



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

November 17, 2015  
(House)

## STATEMENT OF ADMINISTRATION POLICY

### H.R. 511 – Tribal Labor Sovereignty Act of 2015

(Rep. Rokita, R-IN, and 54 cosponsors)

The Administration is deeply committed to respecting tribal sovereignty and maintaining government-to-government relationships with Indian tribes as well as to protecting American workers and enforcing Federal labor laws. The Administration cannot support H.R. 511, the Tribal Labor Sovereignty Act of 2015, as currently drafted, because it does not include the provisions as explained below.

The President's commitment to tribal sovereignty has taken many forms—from establishing the White House Council on Native American Affairs, to reaffirming tribal authority to prosecute non-Indians under the Violence Against Women Act, and to promoting tribal self-determination by signing into law the Helping Expedite and Advance Responsible Tribal Homeownership (HEARTH) Act so that tribes may lease their lands without the approval of the Secretary of the Interior.

At the same time, the President is firmly dedicated to protecting American workers. The Administration vigorously enforces Federal labor laws and has repeatedly emphasized the importance of strengthening workers' rights to collective bargaining.

The Administration is encouraged by the efforts of some tribal governments to balance these important interests and find common ground when formulating compacts to operate casinos on tribal land under the Federal Indian Gaming Regulatory Act. In several of these compacts, tribes have agreed to establish their own labor relations policies. Though these compacts differ on minor details, what they have in common is that they generally protect tribal self-governance while also ensuring that most casino workers retain important and effective labor rights.

It is thus possible to protect both tribal sovereignty and workers' rights, and the Administration can only support approaches that accomplish that result. Therefore, the Administration can support a bill which recognizes tribal sovereignty in formulating labor relations law and exempts tribes from the jurisdiction of the National Labor Relations Board only if the tribes adopt labor standards and procedures applicable to tribally-owned and operated commercial enterprises reasonably equivalent to those in the National Labor Relations Act. Amended legislation would also need to include an authorization for funding to support the development and implementation of tribal labor laws and regulations.

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