

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3080
OFFERED BY MR. BRADY OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Tribal Employment
3 and Jobs Protection Act”.

**4 SEC. 2. EXCEPTION TO EMPLOYER HEALTH INSURANCE
5 MANDATE FOR INDIAN TRIBAL GOVERN-
6 MENTS AND TRIBALLY OWNED BUSINESSES.**

7 (a) IN GENERAL.—Section 4980H(c)(2) of the Inter-
8 nal Revenue Code of 1986 is amended by adding at the
9 end the following new subparagraph:

10 “(G) EXCEPTION FOR INDIAN TRIBAL GOV-
11 ERNMENTS AND TRIBALLY OWNED BUSI-
12 NESSES.—

13 “(i) IN GENERAL.—The term ‘applica-
14 ble large employer’ shall not include any
15 tribal employer.

16 “(ii) TRIBAL EMPLOYER.—For pur-
17 poses of this subparagraph, the term ‘trib-
18 al employer’ means—

1 “(I) any Indian tribal govern-
2 ment (as defined in section
3 7701(a)(40)) or subdivision thereof,
4 or any agency or instrumentality of ei-
5 ther,

6 “(II) any tribal organization (as
7 defined in section 4(l) of the Indian
8 Self-Determination and Education As-
9 sistance Act (25 U.S.C. 450b(l))),

10 “(III) any corporation if more
11 than 50 percent (determined by vote
12 and value) of the outstanding stock of
13 such corporation is owned, directly or
14 indirectly, by any entity described in
15 subclause (I) or (II), and

16 “(IV) any partnership if more
17 than 50 percent of the value of the
18 capital and profits interests are
19 owned, directly or indirectly, by any
20 entity described in subclause (I) or
21 (II).”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 this section shall apply to months beginning after Decem-
24 ber 31, 2015.

