

- Thank you, Mr. Chairman.
- I appreciate the opportunity to testify today in support of my bill, H.R. 3073, the Shivwits Band of Paiutes Jurisdictional Clarity Act, which seeks to restore fairness and provide much-needed certainty to tribal economic development.
- This legislation addresses an urgent issue created by a recent decision from the Tenth Circuit Court of Appeals, which severely restricts a tribe's ability to consent to state court jurisdiction in contract disputes.
- The court ruled that when an Indian tribe provides a waiver of sovereign immunity that is "clear and valid," Utah state courts lack jurisdiction over cases arising from that agreement within Indian Country unless a series of impractical and often unobtainable requirements are met.
- These requirements include congressional authorization, a waiver of sovereign immunity, tribal court resolutions, and other bureaucratic obstacles that make it nearly impossible for a tribe to engage in business agreements requiring state court oversight.
- This ruling has had significant, real-world consequences for the Shivwits Band of Paiutes, preventing them from moving forward with vital economic development opportunities that would allow them to better utilize their land, attract investment, and create jobs for their community.
- Tribes should have the right to selectively consent to state court jurisdiction when it benefits their business interests, but the Lawrence Decision stripped them of that ability. As a result, the Shivwits Band and other affected tribes now face uncertainty, which has discouraged investment and stalled progress on long-term development plans.
- Tribal leaders in my district have voiced deep concerns about this ruling and emphasized the urgent need for a clear legal framework that will allow them to move forward with confidence in their business agreements.
- Without this critical reform, the Shivwits Band will continue to face barriers in leveraging their land for economic growth.

- My bill, H.R. 3073, provides the jurisdictional clarity necessary for the Band to engage in commercial transactions, attract investors, and fully participate in the broader economy. This legislation affirms the authority of Utah State courts to resolve civil cases involving the Shivwits Band when disputes arise on the Band's Indian lands, ensuring that business agreements can proceed without unnecessary federal interference or legal ambiguity.
- At the same time, the bill protects the Band's sovereign immunity, ensuring that they are never subjected to unconsented lawsuits while still allowing them to waive immunity selectively in contracts that require state court jurisdiction.
- Importantly, this legislation puts the Shivwits Band on equal footing with numerous other tribes who already have the ability to negotiate leases for extended terms, an essential component of economic stability and long-term business partnerships.
- By eliminating the restrictions imposed by the Lawrence Decision, my bill restores the ability of the Band to utilize their land assets effectively, ensuring that their Indian lands can be put to their highest and best use to benefit tribal members and their community.
- I am proud to have the strong support of the Shivwits Band of Paiutes for this legislation. They recognize the importance of establishing a clear, functional legal framework that will provide them with greater flexibility and certainty as they pursue economic opportunities on their lands.
- My bill removes the unnecessary obstacles standing in their way, providing a fair and practical solution to a problem that has disrupted their efforts to build a more prosperous future.
- Thank you, Mr. Chairman, for your time and consideration. I yield back.