

117TH CONGRESS  
1ST SESSION

# S. 2867

To clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2021

Mr. MORAN (for himself, Mr. THUNE, Mr. RISCH, Mr. CRAMER, Mr. HOEVEN, Mr. CRAPO, Mr. LANKFORD, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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## A BILL

To clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Labor Sov-  
5 ereignty Act of 2021”.

### 6 **SEC. 2. DEFINITION OF EMPLOYER.**

7 Section 2 of the National Labor Relations Act (29  
8 U.S.C. 152) is amended—

1           (1) in paragraph (2), by inserting “or any In-  
2       dian Tribe, or any enterprise or institution owned  
3       and operated by an Indian Tribe and located on its  
4       Indian lands,” after “subdivision thereof,”; and

5           (2) by adding at the end the following:

6       “(15) The term ‘Indian Tribe’ means any Indian  
7       Tribe, band, nation, pueblo, or other organized group or  
8       community which is recognized as eligible for the special  
9       programs and services provided by the United States to  
10      Indians because of their status as Indians.

11      “(16) The term ‘Indian’ means any individual who  
12      is a member of an Indian Tribe.

13      “(17) The term ‘Indian lands’ means—

14           “(A) all lands within the limits of any Indian  
15      reservation;

16           “(B) any lands title to which is either held in  
17      trust by the United States for the benefit of any In-  
18      dian Tribe or Indian or held by any Indian Tribe or  
19      Indian subject to restriction by the United States  
20      against alienation; and

21           “(C) any lands in the State of Oklahoma that  
22      are within the boundaries of a former reservation (as  
23      defined by the Secretary of the Interior) of a feder-  
24      ally recognized Indian Tribe.”.

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