



March 12, 2020

Dear Tribal Leader

This letter is to provide you with an update on the measures the National Indian Gaming Commission (NIGC) is taking with regard to the Coronavirus (COVID-19). I also want to reiterate the strength of the regulatory framework in place to protect the Indian gaming industry from new and emerging threats.

To the extent there is a threat to public health and safety at an Indian gaming facility, the oversight envisioned by the Indian Gaming Regulatory Act safeguards an operation's staff, patrons and facilities. As the Indian gaming industry's federal regulatory body, the NIGC shares a common interest with tribal regulators in preserving the Indian gaming industry's integrity. That common interests will continue to guide the NIGC's collaboration with tribes as we monitor public health and safety threats.

There are numerous requirements to an Indian gaming facility's operation. One requirement is the tribal government's attestation that tribal gaming ordinances and related laws that apply to a gaming facility's environment, public health, and safety standards are effective and in place. Regular site visits by the NIGC ensure that these measures are in effect and followed by the licensed operators. This NIGC presence and additional oversight measures give the NIGC confidence that tribal gaming regulatory authorities (TGRAs) are an on-the-ground presence at every Indian gaming operation and that TGRAs have the capacity and tools to help ensure compliance.

The NIGC team is made up of talented subject matter experts with a diversity of expertise and a strong commitment to protect the integrity of the Indian gaming industry. The NIGC team will continue to communicate the importance of the NIGC team supporting TGRAs' role in helping to inform lawmakers about planning for and responding to circumstances that would threaten a well managed and safe Indian gaming operation. This outreach effort is part of an agency-wide focus in our daily work around preparedness.

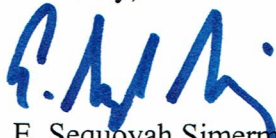
Earlier this week I presented on the topic of preparedness to the National Tribal Gaming Commissioners/Regulators in San Diego, CA. In my presentation I emphasized the important role TGRAs can and should play as tribal leadership mitigates risk associated with COVID-19. TGRAs are well positioned to encourage and facilitate coordination with local jurisdictions. TGRAs are able to assess regulatory requirements' capacity to protect the well-being of an Indian gaming operation's staff, patrons and facilities. And, TGRAs' risk assessment knowledge should be an important consideration as a tribal community develops an appropriate communication plan for their local area.

In order to assist TGRAs in their efforts the NIGC remains a collaborative resource. Through our outreach by the NIGC regional offices, the NIGC will give special attention to challenges that may arise in a given operation and the impact those challenges may have to a TGRA's over all regulatory capacity. In addition, the NIGC will continue to promote best practices at the local and national levels to help address issues that may arise. A copy of the most recent communication by the NIGC Director of Compliance to all TGRA leadership is attached to this letter and illustrates the guidance we will continue to provide as appropriate.

Additionally, the NIGC continues to take steps that will ensure we remain accountable to good governance practices as a federal agency. It is a priority at the agency to institute and anticipate policies and practices necessary to maintain the NIGC's ability to continue operations. Maintaining operational capacity ensures the NIGC will meet our responsibilities as a regulatory body in service to the American people.

As developments occur I will continue to update you. Thank you for the leadership you provide and our shared commitment to protect tribal assets and promote tribal self-sufficiency.

Sincerely,



E. Sequoyah Simermeyer
Chairman

Attachment



Coronavirus (COVID-19) Guidance for Tribal Gaming Facilities

March 12, 2020

Dear Tribal Regulators:

This interim guidance, as provided by the Centers for Disease Control and Prevention (CDC), is intended to assist you and your tribal gaming communities in taking appropriate measures to combat the Coronavirus (COVID-19).

COVID-19 is an emerging respiratory disease and there is more to learn about its transmission, clinical course, and populations at increased risk of disease and complications. Everyone can do their part to help plan, prepare, and respond to this emerging public health threat.

As the COVID-19 outbreak evolves, CDC strongly encourages organizers and staff of large gatherings to prepare for the possibility of outbreaks in their communities. Assessing your emergency preparedness and continuity plans can help protect your employees and communities.

CDC has developed recommended actions for preventing the spread of COVID-19 at mass gatherings and large community events.

Review emergency operation and preparedness plans for your facilities:

- Stay informed about the local COVID-19 situation. Get up-to-date information about local COVID-19 activity from public health officials.
- Discuss your emergency operations plans and determine how they may impact aspects of your events, such as personnel, security, services and activities, functions, and resources. Work with your emergency operations coordinator or planning team to prepare for the key prevention strategies outlined in this guidance. Develop a contingency plan that addresses various scenarios described below which you may encounter during a COVID-19 outbreak.
- Establish relationships with key community partners and stakeholders. When forming key relationships, include relevant partners such as the local public health departments, community leaders, vendors, suppliers, hospitals, hotels, airlines, transportation companies, and law enforcement. Collaborate and coordinate with them on broader planning efforts. Clearly identify each partner's role, responsibilities, and decision-making authority. Contact your local public health department for a copy of their outbreak response and mitigation plan for your community. Participate in community-wide emergency preparedness activities.

Address key prevention strategies in your emergency operations and preparedness plan:

- Provide COVID-19 prevention supplies at your facilities. Plan to have extra supplies on hand for employees and patrons, including sinks with soap, hand sanitizers, increased cleaning and sanitizing efforts, etc.
- Plan for employee absences. Develop flexible attendance and sick-leave policies. Employees should stay home when they are sick, or they may need to stay home to care for a sick household member or care for their children in the event of school dismissals. Identify critical job functions and positions and plan for alternative coverage by cross-training staff (similar to planning for holiday staffing).
- If an employee is confirmed to have COVID-19, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act.

Stay informed using trusted sources – CDC is updating its website daily with the latest information and advice for the public. (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>) The CDC does NOT currently recommend the use of facemasks or other respiratory protection for the general public. However, everyday preventive actions to help prevent the spread of viruses are advised, including:

- Wash hands often with soap and water for at least 20 seconds. If soap and water are not available, use an alcohol-based hand sanitizer.
- Avoid touching eyes, nose, and mouth with unwashed hands.
- Stay home when sick and avoid close contact with people who are sick.
- Cover cough or sneeze with a tissue, then throw the tissue in the trash.
- Clean and disinfect frequently touched objects and surfaces.
- Get the flu vaccine, if you have not already received it this season.
- If you are experiencing symptoms such as cough, fever, shortness of breath, follow up with your healthcare provider and be sure to mention any recent travel.

References/For more information:

- IHS: <https://www.ihs.gov/>
- HHS-CDC Information: <https://www.cdc.gov/coronavirus/2019-nCoV/summary.html>
- OSHA Information: https://www.osha.gov/SLTC/novel_coronavirus/index.html
- World Health Organization Information: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

Tribal regulatory authorities and casino management should evaluate tribal internal controls and policies and procedures for updates needed to account for preventive health practices that are being encouraged to protect casino staff and patrons. In the event of a presumptive positive case of COVID-19 that involves your gaming facility, the NIGC encourages swift action to contain and mitigate the spread of the virus. Appropriate measures should be taken to protect the health and safety of staff and the public.

The NIGC is very open to understanding how the NIGC can support your efforts to communicate externally to the public about the oversight measures in place to protect facilities, staff and patrons. We know that the scope of internal deliberations among the tribe and its operators will vary given the on the

ground facts in a specific community. The NIGC is available to provide resources and input as these considerations become relevant in different communities and in preparation to mitigate any risk.

In order to assist in monitoring environmental and public health and safety requirements under the Indian Gaming Regulatory Act, we encourage tribes to self-report any presumptive positive cases of COVID-19 that involve your gaming facilities to the NIGC. For additional guidance, information or technical assistance, please contact your NIGC Regional Office (www.nigc.gov/compliance/regional-office) or Director of Compliance, Dustin Thomas, at dustin.thomas@nigc.gov or (202) 531-6407.

Sincerely,



Dustin Thomas
Director of Compliance