



NIGC Guidance Addresses COVID-19 Decision Making, Agency Prepared to Maintain Federal Operations

WASHINGTON, DC, Wednesday, March 18, 2020 – The National Indian Gaming Commission (NIGC) continues to issue guidance to inform tribal decision-making related to COVID-19 and continually reviews its internal operations so that the federal regulatory agency remains ready to activate its continuity of operations plans if necessary.

The NIGC guidance continues to support tribal communities' efforts to protect the most vulnerable Americans through the enforcement of tribal governments' environmental, public health and safety laws. In addition, the guidance calls on tribal lawmakers and Tribal Gaming Regulatory Authorities (TGRAs) to review emergency operation and preparedness plans for their tribally licensed Indian gaming facilities. This review requires tribes to stay informed about the local circumstances surrounding coronavirus disease 2019 (COVID-19) and coordinate with local jurisdictions where appropriate.

Under the Indian Gaming Regulatory Act (IGRA), TGRAs must license every tribal gaming operation. Also, pursuant to NIGC regulations, whenever a TGRA licenses an Indian gaming facility, the TGRA must attest to the NIGC that it has identified and enforces public health and safety laws. This NIGC oversight helps to ensure that the gaming facility is operated in a way that protects public health and safety. The NIGC will continue to monitor Indian gaming operations through its regional and national presence to support tribes' application and enforcement of environmental, public health and safety standards at Indian gaming operations.

"If a TGRA believes that it can no longer attest to its ability to ensure the public health and safety of employees and patrons or if application of tribal laws warrants, the TGRA must consider how to best take mitigation steps that will remedy the threat to public health and safety up to and including closure," said Chairman E. Sequoyah Simermeyer.

Tribes' attention to the Center for Disease Control and Prevention's guidance and their collaboration with local health authorities is important to tribes' determinations of how tribal public health and safety standards can best protect a community's most vulnerable members. The NIGC continues to monitor evolving circumstances throughout the country, is in communication with tribal governments, and is available to assist further in tribal decision-making.

"Tribal government leadership is the best first line of defense. The importance of the local level decisions that are guiding Indian gaming's response to COVID-19 cannot be overstated," said Simermeyer. "The collaborative approach by tribal leaders across Indian country with neighboring jurisdictions is informing local level decisions about reducing or modifying operations at Indian gaming facilities. The NIGC remains an active partner to assist with this collaboration and assessment."

The NIGC is committed to maintaining agency operations. Measures to ensure continuity in NIGC services will keep NIGC personnel ready to perform the duties and responsibilities necessary to carry out the NIGC's role in supporting the IGRA's mission. Recent Agency steps taken include expanding telework rules, implementing guidance to allow only mission-critical travel, updating continuity of operations plan, assessing the need to adjust relevant policies and procedures, and modifying NIGC training and technical assistance compliance events. The Agency will continue to work with its colleagues across the federal government to communicate any additional adjustments.

"It is a priority for the Agency to institute and anticipate policies and practices necessary to maintain NIGC's ability to continue operations," said Simermeyer. "Maintaining operational capacity ensures the NIGC will meet our responsibilities as a regulatory body in service to the American people."

References/For more information:

- [U.S. Department of Health and Human Services-Center for Disease Control and Prevention Information](#)
- [Chairman Simermeyer Dear Tribal Leader letter, March 12, 2020](#)
- [Chairman Simermeyer Dear Tribal Leader letter, March 16, 2020](#)

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The Indian Gaming Regulatory Act created the [National Indian Gaming Commission](#) to support tribal self-sufficiency and the integrity of Indian gaming. NIGC oversees the efficient regulation of 520 gaming establishments operated by 247 tribes across 29 states.