

**National Indian Gaming Commission
Fingerprint MOU/CJIS Checklist**

Tribe/TGRA:	Date:
NIGC Compliance Officer:	LASO:
Authority	
Under what authority does the TGRA access CHRI?	IGRA _____ State Statute _____ If yes, name/citation: _____ Other _____
Purpose	
Does the TGRA have an executed Memorandum of Understanding with the NIGC dated 2017 or later?	Yes _____ No _____
Have all Authorized Personnel who access CHRI received and reviewed the MOU?	Yes _____ No _____
Does your TGRA audit or review to ensure only fingerprint 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)? (Policy Required)	Yes _____ Method of verification _____ No _____
How does the TGRA background 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)? (Policy Required)	Method Used _____ Approved gaming ordinance page, where the definitions of these PMOs and KEs are located: _____
Are there applicant positions that are no longer fingerprinted through the NIGC after the review?	Yes _____ List Positions _____ No _____
Are there applicant positions that require additional TGRA review or consideration by the NIGC?	Yes _____ List Positions _____ No _____
Are there applicant positions that are not classified as Key Employees or Primary Management Officials as defined in 25 C.F.R. 502.14 (a-c) or 502.19 (a-c) which are still being fingerprinted?	Yes _____ Provide Justification _____ No _____
Fingerprint Submissions	
Are fingerprints processed through NIGC?	Yes _____ No _____

*If yes, continue review. If no, completion of checklist is voluntary.	
What methods are used to capture and submit fingerprints?	Hard Card Submission? _____ Electronic Submission? _____
Prior to fingerprinting the applicant, does the TGRA verify the identity of the individual being fingerprinted? (Policy Required)	Yes _____ By what means? _____ No _____
Prior to submitting fingerprints, does the TGRA notify the individual fingerprinted in writing ¹ that the fingerprints will be used to check the Criminal History Records of the FBI (28 C.F.R. 50.12(b))?	Yes _____ No _____
Prior to submitting the fingerprints, does the TGRA ensure the applicant receives the FBI Privacy Act notice that is dated 2013 or later? (Policy Required)	Yes _____ No _____
Prior to submitting fingerprints, does the TGRA ensure the applicant receives the FBI Noncriminal Justice Applicants Rights Notice? (Policy Required)	Yes _____ No _____
Does the TGRA complete the Reason for Fingerprint (RFP) field to ensure the correct RFP is used? (INDIAN GAMING LICENSEE)	Yes _____ No _____
Does the TGRA submit fingerprints for other agencies? (Strictly Prohibited)	Yes _____ Which ones? _____ No _____
Receipt of Criminal History Record Information (CHRI)	
Does the TGRA receive CHRI results after the submission of a fingerprint-based transaction?	Yes _____ No _____
How does the TGRA receive the CHRI?	Mail (hard copy) _____ Email _____ Live Scan Device _____
Use of Criminal History Record Information (CHRI)	
For what purpose does the TGRA use the CHRI? (Policy Required)	Licensing _____ Employment _____ Other _____ Please describe: _____
What other TGRA documents/situations contain CHRI or summary CHRI?	Notice of Results _____ Phone Calls _____ Investigative Reports _____ Databases _____ Objection Letters _____ Meeting Notes _____ Spreadsheets _____ Other _____

¹ Written notification includes electronic notification but excludes oral notification.

Is CHRI or summary CHRI reused for any other purpose after the initial inquiry?	Yes _____ No _____ If yes, Explain: _____
Who has access to the CHRI? (Policy Required, Outsourcing Agreements may be required)	Licensing Staff _____ Other Department(s) (e.g., IT) _____ Other Agency Contractor(s) _____ Other _____
Is CHRI or summary CHRI disseminated to or shared with any entity other than the NIGC?	Yes _____ No _____ If yes, explain who, when, and under what circumstances: _____
Applicant Involvement	
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))? (Policy Required)	Yes _____ No _____
If Yes to the above question, does the TGRA advise the applicant in writing ² 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)) (Policy Required)	Yes _____ If yes, describe how: _____ No _____
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? (Policy Required)	Yes _____ How much time is provided? _____ No _____
Does the TGRA choose to disseminate the applicant's CHRI record to the applicant? (Policy Required)	Yes _____ No _____
If Yes to the above question, does the TGRA verify the applicant's identity prior to disseminating a copy to the applicant or their attorney working on their behalf?	Yes _____ How? _____ No _____
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 _____ How? _____ No _____
If No to the above question, does the TGRA advise the applicants how to obtain the CHRI record from the FBI directly? (Policy Required)	Yes _____ No _____
Handling of Criminal History Record Information (CHRI)	

² Written notification includes electronic notification but excludes oral notification.

Does the TGRA have a retention policy/procedure for CHRI? (Policy Required)	Yes _____ No _____
Does the TGRA retain CHRI (hard copies or electronic), or documents containing CHRI or summaries of it? (Policy Required)	Yes _____ No _____
If the TGRA does retain CHRI, how long are they stored? (Policy Required)	Time _____
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 _____
Do Authorized Personnel complete the disposal of CHRI? (Policy Required)	Yes _____ No _____
If No to the above question, do Authorized Personnel oversee the CHRI destruction? (Policy Required)	Yes _____ No _____
Local Agency Security Officer Responsibilities	
Has the TGRA designated a Local Agency Security Officer (LASO)? (Policy Required)	Yes _____ No _____
Does the LASO update the Tribal and TGRA information with the NIGC if changes occur? (Policy Required)	Yes _____ No _____
Has the LASO submitted the Authorized Personnel List to the NIGC and submits updated lists as needed? (Policy Required)	Yes _____ No _____
Have all Authorized Personnel signed the Tribe's Acknowledgement Statement? (Policy Required)	Yes _____ No _____
Has the LASO completed training required under CJIS Policy 5.2.2 prior to assuming the LASO duties and annually thereafter? (Policy Required)	Yes _____ Through what means? _____ No _____
Has the LASO ensured all Authorized Personnel have received FBI Security Awareness Training within 6 months of being placed on the Authorized Personnel List or their date of hire and every two years thereafter? (Policy Required)	Yes _____ Through what means? _____ No _____
Has the LASO ensured the Tribe has adequate policies and procedures related to access, use, handling, dissemination and destruction of CJI/CHRI? (Policies Required)	Yes _____ Please list the name of each: _____ No _____

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 hire and every two years thereafter? (Policy Required)	Yes _____ No _____
Has the LASO implemented a security incident reporting policy which requires notification of findings be reported to the NIGC within 24 hours of detection? (Policy Required)	Yes _____ No _____
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? (Policy Required)	Yes _____ No _____
Does the LASO audit to ensure each fingerprint submission is for the specific purpose of Key Employee and Primary Management official employments and is made pursuant to the authority to access the CHRI? (Policy Required)	Yes _____ No _____
Outsourcing Agreements	
Does the TGRA have an FBI Compact Council approved outsourcing agreements ³ for all entities with access to CHRI? (Policy Required)	Yes _____ No _____
Does the TGRA audit the entity's compliance with the CJIS Security Policy within 90 days of entering the outsourcing agreement? (Policy Required)	Yes _____ No _____
Resource Documents	
Indian Gaming Regulatory Act	https://www.govinfo.gov/content/pkg/USCODE-2014-title25/pdf/USCODE-2014-title25-chap29.pdf
FBI CJIS Security Policy	https://www.fbi.gov/services/cjis/cjis-security-policy-resource-center
Noncriminal Justice IT Security Audit	https://www.nigc.gov/compliance/CJIS-Training-Materials
FBI Security Awareness Training PowerPoint Presentation	https://www.nigc.gov/compliance/CJIS-Training-Materials
Draft Information Technology Security Policy Templates	https://www.fbi.gov/services/cjis/compact-council/sanctions-process-information

³ Such approval must be in writing and provided prior to the contracts being entered into or the entity accessing CJI or CHRI.

FBI Privacy Act Statement	https://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-principles-noncriminal-justice-applicants-privacy-rights
Outsourcing of Noncriminal Justice Functions Guide	https://www.nigc.gov/compliance/CJIS-Training-Materials
CJIS Contact Information	
Mr. Virgilio Congmon NIGC Information Security Officer iso@nigc.gov (202) 632-7003	Mr. Shea Bennett NIGC CJIS Systems Officer itsupport@ngic.gov (202) 632- 7003
Chasity S. Anderson FBI Compact Officer FBI / CJIS Division csanderson@fbi.gov (304) 625-2803 (office) (304) 476-3383 (mobile)	John C. Weatherly FBI CJIS ISO FBI/CJIS jcweatherly@fbi.gov (304) 625-3660 (office) (304) 709-1493 (mobile)