

June 4, 2026

Senator John Curtis via overnight delivery and email
curtis.senate.gov/contact Senators of The Senate Indian Affairs Committee:

Senator Lisa Murkowski (AK) Chair
Senator Brian Schatz (HI)
Senator Maria Cantwell (WA)
Senator Catherine Cortez-Masto (NV) Senator
Ben Ray Lujan (NM)
Senator Tina Smith (MN)
Senator Steve Daines (MT) Senator John
Hoeven (ND) Senator Jerry
Moran (KS) Senator Mike
Rounds (SD) Senator Alan
Armstrong (OK)

Dear Senators:

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We write to Senator Curtis, as sponsor of S. 1508, and to the senators on The Senate Indian Affairs Committee, because we are extremely concerned about both the history of S. bill 1508 and the impact the bill would have on the Shivwits Band of Paiute Indians and their reservation land.

We live in Ivins, Utah in the neighborhood immediately east of the Shivwits reservation in Washington County, Utah. There is a controversy between the Shivwits Band of Utah Paiutes Council

on one hand, and the Paiute Indian Tribe of Utah Council and the members of the Shivwits Band living on the reservation on the other hand. The controversy has been personally explained to local residents by members of the Shivwits Band who live on the adjacent reservation because those members are gravely concerned by the actions of the Band Council. In short, the Shivwits Band members duly elected Phillip Bushhead to be the band chairman on March 26, 2026, only to have his election rejected by the other 4 members of the Band Council. They did so in a closed meeting where Bushhead was not permitted to speak or have any witnesses, and the other 4 members subsequently refused to allow Bushhead to take his place as a member and chairman of the Band Council. Instead, those 4 members designated the incumbent vice chair of the council, who was not even nominated to run for the chairmanship, as the interim chairman and spokesperson for the Shivwits Band. She does not have authority to speak on behalf of the Band, as that right is reserved to Bushhead as the duly elected Chairman.

The foregoing information and conclusions were confirmed by the Paiute Tribe Council that ruled after a hearing on May 11, 2026 (where Bushhead and the Band Council presented testimony and witnesses) that the actions of the Band Council violated the Tribal Constitution. The Tribal Council recognized Bushhead as both the duly elected Chairman of the Shivwits Band of Utah Council and as a member of the Paiute Tribal Council representing the Shivwits Band. In defiance of that ruling, the 4 members of the Band Council continue to exclude Bushhead from the Band Council.

The explanation for this treatment of Bushhead is that he does not support S. 1508. The bill is special interest legislation promoted by Reef Capital Partners to enable Reef to develop a private golf course resort with 4 golf courses and other facilities on the Shivwits reservation land. The bill does two

things it enables a 99 year lease between the Shivwits Band for the land necessary for 4 golf courses and other facilities and 2000 acre feet of water to which the Band has a perpetual right.

We have personally heard several members of the Shivwits Band explain that the land is sacred to the Shivwits people, and to emphasize that status they were admonished as children to never even go onto the land in order to respect and honor its sacred ancestral heritage and tribal significance. Building golf courses on this land would not only violate and destroy this sacred cultural heritage, but the water at issue would be nearly all (if not all) of the Shivwits water that is not presently in use by the Band-preventing the Shivwits from using the water for the member's purposes or for future commercial projects for the next 99 years. Without seeing a copy of the documentation, the Band Members cannot even be sure the water (a scarce commodity in southern Utah) would be used on the Band's land and not for remote use on Reef's other golf courses.

The second concerning aspect of the bill is that it cedes jurisdiction of the Band's trust lands to the State of Utah. The members who have spoken to this aspect are adamant that the members should be allowed to vote on any transfer of their sovereign rights to the trust land restored to them by The Paiute Indian Tribe of Utah Restoration Act, Public Law 96-227. This act followed the 1968 Indian Civil Rights Act which included a provision establishing that states cannot assume jurisdiction of Indian Trust Lands without majority vote of the tribal members. We were privileged to tour the 250 year anniversary "Freedom Truck" today in Ivins. The exhibit reminds us of our right to free speech, due process and other

constitutional rights. This bill overrides the Shivwits rights to those guaranties.

Bushhead's position on S. 1508 is that he seeks transparency and advocates for the Shivwits members' right to decide whether to lease land and water to Reef Capital for 99 years and relinquish jurisdiction over their reservation to the State of Utah. He and others have asked to see copies of all agreements that have been signed or proposed by Reef for the planned development that is dependent upon S. 1508 being passed by the Senate. The Band Council has refused to provide copies of the agreements or even let the Shivwits members (including Chairman Bushhead) see the documentation (or proposed documentation) with Reef Capital Partners.

The subject bill was initially sponsored in the House by Representative Celeste Malloy. FEC disclosures that we have seen reveal that Reef paid the Malloy campaign about \$50,500 at roughly the same time. Disclosures also show that the paid Reef lobbyist argued to house and senate lawmakers that the members of the Band support the bill and the Reef development and that the bill is in the best interest of the members of the Band. To the contrary, the members we have personally heard speak adamantly oppose the bill and have created Red Mountain Land Preservers to actively oppose the bill and the Reef development.

S. 1508 is clearly special interest legislation that appears to be initiated by a private equity group that desires to lease the band's land and water for private gain. We urge you to vote against even allowing the bill to be brought before the Senate for vote.

Respectfully submitted for your consideration,