NATIONAL
INDIAN
GAMING
COMMISSION

# NATIONAL INDIAN GAMING COMMISSION BULLETIN

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**Notification of change in NIGC Fingerprint Processing**

In an effort to streamline our procedures, the NIGC has recently re-evaluated it's policies and procedures regarding the processing of fingerprint cards of key employees and primary management officials. The NIGC is announcing new procedures that will alleviate some of our intensive workload as well as comply with our newly proposed record retention procedures. These changes will also enable the NIGC to be more responsive to the needs of tribal gaming regulators.

## FBI "NO ARREST RECORD" FINGERPRINT RETURNS

Previously, when the NIGC received the results of the FBI criminal record checks, copies of the results were retained by the NIGC and copies were provided to authorized Tribal governmental officials. Effective immediately, the NIGC will no longer retain copies of the responses but instead will return the original FBI fingerprint results to authorized tribal government officials. However, original "Arrest Record" responses will continue to be retained by the NIGC with copies provided to tribal officials.

## ILLEGIBLE FINGERPRINT SUBMISSIONS

The NIGC is still experiencing a large number of fingerprint cards being returned by the FBI as illegible. (Illegible fingerprints are those prints that are not properly taken and as a result cannot be searched by fingerprint characteristics through the FBI criminal files.) To assist tribes, effective immediately, the NIGC will now screen fingerprint submissions upon receipt to determine whether the fingerprints are legible for FBI processing. If the NIGC determines that fingerprints are illegible, the fingerprint card will be returned to the submitting tribe with a request that the individual be re-fingerprinted and re-submitted to the NIGC for processing. This will eliminate the delay resulting from FBI attempted processing of illegible fingerprints.

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It is important to note that, when fingerprints are illegible, the FBI conducts a search of criminal records based upon the subject's name, date of birth and social security number. Because arrestees often provide false dates of birth and social security numbers, a criminal records check based upon an individual's personal identifiers is inconclusive. The NIGC recommends that individuals be re-fingerprinted, but leaves this decision to the discretion of tribes.

Further, when the FBI determines that fingerprints are illegible, and the tribe has determined that the individual will be re-fingerprinted, **effectively immediately, it is now NIGC policy that all resubmissions must be submitted to the NIGC within 30 days in order to receive credit for the previous payment.** In addition, to receive credit for the submission, the second fingerprint card must be stapled on top of the first illegible fingerprint card. (The NIGC is now returning the original illegible fingerprint card to tribes.) The word "RESUBMISSION" must be clearly indicated in the "Reason Fingerprinted" block on the applicant fingerprint card. The second fingerprint card will also be screened by NIGC staff for legibility. However, if the second card is returned from the FBI as illegible, a new processing fee will be charged.

## ADDITIONAL REMINDERS

Please ensure that your tribe's OCA number is clearly indicated in the "Your No. OCA" block on the fingerprint card. If you do not know your OCA number please contact the NIGC to obtain your number.

Please remember to include with each fingerprint submission, a list which includes the individual's name, date of birth and social security number.

Make sure that the "ORI block" on the fingerprint card contains the ORI number assigned to the NIGC "USNIGCOOZ".

Please keep us informed of any changes regarding the name and address of the authorized official designated to receive the FBI criminal history record information.

Please remember to include the correct processing fee for each fingerprint card submitted. The current fee is $35 per card.

Please remember to keep FBI criminal history record confidential and restricted to those persons directly involved in the licensing process.

If your tribe is experiencing a significant number of fingerprint cards being returned as illegible, you may contact the FBI at (304) 625-4414 to obtain a copy of a video instructing how to take legible fingerprints.

If you have any questions regarding fingerprint processing, please contact the Tribal Background Investigations Staff at (202) 632-7003.