



## **Human Trafficking Questions & Answers**

### **1. What authority does the NIGC have in regard to Human Trafficking (e.g., labor or sex trafficking)?**

IGRA and NIGC regulations require Tribes to operate gaming facilities in a manner that adequately protects public health and safety. In addition, Tribes must include this mandate in their gaming ordinances. If conditions exist that threaten public health or safety - by posing a real and immediate threat that may result in serious harm, the NIGC may immediately order the gaming operation to close as well as issue a notice of violation against the Tribe and the operation's management contractor. By closing the gaming operation, the NIGC addresses the real and immediate threat that Human Trafficking poses to human health and well-being. Subsequently, the NIGC may issue civil fines against the Tribe and management contractor too.

### **2. What may NIGC do in regard to individuals involved in Human Trafficking?**

If a gaming operation's management contractor is an individual, the individual may be subject to a notice of violation and civil fine. If a gaming operation's primary management officials or key employees are involved in Human Trafficking, the NIGC will notify the Tribe that it must suspend these employees' gaming licenses. And if these individuals seek employment at other Tribes' gaming operations, the NIGC will object to the issuance of their gaming licenses. In sum, an individual's involvement in Human Trafficking serves as immediate and future grounds for revoking and denying their gaming license.

### **3. How does the NIGC monitor public health and safety at gaming operations?**

NIGC Compliance Officers visit gaming operations, conducting compliance reviews; receive information from tribal gaming commissioners, officials, employees, and witnesses; and request documents or other evidence. IGRA and NIGC regulations allow the NIGC to request public health and safety information at any time given IGRA's Environment, Public Health and Safety (EPHS) mandate but also specifically when reviewing gaming ordinances for approval and as part of facility license submissions for new or reopened gaming facilities.

### **4. How does NIGC coordinate addressing Human Trafficking violations with other federal, state, and tribal law enforcement agencies?**

IGRA directs the NIGC to refer violations of federal, state, and tribal law to the

appropriate law enforcement officials. So, if evidence exists of Human Trafficking violations, NIGC will refer the matter to: the F.B.I. and Department of Justice, given the federal human trafficking laws that may be implicated; to state law enforcement, if the potential violation occurs in a state having criminal jurisdiction over the Indian lands or reservation (Public Law 280); and to tribal law enforcement, if tribal laws are implicated.

**5. What is the NIGC doing in regard to Human Trafficking?**

NIGC is working diligently to raise awareness regarding Human Trafficking and encourage Tribal gaming operators and officials to take proactive prevention measures. The NIGC is in regular contact with other federal and non-federal agencies and groups to help raise awareness of Human Trafficking and share resources with Tribes. Historically, NIGC offered Human Trafficking training as part of its annual regional training courses throughout the country. In 2020, NIGC transitioned to providing that training online through webinars. In short, the goal is to equip the tribal gaming industry with resources to deter Human Trafficking.