PEOPLE OF LA JUNTA FOR PRESERVATION

Federal Court Denies Emergency Relief; People of La Junta Will Continue Fight to Protect Indigenous Religious Freedom and the Greater Big Bend

PRESIDIO, TEXAS — October 2, 2026 — U.S. District Judge Orlando L. Garcia of the United States District Court for the Western District of Texas has declined to grant the emergency relief sought by People of La Junta for Preservation and our fellow plaintiffs in *People of La Junta for Preservation, et al. v. Department of Homeland Security, et al.*, Case No. 5:26-cv-05245. The case challenges federal border-security actions affecting the Greater Big Bend and the Indigenous cultural and religious landscape of La Junta de los Ríos.

We respect the Court and the judicial process, but we are deeply disappointed by this ruling. The federal government argued that because DHS no longer intends to construct a 30-foot wall in portions of the landscape at issue and instead plans to rely on roads and technology, we cannot presently demonstrate the harm necessary for emergency relief.

We strongly disagree with the premise that replacing a 30-foot wall with roads, surveillance infrastructure and “technology” makes the harm disappear. Technology does not install itself. Cameras, sensors and surveillance systems can require roads, excavation, utilities, construction, maintenance access and continuing government activity. Artificial lighting can alter the night sky. Towers and infrastructure can alter sacred viewsheds. New roads and installation can disturb archaeological deposits and ancestral burial areas. Federal enforcement infrastructure and activity can interfere with access to Kónitsąąíí and to places where our people pray, gather medicines, make offerings, visit our ancestors and conduct ceremonies.

Our religion does not begin and end at the footprint of a 30-foot wall. Neither does the cultural landscape we are fighting to protect.

This ruling does not end our lawsuit. We will now move into the next phase of litigation without a Temporary Restraining Order holding the federal government in place while these fundamental questions are decided. That makes transparency, public scrutiny and continued pressure from our communities even more important.

The scale of what the federal government is doing in the Greater Big Bend deserves serious scrutiny. The Big Bend Sector stretches approximately 517 miles—more than one-quarter of the entire 1,954-mile U.S.–Mexico border. Yet since 2000, only approximately 1.1% of Border Patrol migrant apprehensions have occurred in this sector. In Fiscal Year 2025, Big Bend recorded just 3,096 apprehensions, approximately 1.3% of the border-wide total.

Despite those numbers, DHS has characterized this region as an “area of high illegal entry” and invoked extraordinary federal authority to waive laws and protections that would otherwise require scrutiny of environmental, archaeological, historic and cultural impacts.

The amount of public money being committed makes that contradiction even harder to ignore. Federal contracts for Big Bend border infrastructure already run into the billions of dollars. BBT-2 alone carries an award of approximately $1.22 billion, while BBT-4 carries an approximately $1.72 billion award. Other Big Bend projects carry additional multibillion-dollar commitments.

We are talking about billions of taxpayer dollars being committed to permanently alter one of the most intact cultural and natural landscapes remaining along the U.S.–Mexico border, in a sector encompassing more than one-quarter of the border while accounting for approximately one percent of long-term migrant apprehensions.

The American public has every right to question those priorities.

Communities throughout the Greater Big Bend need roads, water infrastructure, health care, emergency services, housing, schools and meaningful economic investment. Instead, billions of public dollars are being committed to walls, roads, surveillance systems and other border infrastructure in one of the lowest-entry sectors of the border.

This is not simply a debate about a wall. It is a question of proportionality, priorities and government accountability. Before billions of public dollars are spent and irreplaceable places are permanently altered, the federal government should be required to demonstrate that what it proposes is necessary, supported by its own data, and accomplished through the least destructive means reasonably available.

Congress enacted environmental, archaeological, historic-preservation and public-accountability laws for a reason. Those protections exist because once an ancestral burial is disturbed, it cannot simply be restored. Once an archaeological deposit is bulldozed, its context is permanently lost. Once a sacred landscape is fragmented by roads, lighting and infrastructure, relationships between people and place that have existed for generations can be permanently altered.

The federal government's ability to waive those protections does not make the people, places, ancestors and values those laws were intended to protect suddenly disposable.

For Indigenous people of La Junta, this is particularly painful because our government continues to approach this landscape as infrastructure space rather than as a living Indigenous homeland. Our ancestors lived, farmed, gathered, prayed and buried their relatives throughout this region for thousands of years. Their descendants remain here

today. We continue to use Kónitsąąíí, sacred places and ancestral landscapes for religious and cultural practices.

During this litigation, People of La Junta for Preservation has undertaken an extensive effort to document this landscape. What is emerging is not a handful of isolated archaeological sites. It is an interconnected Indigenous cultural and religious landscape containing ancestral villages, burial places, agricultural lands, rock art, caves, springs, river-access points, gathering areas, ceremonial places and locations whose religious significance depends upon water, darkness, stars, viewsheds and continued access to the land.

The government's decision to substitute technology for a wall in some locations does not erase those relationships or the potential harm. A sensor may require a new road through an ancestral landscape. Surveillance infrastructure may require excavation in an area containing cultural deposits or ancestors. Artificial lighting may change the night sky under which religious practices occur. Government infrastructure and enforcement activity may interfere with access to the river or ceremonial places. Those impacts do not cease to exist simply because the government calls the infrastructure "technology."

People of La Junta for Preservation supports effective border security. But effective border security does not require treating every mile of the U.S.–Mexico border the same, particularly when the federal government's own statistics demonstrate just how different the Greater Big Bend is from the nation's highest-entry sectors.

There are less destructive approaches. Technology can be located away from sacred places and burial landscapes. Existing disturbed roads can be used instead of cutting new ones. Lighting can be eliminated, relocated or minimized. River and ceremonial access can be protected. Sensitive cultural landscapes can simply be avoided. The government should be looking for those solutions before permanently altering places that cannot be replaced.

We also need our community now.

This next phase cannot happen only inside a courtroom. We are asking everyone who cares about the Greater Big Bend—whether you live in Presidio, Redford, Marfa, Alpine, Terlingua, elsewhere in Texas, across the country or across Kónitsąąíí—to continue speaking and demanding answers from the people making these decisions.

Contact the administration. Contact members of Congress. Contact state officials. Ask them to examine the government's own statistics and explain why one of the least-traveled stretches of the U.S.–Mexico border requires billions of dollars in permanent intervention. Demand transparency about exactly what will be built and where. Demand meaningful engagement with Indigenous people and local communities. Demand protection for sacred places, ancestral burials, private property, public lands and access to Kónitsąąíí. Demand

that the federal government use the least destructive means available to accomplish legitimate security objectives.

The Greater Big Bend is not empty land waiting for Washington to decide what should happen to it. People live here. Indigenous people pray here. Our ancestors are buried here. Families still farm here. Wildlife depends upon this river. Communities on both sides of Kónitsąąíí will live with the consequences of these decisions long after the officials making them have moved on.

This administration and our elected officials need to hear from those communities. Government power should not mean government gets to do whatever it wants simply because it has found a mechanism to avoid the protections, scrutiny and public participation that would ordinarily stand in its way.

We are disappointed by today's ruling, but we are not defeated by it. We will continue the litigation. We will continue documenting sacred places and ancestral landscapes. We will continue practicing our religion and caring for our ancestors. We will continue demanding answers. And we will continue holding the federal government accountable for what it does to our homeland.

The federal government may have the power to waive laws. It does not have the power to erase our history, our religion, our ancestors or our responsibility to this land.

We are still here, and we will continue this fight.