|  |  |
| --- | --- |
|  **TRIBE/TGRA:**  | Click or tap here to enter text. |
| **CASINO NAME:** | Click or tap here to enter text. |
| **LASO:** | **Click or tap here to enter text.** |
| **NIGC Compliance Officer:** | **Click or tap here to enter text.** |

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| --- |
| **Authority** |
| **1.** | Under what authority does the TGRA access CHRI? | [ ]  IGRA[ ]  State StatuteName/citation: Click or tap here to enter text.[ ]  Other: Click or tap here to enter text. Click or tap here to enter text. |
| **Purpose** |
| **2.** | Does the TGRA have an executed Memorandum of Understanding (MOU) with the NIGC dated 2017 or later? | [ ]  Yes [ ]  NoClick or tap here to enter text. |
| **3.** | Have all Authorized Personnel who access CHRI received and reviewed the MOU? | [ ]  Yes [ ]  NoClick or tap here to enter text. |
| **4.** | Has TGRA conducted an initial review to ensure only fingerprints are submitted for employees of the gaming operation who are classified as Key Employees or Primary Management Officials as defined in 25 C.F.R. 502.14 (a-c) or 502.19 (a-c)? | [ ]  Yes [ ]  No [ ]  ***Policy Required***Method of verification: Click or tap here to enter text.Click or tap here to enter text. |
| **5.** | How does the TGRA obtain criminal history for applicants who are classified as Key Employees or Primary Management Officials as defined in 25 C.F.R. 502.14 (d) or 502.19 (d)? | Method Used: Click or tap here to enter text.Cite where the definitions of these PMOs and KEs are located in the gaming ordinance: Click or tap here to enter text.Click or tap here to enter text. |
| **6.** | After the review, are there KE/PMO applicant positions that are no longer fingerprinted through the NIGC? | [ ]  Yes [ ]  NoList positions: Click or tap here to enter text. |
| **7.** | Are there KE/PMO applicant positions that require additional TGRA review or NIGC consideration? | [ ]  Yes [ ]  NoList positions: Click or tap here to enter text. |
| **8.** | Are there KE/PMO applicant positions that do not satisfy the definitions of Key Employees or Primary Management Officials in 25 C.F.R. 502.14 (a-c) or 502.19 (a-c) which are still being fingerprinted? | [ ]  Yes [ ]  NoProvide justification: Click or tap here to enter text.Click or tap here to enter text. |
| **Fingerprint Submissions** |
| **9.** | Are fingerprints processed through NIGC? | [ ]  Yes [ ]  No**If yes, continue review. If no, completion of checklist is voluntary.**Click or tap here to enter text. |
| **10.** | What methods are used to capture and submit fingerprints? | [ ]  Hard Card Submission?[ ]  Electronic Submission?Click or tap here to enter text. |
| **11.** | Prior to fingerprinting the KE/PMO applicant, does the TGRA verify the identity of the individual being fingerprinted?  | [ ]  Yes [ ]  No [ ]  ***Policy Required***By what means? Click or tap here to enter text.Click or tap here to enter text. |
| **12.** | Prior to taking fingerprints, does the TGRA notify the individual fingerprinted in writing that the fingerprints will be used to check the Criminal History Records (CHRI) of the FBI (28 C.F.R. 50.12(b))?**Written notification includes electronic notification but excludes oral notification.** | [ ]  Yes [ ]  NoClick or tap here to enter text. |
| **13.** | Prior to taking the fingerprints, does the TGRA ensure the KE/PMO applicant receives the FBI’s Privacy Act Statement? | [ ]  Yes [ ]  No [ ]  ***Policy Required***Click or tap here to enter text. |
| **14.** | Prior to taking fingerprints, does the TGRA ensure the KE/PMO applicant receives the FBI Noncriminal Justice Applicants Rights Notice? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **15.** | Does the TGRA complete the Reason for Fingerprint (RFP) field to ensure the correct RFP is used? (INDIAN GAMING LICENSEE) | [ ]  Yes [ ]  NoClick or tap here to enter text. |
| **16.** | Does the TGRA submit fingerprints for other agencies? ***(Strictly Prohibited)*** | [ ]  Yes [ ]  NoWhich ones? Click or tap here to enter text.Click or tap here to enter text. |
| **Receipt of Criminal History Record Information (CHRI)** |
| **17.** | Does the TGRA receive CHRI results after the submission of a fingerprint-based transaction? | [ ]  Yes [ ]  NoClick or tap here to enter text. |
| **18.** | How does the TGRA receive the CHRI? | [ ]  Mail (hard copy)[ ]  Email[ ]  Email to computer attached/connected to a Live Scan DeviceClick or tap here to enter text. |
| **Use of Criminal History Record Information (CHRI)** |
| **19.** | For what purpose does the TGRA use the CHRI? | [ ]  Licensing[ ]  Employment [ ]  OtherDescribe: Click or tap here to enter text.[ ]  ***Policy Required***Click or tap here to enter text. |
| **20.** | What other TGRA documents/situations contain CHRI or summary CHRI? | [ ]  Notice of Results[ ]  Phone Calls[ ]  Investigative Reports[ ]  Databases[ ]  Objection Letters[ ]  Meeting Notes[ ]  Spreadsheets[ ]  Licensing Hearings[ ]  Notifications to Casino HR/Mgmt./Tribe[ ]  Other Click or tap here to enter text.Click or tap here to enter text. |
| **21.** | Is CHRI or summary CHRI reused for any other purpose after the initial inquiry? | [ ]  Yes [ ]  NoIf yes, explain: Click or tap here to enter text.[ ]  ***Policy Required***Click or tap here to enter text. |
| **22.** | Who has access to the CHRI? | [ ]  Licensing Staff[ ]  Other Department(s) (e.g., IT)[ ]  Other Agency Contractor(s)[ ]  Other: Click or tap here to enter text.Click or tap here to enter text. |
| **23.** | Is CHRI or summary CHRI disseminated to or shared with any entity other than the NIGC? | [ ]  Yes [ ]  NoIf yes, explain who, when, and under what circumstances: Click or tap here to enter text.Click or tap here to enter text. |
| **Applicant Involvement** |
| **24.** | Does the TGRA provide the applicant an opportunity to complete, or challenge the accuracy of, the information contained in the FBI identification record (28 C.F.R. 50.12 (b))? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **25.** | If Yes to the above question, does the TGRA advise the applicant in writing of the procedures for obtaining a change, correction, or update of an FBI identification record, as set forth in 28 C.F.R. 16.34 (DO Process)? (28 C.F.R. 50.12 (b)) *Note: Written notification includes electronic notification but excludes oral notification.* | [ ]  Yes [ ]  No[ ]  ***Policy Required***If yes, describe how. |
| **26.** | Does the TGRA provide the applicant reasonable time to correct or complete the record (or decline to do so) before the TGRA takes action on their license or employment? | [ ]  Yes [ ]  NoIf yes, how much time is provided: Click or tap here to enter text.[ ]  ***Policy Required***Click or tap here to enter text. |
| **27.** | Does the TGRA choose to disseminate the applicant’s CHRI record to the applicant? | [ ]  Yes [ ]  No [ ]  ***Policy Required***Click or tap here to enter text. |
| **28.** | **If Yes**, does the TGRA verify the applicant’s identity prior to disseminating a copy to the applicant or their attorney working on their behalf? | [ ]  Yes [ ]  No[ ]  A means to verify applicant’s identity: Click or tap here to enter text.Click or tap here to enter text. |
| **29.** | **If Yes** to the above question, does the TGRA document the release and mark the CHRI in a way to determine the document is a copy? | [ ]  Yes [ ]  NoIf yes, how: Click or tap here to enter text.Click or tap here to enter text. |
| **30.** | **If No** to the above question, does the TGRA advise the applicants how to obtain the CHRI record from the FBI directly? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **Handling of Criminal History Record Information (CHRI)** |
| **31.** | Does the TGRA have a retention policy/procedure for CHRI? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **32.** | Does the TGRA retain CHRI (hard copies or electronic), or documents containing CHRI or summaries of it? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **33.** | If the TGRA does retain CHRI, how long is it stored? | Time: Click or tap here to enter text.[ ]  ***Policy Required***Click or tap here to enter text. |
| **34.** | When retention of CHRI is no longer required, what is the method of disposal? | [ ]  ***Policy Required***[ ]  Shred[ ]  Incinerate[ ]  Routine Trash[ ]  Overwriting 3 or more times[ ]  Degaussing [ ]  Other: Click or tap here to enter text.Click or tap here to enter text. |
| **35.** | Do Authorized Personnel complete the disposal of CHRI? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **36.** | If No to the above question, do Authorized Personnel witness the CHRI destruction? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **Local Agency Security Officer (LASO) Responsibilities** |
| **37.** | Has the TGRA designated a Local Agency Security Officer (LASO)? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **38.** | Does the LASO update the Tribal and TGRA information with the NIGC if changes occur? | [ ]  Yes [ ]  No[ ]  ***Policy Required Under new MOU Jan 1, 2021\**** |
| **39.** | Has the LASO submitted the Authorized Personnel List to the NIGC and submits updated lists as needed? | [ ]  Yes [ ]  No[ ]  ***Policy Recommended*** Click or tap here to enter text. |
| **40.** | Have all Authorized Personnel signed the Tribe’s Acknowledgement Statement? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **41.** | Has the LASO completed training required under CJIS Policy 5.2.2 prior to assuming the LASO duties and annually thereafter? | [ ]  Yes [ ]  No[ ]  ***Policy Required***If Yes, through what means: Click or tap here to enter text.Click or tap here to enter text. |
| **42.** | Has the LASO ensured all Authorized Personnel have received FBI Security Awareness Training within 6 months of: being placed on the Authorized Personnel List, their initial assignment, having CJI/CHRI access or having unescorted access to a physically secure location? Are such personnel given training every two years thereafter? | [ ]  Yes [ ]  NoIf Yes, through what means: Click or tap here to enter text.[ ]  ***Policy Required***Click or tap here to enter text. |
| **43.** | Has the LASO ensured the Tribe has adequate policies and procedures related to access, use, handling, dissemination and destruction of CJI/CHRI? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Please list the name of each: Click or tap here to enter text.Click or tap here to enter text. |
| **44.** | Has the LASO ensured all Authorized Personnel have received internal training on approved policies and procedures regarding CHRI within 6 months of being placed on the Authorized Personnel List or their date of initial assignment and every two years thereafter? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **45.** | Has the LASO implemented a security incident reporting policy which requires notification of findings be reported to the NIGC within the required time limits? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **46.** | Does the LASO complete a training documentation form for the above trainings and retain the document for audit purposes? Are Security Awareness Training records maintained for a minimum of two years? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **47.** | Does the LASO ensure audits are conducted to verify fingerprint submissions are for the specific purposes of Key Employee and Primary Management Official as defined in 25 C.F.R. 502.14(a-c) and 502.19(a-c) and are made for purposes of complying with IGRA and NIGC’s background and licensing regulations? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **Outsourcing Agreements** |
| **48.** | Does the TGRA have an FBI Compact Council approved outsourcing agreements for all entities with access to CHRI?*Note: Such approval must be in writing and provided prior to the contracts being entered into or the entity accessing CJI or CHRI.* | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **49.** | Does the TGRA audit the entity’s compliance with the CJIS Security Policy within 90 days of entering the outsourcing agreement? | [ ]  Yes [ ]  No[ ]  ***Policy Required***Click or tap here to enter text. |
| **Resource Documents** |
| Indian Gaming Regulatory Act | [https://www.govinfo.gov/content/pkg/USCODE-2014- title25/pdf/USCODE-2014-title25-chap29.pdf](https://www.govinfo.gov/content/pkg/USCODE-2014-%20title25/pdf/USCODE-2014-title25-chap29.pdf) |
| FBI CJIS Security Policy | https:[//w](http://www.fbi.gov/services/cjis/cjis-security-policy-)ww[.fbi.gov/services/cjis/cjis-security-policy-](http://www.fbi.gov/services/cjis/cjis-security-policy-) resource-center |
| NIGC Non-Criminal Justice Agency (NCJA) Guide | https://www.nigc.gov/images/uploads/training/NationalIndianGamingCommissionNoncriminalJusticeComplianceProgramUpdated31120Formatting.pdf |
| Noncriminal Justice IT Security Audit | https://[www.nigc.gov/compliance/CJIS-Training-Materials](http://www.nigc.gov/compliance/CJIS-Training-Materials) |
| FBI Security Awareness Training PowerPoint Presentation | https://[www.nigc.gov/compliance/CJIS-Training-Materials](http://www.nigc.gov/compliance/CJIS-Training-Materials) |
| Draft Information Technology Security Policy Templates | https://[www.fbi.gov/services/cjis/compact-](http://www.fbi.gov/services/cjis/compact-) council/sanctions-process-information |
| FBI Privacy Act Statement | https:[//w](http://www.fbi.gov/services/cjis/compact-council/privacy-)ww[.fbi.gov/services/cjis/compact-council/privacy-](http://www.fbi.gov/services/cjis/compact-council/privacy-) act-statement |
| Noncriminal Justice Applicant’s Privacy Rights Notice | https://[www.fbi.gov/services/cjis/compact-council/guiding-](http://www.fbi.gov/services/cjis/compact-council/guiding-) principles-noncriminal-justice-applicants-privacy-rights |
| Outsourcing of Noncriminal Justice Functions Guide | https://[www.nigc.gov/compliance/CJIS-Training-Materials](http://www.nigc.gov/compliance/CJIS-Training-Materials) |
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