ALL PUEBLO COUNCIL OF GOVERNORS

505.212.7041 | 2401 12th St. NW, Suite 201N, Albuquerque, NM 87104 | www.apcg.org

Chairman: Joey Sanchez
Vice Chairman: Governor Mark Mitchell
Secretary: Lt. Governor Cordelia Hooee

Acoma
Cochiti
Isleta
Jemez
Laguna
Nambe
Ohkay Owingeh
Picuris
Pojoaque
Sandia
San Felipe
San Ildefonso
Santa Ana
Santa Clara
Santo Domingo
Taos
Tesuque
Ysleta del Sur
Zia
Zuni

RESOLUTION
ALL PUEBLO COUNCIL OF GOVERNORS
RESOLUTION NO. APCG 2026-15

OPPOSING S. 5653, THE BIPARTISAN AMERICAN AFFORDABILITY AND JOBS ACT OF 2026, AS INTRODUCED

WHEREAS, the All Pueblo Council of Governors (APCG) is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia, and Zuni, and one Pueblo in Texas, Ysleta del Sur, each possessing inherent sovereignty and the authority to govern its own affairs; and

WHEREAS, the purpose of the APCG is to advocate, foster, protect, and encourage the social, cultural, and traditional well-being of the Pueblo Nations; and,

WHEREAS, the Pueblos' ancestral lands, sacred places, shrines, trails, and waters extend well beyond present reservation boundaries, and include Mount Taylor, the Greater Chaco landscape, and the Rio Grande and its tributaries, much of which now lies on federal, state, and private land; and

WHEREAS, the Pueblos have long relied on the National Environmental Policy Act, the Clean Water Act, the Endangered Species Act, and the National Historic Preservation Act to learn of federal projects that would affect these places and to have their concerns addressed before decisions are made and to have a seat at the table as sovereign governments in these decisions that affect our lands and sacred places; and

WHEREAS, the United States owes the Pueblos a trust responsibility, and Executive Order 13175 commits federal agencies to government-to-government consultation with Tribal Nations on policies that have Tribal implications; and

WHEREAS, in the 1992 amendments to the National Historic Preservation Act, Congress determined that properties of traditional religious and cultural importance to Indian tribes can be eligible for the National Register of Historic Places and directed that a federal agency "shall consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance" to such properties, 54 U.S.C. 302706; and

WHEREAS, the Pueblos support timely and efficient federal permitting, including Tribal energy, housing, and infrastructure projects, and are prepared to support permitting reform that respects Tribal sovereignty and the federal trust responsibility; and

WHEREAS, S. 5653, the Bipartisan American Affordability and Jobs Act of 2026 ("S. 5653"), which would amend the National Environmental Policy Act, the Clean Water Act, the Endangered Species Act, the National Historic Preservation Act, the Federal Power Act, and federal energy and mineral permitting laws; and

WHEREAS, the Pueblos were not consulted in the development of S. 5653 nor were they given the opportunity to review a draft prior to its introduction; and

WHEREAS, as introduced, S. 5653 would rewrite Section 106 of the National Historic Preservation Act to make consultation with Tribal Nations largely discretionary and time-limited in violation of the spirit of the 1992 amendments, narrow the places and effects that federal agencies must consider, and impose new federal control over and auditing of Tribal Historic Preservation Officer programs, and these changes would pose a significant threat to our ability to protect our sacred sites; and

WHEREAS, as introduced, S. 5653 would sharply limit judicial review of federal permitting decisions through 150-day statutes of limitations, allow review only in the courts of appeals, and restrict remedies courts can issue, allowing projects to proceed while agencies correct their violations; and

WHEREAS, as introduced, S. 5653 would also narrow Tribal water quality certification authority under the Clean Water Act, allow States to assume federal consultation duties under the Endangered Species Act without consulting Tribal Nations, and limit the conditions that may be placed on hydropower licenses affecting lands held in trust for Indian tribes; and

WHEREAS, these changes would weaken protections for Pueblo sacred places, cultural landscapes, waters, and lands, including Mount Taylor, the Greater Chaco landscape, Bears Ears, and the Caja Del Rio, much of which lie outside Pueblo reservation boundaries; and

WHEREAS, amendments to S. 5653, or a substitute bill, may be offered as the legislation moves forward, and the Council is prepared to work toward legislation the Pueblos can support.

NOW, THEREFORE, BE IT RESOLVED that the All Pueblo Council of Governors opposes S. 5653 as introduced on September 30, 2026; and

BE IT FURTHER RESOLVED that APCG remains open to amendments to S. 5653, or to substitute legislation that addresses the concerns of the Pueblos, and will review any such proposal as it is offered; and

BE IT FURTHER RESOLVED, that APCG calls on the New Mexico Congressional Delegation to work directly with APCG on amendments to S. 5653 before further Senate action on the bill and to oppose its passage S. 5653 unless it is amended to address the Pueblos' concerns; and

BE IT FURTHER RESOLVED, that this resolution shall remain in effect until it is withdrawn or rescinded by the APCG; and

BE IT FINALLY RESOLVED that the Chairman is directed to transmit this resolution to the New Mexico Congressional Delegation, other members of Congress, and to contact Tribal Nations, Tribal organizations, and other organizations and work with them in support of the APCG 's position on S. 5653.

CERTIFICATION

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2026-15 was considered and adopted at a duly called council meeting held on the 16th day of October 2026, and at which time a quorum was present and the same was approved by a vote of 20 in favor, 0 against, 0 abstain, and 0 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By: _____
Joey Sanchez, Chairman

ATTEST: Cordelia Hooee
Lt. Governor Cordelia Hooee, Secretary