

April 16, 2018

TO THE MEMBERS OF THE UNITED STATES SENATE:

We, the undersigned Indian tribal nations, tribal corporations, and tribal trade associations—collectively organized as the Coalition for Tribal Sovereignty—write in strong support of S. 140, which includes H.R. 986, the “Tribal Labor Sovereignty Act of 2017 (TLSA),” as a provision of the bill. TLSA would promote tribal sovereignty by affirming the rights of tribal governmental employers to determine their own labor practices on their own lands.

In 1935, the National Labor Relations Act (NLRA) was enacted to ensure fair labor practices. However, it excluded federal, state and local governmental employers from its reach. Though the Act did not expressly treat Indian tribes as governmental employers, the National Labor Relations Board (NLRB) respected the sovereign status of tribal governmental employers for close to seventy years before abruptly abandoning its own precedent and reversing course in 2004.

Since its decision in *San Manuel Indian Bingo*, the NLRB has aggressively asserted jurisdiction over tribal labor practices when it determines tribal government employers are acting in a “commercial” rather than a “governmental” capacity—an analysis it does not apply to state or local government employers.

TLSA builds upon a principle that has been amply demonstrated by Indian tribes across the country: when tribal sovereignty is respected and acknowledged, economic success follows. Enactment of S. 140 would prevent an unnecessary and unwarranted overreach by the NLRB into the affairs of tribal governments. By amending the NLRA to expressly treat tribal government employers and their enterprises and institutions the same as it treats state, local and federal government employers, S. 140 would provide corrective guidance to the NLRB and bring parity to tribal government employers across the nation.

The Coalition for Tribal Sovereignty strongly supports S. 140 and strongly urges you to support this important bill.

Sincerely,

Affiliated Tribes of Northwest Indians	OR
Agua Caliente Band of Cahuilla Indians	CA
American Indian Alaska Native Tourism Association (AIANTA)	NM
American Indian Chamber of Commerce of New Mexico	NM
American Indian Chamber of Commerce of South Carolina	SC
American Indian Infrastructure Association	WY
Arctic Slope Native Association	AK
Arctic Slope Regional Corporation	AK

Barona Band of Mission Indians	CA
Bear River Band of Rohnerville Rancheria	CA
Big Valley Band of Pomo Indians of the Big Valley Rancheria	CA
Bishop Paiute Tribe	CA
Bois Forte Band of Chippewa	MN
California Association of Tribal Governments	CA
Central Council of Tlingit and Haida Indian Tribes of Alaska	AK
Cheyenne River Sioux Tribe	SD
Chickasaw Nation	OK
Chippewa Cree Tribe	MT
Choctaw Nation of Oklahoma	OK
Chuathbaluk Traditional Council	AK
Citizen Potawatomi Nation	OK
Coeur d'Alene Tribe	ID
Comanche Nation	OK
Confederated Salish and Kootenai Tribes	MT
Confederated Tribes and Bands of the Yakama Nation	WA
Confederated Tribes of Siletz Indians	OR
Confederated Tribes of the Chehalis Reservation	WA
Confederated Tribes of the Colville Reservation	WA
Confederated Tribes of the Umatilla Indian Reservation	OR
Confederated Tribes of Warm Springs	OR
Coquille Indian Tribe	OR
Council for Native Hawaiian Advancement	HI
Cow Creek Band of Umpqua Tribe of Indians	OR
Delaware Nation	OK
Diné Development Corp a wholly owned Navajo Nation business	AZ, NM
Doyon, Limited	AK
Eastern Shawnee Tribe of Oklahoma	OK
Eastern Shoshone Tribe	WY
Elk Valley Rancheria	CA
Ely Shoshone Tribe	NV
Ewiiapaayp Band of Kumeyaay Indians	CA
Federated Indians of Graton Rancheria	CA
Forest County Potawatomi Community	WI
Fort Belknap Indian Community	MT
Great Plains Tribal Chairman's Association	SD
Habematolel Pomo of Upper Lake	CA
Ho-Chunk Nation	WI
Iipay Nation of Santa Ysabel	CA
Inter Tribal Association of Arizona	AZ
Intertribal Timber Council	OR
Jamestown S'Klallam Tribe	WA
Kalispel Tribe of Indians	WA
Karuk Tribe	CA

Keweenaw Bay Indian Community	MI
Kenaitze Indian Tribe	AK
Kickapoo Traditional Tribe of Texas	TX
Lac du Flambeau Tribe	WI
Leech Lake Band of Ojibwe	MN
Little River Band of Ottawa Indians	MI
Little Traverse Bay Bands of Odawa Indians	MI
Lower Elwha Klallam Tribe	WA
Lummi Nation	WA
Mashantucket Pequot Tribal Nation	CT
Match-E-Be-Nash-She-Wish Band of Pottawatomis Indians (Gun Lake Tribe)	MI
Metlakatla Indian Community, Annette Islands Reserve	AK
Midwest Alliance of Sovereign Tribes (MAST)	WI
Minnesota American Indian Chamber of Commerce	MN
Mississippi Band of Choctaw Indians	MS
Mohegan Tribe of Connecticut	CT
Mooretown Rancheria	CA
Morongo Band of Mission Indians	CA
Muscogee (Creek) Nation	OK
Naknek Native Village	AK
National American Indian Housing Council (NAIHC)	DC
National Center for American Indian Enterprise Development (NCAIED)	AZ
National Congress of American Indians (NCAI)	DC
National Indian Gaming Association (NIGA)	DC
National Native American Bar Association	AZ
National Native American Chamber of Commerce	MO
Native American Contractors Association (NACA)	DC
Native American Development Corporation (NADC)	MT
Native American Enterprise Initiative (NAEI)	DC
Native Village of Afognak	AK
Native Village of Karluk	AK
Native Village of Kiana, Kiana Traditional Council	AK
Native Village of Koyuk	AK
Native Village of Nuiqsut	AK
Native Village of Ouzinkie	AK
Native Village of Tununak	AK
Navajo Nation	AZ, NM, UT
New Stuyahok Traditional Council	AK
Nez Perce	ID
Northern Arapaho Tribe	WY
Oglala Sioux Tribe	SD
Ohkay Owingeh	NM
Oklahoma Indian Gaming Association	OK
Oneida Indian Nation	NY
Osage Nation	OK

Otoe-Missouria Tribe of Indians	OK
Pala Band of Mission Indians	CA
Pascua Yaqui Tribe	AZ
Paskenta Band of Nomlaki Indians	CA
Pauma Band of Mission Indians	CA
Pawnee Nation	OK
Pechanga Band of Luiseño Indians	CA
Penobscot Indian Nation	ME
Poarch Band of Creek Indians	AL
Port Gamble S'Klallam Tribe	WA
Prairie Island Indian Community	MN
Pueblo of Acoma	NM
Pueblo of Isleta	NM
Pueblo of Laguna	NM
Pueblo of Pojoaque	NM
Pueblo of Tesuque	NM
Puyallup Tribe	WA
Qagan Tayagungin Tribe of Sand Point	AK
Quapaw Tribe of Oklahoma	OK
Quinault Nation	WA
Red Cliff Band of Lake Superior Chippewa Indians	WI
Red Lake Nation	MN
Reno-Sparks Indian Colony	NV
Rincon Band of Luiseño Indians	CA
Rocky Mountain Indian Chamber of Commerce	CO
Rocky Mountain Tribal Leaders Council	MT
Sac and Fox Nation	OK
Sac and Fox Tribe of the Mississippi in Iowa	IA
Saginaw Chippewa Indian Tribe	MI
Samish Indian Nation	WA
San Manuel Band of Mission Indians	CA
Santa Clara Pueblo	NM
Santee Sioux Nation	NE
Sauk-Suiattle Indian Tribe	WA
Sault Ste. Marie Tribe of Chippewa Indians	MI
Seldovia Village Tribe	AK
Seminole Nation of Oklahoma	OK
Shingle Springs Band of Miwok	CA
Shinnecock Indian Nation	NY
Shakopee Mdewakanton Sioux Community	MN
Shoalwater Bay Tribe	WA
Shoshone-Bannock Tribes of the Fort Hall Reservation	ID
Soboba Band of Luiseño Indians	CA
Sokaogon Chippewa Community, Mole Lake Band of Lake Superior Chippewa	WI

Southern Ute Indian Tribe	CO
Sovereign Councils of the Hawaiian Homeland Assembly	HI
Spokane Tribe of Indians	WA
St. Croix Chippewa Indians of Wisconsin	WI
Stockbridge-Munsee Community	WI
Swinomish Indian Tribal Community	WA
Susanville Indian Rancheria	CA
Sycuan Band of the Kumeyaay Tribe	CA
Table Mountain Rancheria	CA
Tanana Chiefs Conference	AK
Thlopthlocco Tribal Town	OK
Tonkawa Tribe of Oklahoma	OK
Torres Martinez Desert Cahuilla Indians	CA
Tribal Alliance of Sovereign Indian Nations (TASIN)	CA
Tulalip Tribes	WA
Tunica-Biloxi Indian Tribe	LA
Tuolumne Band of Me-Wuk Indians	CA
Ugashik Traditional Village Council	AK
United Keetoowah Band of Cherokee Indians in Oklahoma	OK
United Keetoowah Band of Cherokee Indians in Oklahoma Corporation	OK
United South and Eastern Tribes Sovereignty Protection Fund (USET)	TN
Viejas Band of Kumeyaay Indians	CA
Wampanoag Tribe of Gay Head (Aquinnah)	MA
White Earth Band of Chippewa Indians	MN
Wichita and Affiliated Tribes	OK
Winnebago Tribe of Nebraska	NE
Wyandotte Nation	OK
Yavapai-Prescott Indian Tribe	AZ
Yocha Dehe Wintun Nation	CA