

Cherokee Nation Code Annotated

Title 4: Amusements and Sports

Chapter 5: Licensing Procedures for and Background Investigations of Key Employees and Primary Management Officials

§ 57. Federal review of gaming applicants

Cite as: 4 CNCA § 57

A. Report to the National Indian Gaming Commission

1. When a gaming facility employs a Key Employee or a Primary Management Official, the Gaming Commission shall maintain a completed application containing the information listed in 4 CNCA § 52.

2. Prior to issuing a license to a Key Employee or Primary Management Official, and pursuant to the procedures set out in 4 CNCA § 53, the Gaming Commission shall create and maintain an investigative report on each background investigation that includes all of the following:

a. Steps taken in conducting a background investigation;

b. Results obtained;

c. Conclusions reached; and

d. The basis for those conclusions.

e. The Gaming Commission shall submit with the report a copy of the eligibility determination made under 4 CNCA § 56.

3. No later than sixty (60) days after the applicant begins work, the Gaming Commission shall submit a notice of results of the applicant's background investigation to the NIGC, which shall contain:

a. Applicant's name, date of birth, and social security number;

b. Date on which applicant began or will begin work as a Key Employee or Primary Management Official;

c. A summary of the information presented in the investigative report, which shall at a minimum include a listing of licenses that have been previously denied; gaming licenses that have been revoked, even if subsequently reinstated; every known criminal charge brought against the applicant within the last ten (10) years of the date of application; and every felony of which the applicant has been convicted or any ongoing prosecution;

d. A copy of the eligibility determination made under 4 CNCA § 56.

4. All notices under this Section shall be provided to the NIGC through the appropriate Oklahoma regional NIGC office.

5. If a license is not issued to an applicant for a Key Employee or Primary Management Official position, the Nation or Gaming Commission:

a. Shall notify the National Indian Gaming Commission; and

b. Shall forward copies of its eligibility determination and notice of results to the National Indian Gaming Commission for inclusion in the Indian Gaming Individuals Record System.

6. With respect to Key Employees and Primary Management Officials, the Gaming Commission shall retain applications for licensing, eligibility determination, and investigative reports (if any) of background investigations for inspection by the Chairman of the NIGC or his/her designee for no less than three (3) years from the date of termination of employment.

B. The gaming operation shall not employ as a Key Employee or Primary Management Official a person who does not have a license after ninety (90) days.

C. The process in section A above does not apply to Non-Gaming Employees or Vendor principals/management officials as defined in this Title. The retention period for such records shall be defined by the Gaming Commission.

Historical Data

LA 26-10, eff. September 13, 2010. Amended LA 10-11, eff. June 19, 2011; LA 07-14, eff. April 24, 2014; LA 17-14, eff. July 18, 2014.

Derivation

LA 01-94.

Former 4 CNCA § 47.