

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

NEIL L. BRADLEY  
EXECUTIVE VICE PRESIDENT &  
CHIEF POLICY OFFICER

1615 H STREET, NW  
WASHINGTON, DC 20062  
(202) 463-5310

May 17, 2019

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES:

The U.S. Chamber of Commerce strongly supports H.R. 779, the “Tribal Labor Sovereignty Act of 2019 (TLSA),” and urges you to cosponsor the bill. This legislation would respect and promote tribal sovereignty by affirming the rights of tribal governmental employers to determine labor practices on their own lands.

This bipartisan legislation passed the House in the 114th and 115th Congresses.

In 1935, the National Labor Relations Act (NLRA) was enacted to ensure fair labor practices, but excluded federal, state, and local governmental employers from its reach. Though the NLRA did not expressly mention Indian tribes nor did it treat Indian tribes as governmental employers, the National Labor Relations Board (NLRB) respected the sovereign status of tribal governmental employers for almost 70 years before abandoning its own precedent in the San Manuel Indian Bingo case in 2004.

Since that decision, the NLRB has aggressively asserted jurisdiction over tribal labor practices when the Board determines tribal government employers are acting in a “commercial” rather than a “governmental” capacity – an analysis it does not apply to federal, state, or local government employers.

TLSA would follow a proven, successful principle: where tribal sovereignty is vigorously exercised, economic success follows. This legislation would prevent an unnecessary and unwarranted overreach by the NLRB into the sovereign jurisdiction of tribal governments. By amending the NLRA to exempt specifically tribal governments, TLSA would provide certainty and clarity to ensure that tribal governmental statutes concerning labor relations would remain intact. The Chamber believes that this approach would best meet the needs of both the tribes and the American business community.

The Chamber strongly supports H.R. 779, and urges you to cosponsor this important bill.

Sincerely,



Neil L. Bradley