



September 16, 2025

Via Email

Committee on Education & Workforce
U.S. House of Representatives
Washington, D.C. 20515

**RE: United Steelworkers opposes and urges you to vote NO on H.R. 1723,
the Tribal Labor Sovereignty Act.**

Dear Representative:

On behalf of the 850,000 members of the United Steelworkers (USW), I write in opposition to H.R. 1723, the Tribal Labor Sovereignty Act and urge you to vote NO in tomorrow's markup.

Our union has a long history of supporting tribal sovereignty; however, the fact of the matter is this bill's title is utterly misleading. H.R. 1723 has nothing to do with tribal sovereignty, but rather it seeks to exempt all workers at federally recognized Native American-owned commercial enterprises operated on Indian lands from the protections of the National Labor Relations Act (NLRA). Collective bargaining agreements for over tens of thousands of workers would be immediately put into legal jeopardy if this bill became law.

To be absolutely clear: this legislation strips workers, both Native American and non-Native American, of their NLRA protections. In fact, estimates suggest that the vast majority of employees (between 60 and 70 percent) in these workplaces are non-tribal members (either non-Native workers or members of a different tribe).¹

Tribal gaming enterprises — the primary driver of this anti-worker legislation — now represent close to half of the gambling sector's revenue with over \$30 billion in receipts in 2017. The goal of the industry associations pushing this legislation is not to promote tribal sovereignty, but rather, like many employers, to strip workers of their bargaining rights and to capture more of the profit from their employees' labor.

Furthermore, the National Labor Relations Board (NLRB) already has an effective, case-by-case precedent when it comes to asserting jurisdiction in workplaces on tribal

¹ [Harvard Kennedy School](#), "Allocation of COVID-19 Response Funds to American Indian Nations", April 10, 2020.

lands. In 2004, the Bush administration NLRB ruled for the first time that Tribal casino workers should have the benefit of NLRA protections.² Since that 2004 ruling, the NLRB has stepped very carefully, asserting jurisdiction on a case-by-case basis. In 2015, the NLRB declined jurisdiction citing the 1830 Treaty of Dancing Rabbit Creek and 1866 Treaty of Washington stating:

“We have no doubt that asserting jurisdiction over the Casino and the Nation would effectuate the policies of the Act. However, because we find that asserting jurisdiction would abrogate treaty rights specific to the Nation.”³

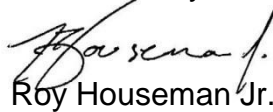
Similarly, the NLRB declined jurisdiction:

“...when an Indian tribe is fulfilling a traditionally tribal or governmental function that is unique to its status, fulfilling just such a unique governmental function [*providing free health care services solely to tribal members*].”⁴

The NLRB has developed a meaningful and responsible test to determine jurisdiction. H.R. 1723 is unnecessary and will create significant confusion and jurisdictional issues over labor law enforcement.

In closing, our union urges you to defend all workers’ right to organize by opposing H.R. 1723 and voting NO during this week’s markup.

Sincerely,



Roy Houseman Jr.
Legislative Director

Assistant to the International President

² San Manuel, 341 NLRB No. 138 (2004).

³ Chickasaw Nation Windstar World Casino, 362 NLRB 109 (2015).

⁴ Yukon Kuskokwim Health Corporation, 341 NLRB 139 (2004).