:**
- **Current law:** Section 404 regulates discharges of dredged or fill material into jurisdictional waters, including wetlands. The U.S. Army Corps of Engineers administers the permitting program, subject to applicable EPA oversight. Nationwide permits are generally issued for periods not exceeding five years.[26]
- **S. 5653 would:**
  - **Extend the maximum duration of Nationwide Permits (NWPs) from five to ten years.** Extending nationwide permits to ten years would reduce opportunities to reconsider permit conditions as environmental circumstances change. This is particularly significant for watersheds experiencing drought, flooding, habitat loss, industrial contamination, and other environmental pressures.
  - Expanded general permitting could also allow more activities to proceed without individualized review, even where the cumulative impacts of roads, pipelines, transmission corridors, and other infrastructure affect multiple waterways and wetlands.
  - Restrict specified consultation requirements under the ESA and NHPA.
  - Limit EPA oversight in certain permitting circumstances.
  - Establish additional restrictions on judicial review and remedies.[27]

IV. ENDANGERED SPECIES ACT

Weakening Protections for Wildlife and Critical Habitats

The ESA provides protections for threatened and endangered species and their critical habitats. Section 7 requires federal agencies to consult with federal wildlife agencies in specified circumstances involving actions that may affect listed species or designated critical habitat.[28]

- **Changes to Scientific Review and Consultation- Sections 1301-1304:**

[25] S. 5653 § 1202 (proposed amendments to 33 U.S.C. § 1341 concerning the scope of certification, water quality requirements, certification conditions, and judicial review).
[26] 33 U.S.C. § 1344(a), (e) (Section 404 permitting and general permits); 33 C.F.R. §§ 330.1–330.6 (nationwide permit program).
[27] S. 5653 §§ 1204–1205 (proposed amendments to Section 404 permitting, general permit duration, consultation, EPA oversight, and judicial review procedures).
[28] Endangered Species Act of 1973, 16 U.S.C. §§ 1531(b), 1532, 1536(a)(2); 50 C.F.R. pt. 402 (interagency consultation regulations).

- **Current law:** Federal agencies must use the best scientific and commercial data available in specified ESA decisions. Consultation with federal wildlife agencies provides a mechanism for evaluating whether proposed actions may jeopardize listed species or adversely modify critical habitat.
- **S. 5653 would:**
    - Amend statutory requirements concerning scientific information and consultation procedures.
    - Establish modified consultation requirements or exemptions for certain infrastructure activities.
    - Change requirements affecting specified activities within existing rights-of-way.
    - Allow states to assume certain consultation responsibilities currently performed by federal wildlife agencies.[29]

These changes raise concerns about the adequacy and consistency of scientific review, particularly where federal actions affect species already confronting habitat loss, pollution, and climate disruption. Reducing consultation requirements or transferring certain responsibilities to states could create additional uncertainty about the application of federal protections, especially where agencies have differing resources and technical expertise. For ecosystems already under significant pressure, inadequate review may allow harms to occur before their full consequences are understood.

V. HARD-ROCK MINING and PUBLIC LANDS

Expanding Mining Operations and Waste Disposal on Federal Lands

- **<u>Changes to Federal Mining Law - Section 2215</u>:**
- **Current law:** The General Mining Law of 1872 governs the location of mining claims and mill sites on federal public lands. Mill sites provide land for activities associated with mineral development, including processing and waste disposal, subject to applicable statutory and regulatory requirements.[30]
- **S. 5653 would:**
    - Amend 30 U.S.C. § 42 to authorize mining operators to locate as many additional five-acre mill sites as reasonably necessary for an approved mining operation.
    - Permit these sites to be used for waste rock, tailings disposal, and other mining-related activities, including on public lands without valuable mineral deposits.
    - Establish additional mill-site maintenance fees and an Abandoned Hardrock Mine Fund.[31]

[29] S. 5653 §§ 1301–1304 (proposed amendments concerning ESA definitions, Section 7 consultation timelines, activities within operational rights-of-way, and state assumption of certain consultation responsibilities); compare 16 U.S.C. §§ 1533(b)(1)(A), 1536(a)(2).
[30] General Mining Law of 1872, 30 U.S.C. §§ 22–54, particularly § 42 (mill sites); 43 C.F.R. pt. 3832 (locating mining claims and sites); 43 C.F.R. subpt. 3809 (surface management of mining operations).
[31] S. 5653 § 2215(a) (proposed amendments to 30 U.S.C. § 42 authorizing additional mill sites for operations reasonably incident to mineral development, including waste rock and tailings disposal); *id.* § 2215 (additional mill-site provisions, fees, and Abandoned Hardrock Mine Fund).

These changes could expand the public land area available for mining-related infrastructure and waste disposal. For Indigenous Peoples and frontline communities, the consequences may extend beyond the mine itself to surrounding watersheds, wildlife habitats, sacred places, and cultural landscapes. Considered alongside BAAJA's proposed restrictions on environmental review, historic preservation, and judicial remedies, the mining provisions raise additional concerns about the government's ability to identify and prevent environmental harm before development proceeds.

Conclusion

The proposed changes to NEPA, NHPA, CWA, and ESA, and federal mining law cannot be evaluated in isolation. Together, they could substantially weaken the legal framework governing environmental review, historic preservation, water quality, endangered species, public lands, and judicial accountability. The cumulative result would be fewer opportunities to prevent environmental harm before development proceeds and fewer effective mechanisms to address violations afterward.

Although presented as permitting modernization, S. 5653 would weaken important protections at a time when communities are already confronting the consequences of industrial pollution, biodiversity loss, and accelerating anthropogenic climate disruption.

These consequences are especially significant for Indigenous Peoples and frontline communities already bearing disproportionate environmental and public health burdens. Protecting Indigenous Peoples, frontline communities, and the Earth must remain a central responsibility of federal environmental policy - not a concession to be negotiated away in the name of permitting efficiency.

About This Analysis

This brief examines selected provisions of S. 5653 with significant implications for environmental protection, Indigenous rights, and government accountability, drawing on WPLC's experience in litigation and legal advocacy. It does not address every provision of the legislation, including additional amendments affecting federal energy development, infrastructure permitting, and project authorizations. The analysis may be supplemented as the legislation and its potential consequences are further evaluated. Nothing in this brief establishes or limits legal arguments, claims, or positions that WPLC or its clients may advance in current or future proceedings.

Learn more:

- 106 Strong Coalition Letter in Opposition to S. 5653 (CHP, 106 Strong Coalition)
- Myths vs. Facts - BAAJA's Empty Promises to Tribal Nations (CHP, NATHPO, NCAI, AAIA, NARF)
- October 9, 2026 Joint Tribal Letter in Opposition to BAAJA
- Analysis of the Permitting Reform Bill (Sierra Club)
- High-Level Takeaways and Tribal Impacts of S. 5653 (Native American Rights Fund)
- Explaining the Senate Permitting Bill (Bipartisan Policy Center)