

Co-sponsoring the Tribal Labor Sovereignty Act

January 21, 2015

Dear Colleague:

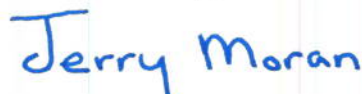
I write to ask that you co-sponsor the Tribal Labor Sovereignty Act, which I introduced in the 113th Congress as S. 1477. Supported by the U.S. Chamber of Commerce and the National Indian Gaming Association, among many other tribal organizations, the bill amends the National Labor Relations Act (NLRA) to provide that any enterprise or institution owned and operated by an Indian tribe and located on its lands is not subjected to the NLRA. This legislation will promote tribal sovereignty by protecting the right of Native American governments to determine for themselves the appropriate labor practices within their jurisdiction.

In 1935, the NLRA was enacted to ensure fair labor practices, but exempted federal, state, and local governments. Though the Act did not explicitly exempt Native American governments, over the law's first six decades, the National Labor Relations Board (NLRB) respected the sovereign status of tribal governments accorded to them by the Constitution. However, beginning in 2000, the NLRB reversed its treatment of tribes under the NLRA and assertively challenged the right of tribes to enact "right to work" laws. The NLRB's efforts have resulted in costly legal proceedings for tribes in California (Pueblo San Juan), Oklahoma (Chickasaw), and Michigan (Saginaw Chippewa), and congressional action is necessary to prevent further hardship.

It is not the place of the federal government to impinge upon the authority of sovereign tribes. Tribal governments alone, accountable to their people, should decide the labor practices for the entities they own on their lands. This bill will permit them to do exactly that.

I would be happy to discuss this issue further with you, and you may also have your staff contact Nathan Heiman in my office at Nathan_Heiman@moran.senate.gov or by calling (202) 224-6521. I appreciate your consideration and would greatly welcome your support.

Sincerely,



Jerry Moran