



# Training Objectives

- MOU between the NIGC and FBI
- LASO requirements
- KE / PMO Classification Guide
- Outsourcing Agreements
- First Steps to Achieve Compliance








### NIGC & FBI MOU

- KE / PMO
- Authority & Purpose for CJI / CHRI
- Sanctions/Penalties



# **KE/PMO Classification Guide**

This guide or similar process should be used by TGRA

Appendix L

Key Employee/ Primary Management Official Classification Guide for CHRI MOU Compliance

Under the 2020 Memorandum of Understanding (MOU) with the FBI, the National Indian Gaming Commission (NIGC) agrees to use CHRI solely for the purpose of determining an applicant's eligibility for employment as a key employee or primary management official at the Tribe's gaming operation, as defined in NIGC regulations, 25 C.F.R. §§ 502.14(a) – (c) and 502.19(a) – (c), and not for any other purpose.

If a Tribe has an executed MOU with the NIGC. Tribes are permitted to submit fingerprints to the FBI through the NIGC to obtain and use Criminal History Record Information (CHRI) for the sole purpose of making an employment and/or licensing determination of KEs and PMOs as defined in the FBI/NIGC MOU. The NIGC offers the following technical assistance to tribla gaming regulatory authorities (TGRAs) for determining whether an applicant meets the definitions in the FBI/NIGC



# **Outsourcing Agreements**

Required by the National Crime Prevention and Privacy Compact Council

- When a contractor performs a non-criminal justice administrative function.
- Outsourcing includes Casino or Tribal IT personnel

# **Outsourcing Agreement Process**

- Prepare draft contract with contractor / vendor
- Send letter and draft contract to FBI Compact Officer (& a copy to the NIGC ISO)
- Once approved, execute contract and audit contractor within 90 days



### First Steps to Achieve Compliance

### Section 7 - First Steps to Achieve Compliance

### 7.1 How to achieve compliance

The NIGC has created the following guideline to assist TGRAs in ensuring compliance with the FBI CJIS Security Policy and NIGC MOU requirements.

- Review Memorandum of Understanding with NIGC (10 days)
   a. Ensure most recent version is in use (current version 2017).
   b. Ensure current TGRA band or authorized official has executed agreement; and
   c. Ensure all staff subject to agreement and using CHRICHRICHRI has reviewed its
- C. Ensure all staff subject to agreement and using CHRICHRICHRI has reviewed its contents.

  Update authorized personnel list (http://bit.ly/AUserList). (10 days)

  a. Designate Local Agency Security Officer (LASO);

  b. List all personnel with access to EBI CHRI received from NIGC; and

  c. Send authorized personnel list to NIGC Information Security Officer (ISO) at issoftinge; gov...

  d. Maintain up-to-date authorized personnel list on site and on record with NIGC ISO.

  Complete and document initial CJIS Security Awareness Training within next 6 months via (30-60 days):





# First Steps to Achieve Compliance

- Review MOU
- Update & Submit Authorized Personnel List
- Complete Security Awareness Training



# First Steps to Achieve Compliance

- Begin reviewing resource information (https://www.nige.gov/compliance/CJIS-Training-Materials)
  (30-60 days):

  a. National Information Systems (NIS) Resource Guide;
  b. Criminal Justice Information Services (CJIS) Security Policy
  c. NIGC Fingerprint site (https://www.nigc.gov/finance/fingerprint-process): and
  d. TGRA internal policies.

  Complete CJIS IT Questiomaire (http://bt.lty/CJISITQuestions) (10 days):
  a. Determine readiness/compliance level; and
  b. Begin improving network hardware, software and policy to achieve compliance (6-12 months).

  Develoor/refine written internal TGRA policies to meet CJIS requirements including (6-12) months. months).

  Developing the written internal TGRA policies to meet CJIS requirements including (6-12) months:

  a. Use of fingecprint based CHRI:

  b. Applicants Rights Notice PBI Privacy Act Notice/Opportunity to Correct/Copy of CHRI;

  c. Security Awareness Training;

  d. Incident Response Policy;

  e. Auditing and Accountability;

  f. Access Control,

  g. Identification and Authentication;

  b. Configuration Management;

  f. Media Protection;

  j. Physical Protection;



### First Steps to Achieve Compliance

- Review resource information
- Complete CJIS IT Questionnaire
- Develop / Refine TGRA policies

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### First Steps to Achieve Compliance

- Formal Audits;

- n. Personnel Security; and
  n. Mobile Devices;

  Complete and document internal training on TGRA policies (following timeline of Step 6, 30-60
- days). Authorized personnel sign training/penalty acknowledgement statements for TGRA policies

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- Outsourcing Agreements for non-channelers (6-9 months).

  a. Identify all IT service providers with access to electronic media containing unencrypted FIG CIRI.

  b. Identify other service providers with unescorted access to physical copies of CHRI

  - 1. Internity other service provinces with unescored access to paysical copies of LHAI (shredding services, storage facilities).
     Submit request letter to FBI Compact Officer for outsourcing contract approval;
     Execute contract;
     Complete Oyday and/of contractor; and
     Provide certification to FBI Compact Officer that contractor meets CJIS Security Policy



### First Steps to Achieve Compliance

- Complete TGRA policy training
- Acknowledgement Statement
- Outsourcing Agreements



### First Steps to Achieve Compliance

- - Outsourcing Agreements for non-channelers (6-9 months):

    a. Identify all IT service providers with access to electronic media containing unencrypted
    - a latently at IT service providers with access to electronic menta containing unencryp
      FBI CHR!

      b. Identify other service providers with unescorted access to physical copies of CHRI
      (shredding services, storage facilities).

      Submit request letter to FBI Compact Officer for outsourcing contract approval;

      Execute contract.

      Complete 90-day audit of contractor; and
- e. Complete 90-day audit of contractor; and
  f. Provide certification to FBI Compact Officer that contractor meets CJIS Security Policy.

  10. Prepare for first annual NIGC audit using site visit checklist (http://bit.lly/CJISSVCKList) (ongoing).

  11. Continue internal auditing/monitoring to maintain compliance with FBI requirements (on-going).
- 12. Complete biennial training for users and annually for outsourced non-channelers (on-going).

FBI CJIS Auditor will select three to four tribes Summer/Fall of 2021 for testing against full compliance with NIS and CJIS Security Policy standards as they apply to non-criminal justice agencies and the NIGC MOU.




# First Steps to Achieve Compliance

- Prepare for first NIGC audit
- Internal auditing / monitoring
- Complete training cycles

# • Updated Website https://www.nigc.gov/compliance/CJIS-Training-Materials • Upcoming Regional Training Conferences

# Questions??? Contact Information: TrainingInfo@nigc.gov




