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CHEROKEE NATION GAMING COMMISSION
RULES AND REGULATIONS

CHAPTER:	Licensing	CHAPTER #:	V
SUBJECT:	Individual Licensing Process and Standards	SECTION –SUBSECTION:	B 1
EFFECTIVE DATE:	05/01/13	SUPERSEDES MATERIAL DATED:	3/26/10
APPROVED BY:		DATE:	03/06/13

PURPOSE

The purpose of this Section is to implement all necessary requirements pursuant to Federal, State and Tribal law relating to conducting background investigations and setting suitability standards for the granting and issuance of individual gaming licenses.

SCOPE

This Section applies to all levels of licensing for individuals employed at a gaming facility, that may work in a gaming facility, or that have responsibility for gaming facilities, assets, and activities, including employees and officials hired prior to the effective date of these Policy and Procedures as well as persons applying for such positions after said date.

A. LICENSE REQUIREMENT

1. No person shall be employed by a gaming operation/facility licensed by Cherokee Nation Gaming Commission (CNGC) or allowed unescorted access to restricted areas without a temporary permit and/or license duly issued by the CNGC pursuant to the provisions of this Section.
2. Individual License Badge

The CNGC shall issue a formal license badge, which shall represent the type of temporary permit or authorized license approved by the CNGC based on the application submission. The CNGC shall solely issue all individual badges:

- a. Temporary Permit
- b. Key Employee License
- c. Primary Management Official License
- d. Commission License for the Gaming Commission

- e. Operational Employee Licenses
 - f. Other license/permit types authorized by the CNGC
3. All badge types shall contain the following:
- a. a photograph of the licensee;
 - b. the employee's first name;
 - c. the employee's identification number;
 - d. the job title; and,
 - e. the date of issuance for any permit and/or the date of expiration for any license.
4. The badge shall be:
- a. Worn at all times while on duty in the facility unless otherwise approved by the CNGC;
 - b. Worn in plain view on the upper front torso above the waistline;
 - c. Not covered by any other badges or items, e.g. pins, stickers, buttons or pictures ;
 - d. Maintained valid and current until separation of employment or a transfer of job positions;
 - e. Returned to the CNGC upon any status change (expiration, position, name change, suspension or termination);
 - f. If lost, be reported to the CNGC Licensing Department immediately with a written request for a replacement badge at the individual cost outlined in the CNGC approved License Fee Structure ; and,
 - g. Shall only be used for work related duties within facilities under the jurisdiction of the CNGC.
5. A person that holds a permit/license issued by the CNGC under this Chapter shall not acquire and not be deemed to acquire a vested property right or any other right by means of said issuance.

B. CONDITIONS OF ISSUANCE

1. The CNGC shall utilize but is not limited to the following conditions of issuance when reviewing applicants for a licensing determination. These conditions of issuance shall apply to all levels of individual licensing unless otherwise noted.
2. Applicants whose prior activities, criminal record, reputation, habits, and associations that may pose a threat to the public interest, as deemed by the CNGC, in accordance

with effective regulations of gaming, or creates or enhances the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of gaming shall not be eligible for a permit or license with the gaming operation.

3. Temporary Permits

a. No person shall be employed by a gaming operation/facility or allowed to have access to a restricted area without a temporary permit duly issued by the CNGC.

b. A temporary permit may be issued to applicants pursuant to Section B in this Chapter after the following requirements are met;

~~i. The preliminary background investigation results obtained by the Employee Services Department are verified and acceptable based on the conditions of issuance;~~

~~ii. The completed CNE employment application is received;~~

~~iii.i. The completed license or permit application and all required documents are received-submitted as applicable; and,~~

~~iv.ii. The fingerprints for a covered gaming license are obtained by the CNGC.~~

c. This ~~Temporary permit~~ Permit shall be issued and remain valid pending the final investigation results from the FBI and suitability determination by the CNGC for an individual license.

d. The Temporary Permit shall not create any property rights and/or a right to continued employment, and may be withdrawn or suspended at any time by the CNGC without notice, hearing or the right to appeal.

~~e. The withdrawal or suspension of the Temporary Permit shall not constitute a denial of or other action on the individual license application.~~

4. Applications

a. The CNGC shall not consider an applicant under the age of eighteen (18) years old for any positions at the gaming operation.

b. The CNGC shall not consider an applicant employed by Cherokee Nation Entertainment (CNE) who has not successfully completed a pre-employment drug test and pre-employment screening in accordance with the CNE substance abuse policy and the CNGC substance abuse regulation.

- c. The CNGC shall not consider any applicant unless the applicant has completed and submitted the proper application with all required forms, release, and other submission requirements, as applicable and as set forth by the CNGC in this Chapter.
 - d. The ~~Applicant shall submit Employee Services Department shall provide~~ a complete individual permit or license application to the CNGC in the manner prescribed in Section E of this Chapter ~~at before their scheduled start date in order to be issued their temporary permit. orientation.~~
 - e. Applicants have the burden of demonstrating to the CNGC, by clear and convincing evidence that the applicant is eligible, qualified, and suitable under the standards set forth in this Chapter to be granted and/or retain the revocable privilege of a permit or a license for which the application is made.
 - f. The CNGC may not consider an individual applicant that has previously been found to be non-compliant or who has had a license denied, suspended or revoked by any other jurisdiction's licensing or regulatory body involving gaming activities.
 - g. The CNGC shall not consider any applicant that has knowingly and/or intentionally omitted and/or falsified any of the documentation requested under this Chapter.
 - h. An applicant's failure to provide the CNGC with the requested documentation by a given deadline may impact the ability for an applicant to receive a permit or license.
5. Credit Report – Applicable to Covered Gaming Licenses only.
- a. An individual applying for a covered gaming license shall be subject to a credit report in association with the background investigation.
 - b. An applicant with an unacceptable credit report may be ineligible to acquire a Key Employee or Primary Management Official license.
 - c. A credit report may be deemed unacceptable or warrant further investigation if it contains findings including, but not limited to, the following:
 - i. An incident of Bankruptcy, Repossession, or Foreclosure in the last year from the date of hire;
 - ii. A finding of delinquency, notice, or lien filed against the individual for non-payment of federal, state, or local taxes and/or regulatory fees, federal student loans, and/or child support payments; and;

- iii. A finding of excessive past due unsecured credit accounts, including collections, totaling more than \$20,000, excluding medical and student loan accounts for an individual applicant.
 - d. Individual applicants may be contacted to obtain additional details regarding any information contained in their credit report. An applicant shall submit a written response within a designated timeframe to the CNGC outlining justification of credit report findings, if requested.
 - e. An applicant's failure to provide the CNGC with the requested credit documentation by a given deadline may impact the ability for an applicant to receive a permit or license and shall result in immediate license suspension until the response is received.
6. Criminal History
- a. The CNGC may not consider an individual covered gaming applicant based on, but not limited to, the following:
 - i. Conviction of or plea of no contest or guilty to a Felony charge at any time;
 - ii. Any felony conviction or an offense related to any covered games, gaming systems or other gaming activity per the Tribal-State Compact Part 10 (A) (6) (a).
 - b. The CNGC shall review and verify all misdemeanor and felony charges for any individual license applicant. The applicant has the burden of proof and may be called upon to present documentation for consideration when addressing a reported criminal charge.
 - c. The CNGC shall exercise due diligence to document an applicant's history to the extent practicable and apply procedures outlined in Section C and the Appendix of this document concerning any negative determinations.
 - d. An applicant's failure to provide the CNGC with documentation of their criminal history in accordance with the application by a given deadline ~~may impact the ability for the applicant to receive a temporary permit or license~~ shall result in immediate suspension until requested documents are received.

C. BACKGROUND INVESTIGATION PROCEDURES

Prior to issuing a permit or license, the CNGC shall conduct a background investigation in accordance with the provisions of this Section.

1. Privacy and Access to Information

Pursuant to Title 4 C.N.C.A. § 12 (G), (H), (I); § 43; 25 U.S.C. § 2701 *et seq.*, and; 25 CFR § 571.3, all information submitted to or obtained by the CNGC during the course of licensing is accessible only to the CNGC and its duly designated representatives and as requested by federal and state regulatory agencies. All requests or demands from other parties for original documents, document copies, or document viewing shall be denied unless compelled by subpoena issued by a court of competent jurisdiction. The CNGC reserves the right to release information as required by 25 CFR § 571.3 to investigate possible incidents of crime, such as fraud and misrepresentation.

2. Training and Orientation Process

During orientation, CNGC agents shall provide all individuals with materials on the CNGC structure, rules and regulations in regards to their individual permits and/or licenses and the background investigation procedures and requirements set forth in this chapter.

3. Licensure Fee Structure

- a. The CNGC, at its sole discretion, shall adopt and/or modify the Licensing Fee Structures for individuals.
- b. The licensure fee structure shall be based on the type of license and shall be communicated to the operation's Employee Services Department and to the individual license applicants.

D. SCOPE AND SOURCES OF BACKGROUND INVESTIGATION

1. The CNGC shall conduct a thorough investigation into the applicant's background including education, work history, reputation, character, criminal record, and all other areas listed in Title 4 C.N.C.A. § 44, the Tribal-State Compact Part 10, and in the NIGC regulations, as amended.
2. The CNGC may contact all appropriate federal, tribal, state, county, and city agencies and may utilize investigative agencies to obtain driver's license history, credit history, criminal history, professional or occupational license history or status, or any other relevant information in accordance with this Section to determine the applicant's suitability.
3. The application as submitted based on Section E of this Chapter shall be thoroughly reviewed for completeness in conjunction with the Conditions of Issuance in Section D of this Chapter.

4. For individual licensing, FBI Criminal History Record Information shall be accessible only to the CNGC and the NIGC for the determination of license eligibility.
5. The CNGC may contact the applicant and/or the gaming operation's Employee Services department at any time and request clarification and/or additional information pertinent to the inquiry into the applicant's background and the gaming operation's application, and the applicant shall respond to any such request within the timeframe designated by the CNGC.
6. Failure to provide the CNGC with the requested documentation by the given deadline may impact the applicant's ability to receive a permit or license.

E. APPLICATION SUBMISSION

The CNGC shall conduct a background investigation on any application for **employment license** with or by a gaming operation/facility licensed by the CNGC. As such, individuals are required to submit an application for a permit or license.

1. Privacy Act Notice

The following notice shall be on the Covered Gaming License application:

“In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 25 U.S.C. 2701 *et seq.* The purpose of the requested information is to determine the eligibility of individuals to be granted a gaming license. The information will be used by the Tribal gaming regulatory authorities and by the National Indian Gaming Commission (NIGC) members and staff who have need for the information in the performance of their official duties. The information may be disclosed by the Tribe or the NIGC to appropriate Federal, Tribal, State, local or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a tribe or the NIGC in connection with the issuance, denial, or revocation of a gaming license or investigations of activities while associated with a tribe or a gaming operation. Failure to consent to the disclosures indicated in this notice will result in a tribe's being unable to license you for a primary management official or key employee position.

The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.”

2. Notice Regarding False Statements

The following notice shall be on the Covered Gaming License application:

“A false statement on any part of your license application may be grounds for denying a license or the suspension or revocation of a license. Also, you may be punished by fine or imprisonment (U.S. Code, Title 18, and Section 1001).”

3. All applicants are required to submit the required information for the licensing type for which the applicant is applying. Applicants shall be reviewed and a background investigation conducted based on the type of application submitted.
4. All applicants shall provide information as requested by the CNGC, to cooperate with the CNGC in investigations, hearings, enforcement, disciplinary actions, and to comply with all of the CNGC’s conditions, restrictions, requirements, orders, and rulings.
5. All applicants shall have a continuing duty to notify the CNGC within ten (10) calendar days of a material change in the information originally submitted by the applicant, or a change in circumstances, which may render the applicant ineligible, unqualified, or unsuitable to hold a permit or license pursuant to this Chapter. Examples of a material change are as follows:
 - a. Any arrest or criminal charges filed;
 - b. Civil suits to which the applicant is named a defendant;
 - c. Address changes, and;
 - d. Name Change.

6. Application ~~Packet~~ for Individual Licensing for **Covered Gaming Licenses**

- a. Authorization for Release of Documents – an individual applicant shall be required to complete and execute a release form authorizing the CNGC to obtain personal files, records, and other documents or information pertinent to the background investigation that shall be notarized at the time of completion. –
- b. CNGC Covered Gaming Individual License Application – an individual applicant will be required to complete and submit a ~~electronically~~ a CNGC license application in addition to the gaming operation’s application for employment. This application must be completed before submission to the CNGC. The application shall conform to the requirements in U.S. Code, Title 18, § 1001; 25 C.F.R. § 556.2 and 556.3 by indicating the Privacy Act and violation of providing false statements on the application.
- c. Submission of the application, with the electronic signature, indicates that the individual has read and completely understands the licensing standards set forth in Section B of this document and understands the requirements for maintaining a permit and/or license duly issued by the CNGC.
- d. Covered Gaming License Applicant - Gaming Operation Applicant Authorization – ~~an applicant shall authorize the gaming operation to submit the CNGC~~

~~application on their behalf. The gaming operation shall be required to verify and submit the CNGC application on all required individuals before a temporary license can be issued. The following must accompany the CNGC Application through the use of the CNGC Transmittal Form described in the Appendix to this document. The applicant must complete and submit the CNGC license application before a temporary license can be issued. The following must accompany the completed CNGC online application license submission or be provided to a CNGC representative.~~

~~i. The original, completed and signed gaming operation application for employment;~~

~~ii. The submission of any relevant documentation furnished by the applicant in connection with the CNGC or gaming operation application;~~

~~iii.i. _____~~ The original notarized Authorization for Release of Documents;

~~iv.ii. _____~~ A digital photograph;

~~v.iii. _____~~ Copy of Social Security Card, if unavailable a written explanation;

~~vi.iv. _____~~ Copy of CLEET certification, if applicable;

~~vii.v. _____~~ Copy of CDIB or Tribal Membership card, if applicable;

~~viii.vi. _____~~ Copy of valid driver's license, if unavailable a copy of state ID with written explanation;

~~ix.vii. _____~~ Copy of the applicant's birth certificate or passport or immigration paperwork;

~~x.viii. _____~~ Copy of any license issued to the applicant by any tribal, state or federal licensing and/or regulatory agency; and,

~~xi.ix. _____~~ Copy of DD-214 (military history), if applicable.

7. Verification of Application for Covered Gaming Licenses

Upon receipt of the ~~Individual Application Packet~~ submitted application for license, the CNGC shall conduct an inquiry into the accuracy and truthfulness of the information contained in the packet submission, including but not limited to the following requirements:

a. Full name with any and all aliases (oral or written);

b. Place and date of birth and citizenship;

- c. Social Security Number(s);
- d. Gender and all languages (spoken or written);
- e. Business and employment positions and any ownership interest in such businesses, those businesses and residence addresses with drivers license numbers, currently and for at least the past ten (10) years;
- f. Residential and business addresses and phone numbers currently and for the past ten (10) years;
- g. Reputation record based on the name, phone number, and current addresses of at least three (3) personal references who are not related to the applicant including one who was acquainted with the applicant during each period of residence listed;
- h. Current or previous business or employment relationships, including ownership interests with Indian tribes;
- i. Current or previous business or employment relationships, including ownership interests with the gaming industry generally;
- j. Name, phone number, and address of any licensing or regulatory agency with which the applicant has filed an application for permit or license related to gaming, whether or not such permit or license was granted;
- k. Educational background;
- l. Credit history;
- m. Military Service History, if applicable;
- n. For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any;
- o. For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within ten (10) years of the date of the application, the name and address of the court involved and the date and disposition;
- p. For each criminal charge (excluding minor traffic charges) whether or not there is a conviction, if such criminal charge is within ten (10) years of the date of the application and is otherwise listed pursuant to this paragraph, the criminal charge, the name and address of the court involved and the date disposition; ~~Criminal history for all convictions, whether classified as a felony or misdemeanor as well~~

~~as all criminal charges which may not have resulted in a conviction, by contacting federal, tribal, state, city and county courts and/or law enforcement agencies and providing the name, phone number, and address of the court involved, the date, and case disposition.~~

~~n.g.~~ The CNGC requires copies of court documents regarding criminal findings, and;

~~e.r.~~ Any other information which the CNGC deems relevant and/or which may be required by Indian Gaming Regulatory Act (IGRA), as amended, Title 4 C.N.C.A. § 44 (a), the Tribal-State Compact, or the National Indian Gaming Commission (NIGC)'s regulations, as amended.

8. An applicant's failure to provide the CNGC with the above documentation in accordance with the application, or within thirty (30) days of a request made by the CNGC, may result in an application being denied by the CNGC. Further, any intentional omission or misstatement of truth may result in the application being denied by the CNGC.

9. Fingerprint Process

a. Individuals that apply as a covered gaming employee applicant shall be fingerprinted by authorized personnel or a recognized law enforcement agency using the NIGC fingerprints cards bearing the NIGC's ORI number for the tribe or by utilizing the Federal Bureau of Investigation (FBI) Electronic Fingerprint process controlled and maintained by the CNGC.

b. Covered gaming ~~employee~~ applicants are required to submit fingerprints on the electronic system during orientation or at designated schedules set by the CNGC. Fingerprints must be obtained by the CNGC before the applicant is eligible to receive a temporary license. The CNGC shall use the NIGC to process fingerprints through the FBI, pursuant to the Memorandum of Understanding by and between the CNGC and the NIGC, and in accordance with applicable the NIGC and the FBI guidelines.

10. Application Packet for Individual Licensing for **Operational Permits**

a. Authorization for Release of Documents – an individual applicant shall be required to complete and execute a release form authorizing the CNGC to obtain personal files, records, and other documents or information pertinent to the background investigation that shall be notarized at the time of completion. The release form shall conform to the form described in the Appendix to this document for these Rules and Regulations.

b. CNGC Operational Permit Application – an individual applicant will be required to complete and submit electronically a CNGC License application. ~~-in addition~~

~~to the gaming operation's application for employment. This~~ The application must be thoroughly completed before submission to the CNGC.

c. Submission of the application, with the electronic signature, indicates that the individual has read and completely understands the licensing standards set forth in Chapter IV of this document and understands the requirements for maintaining a permit and/or license duly issued by the CNGC.

d. ~~Gaming Operational Operation License – The applicant must complete and submit the CNGC license application before a temporary license can be issued. The following must accompany the completed CNGC online application license submission or be provided to a CNGC representative. Applicant Authorization – an applicant shall authorize the gaming operation to submit the CNGC application on behalf of the applicant. The gaming operation shall be required to verify and submit the CNGC application on all required individuals before a temporary license can be issued. The following must accompany the CNGC Application through the use of the CNGC Transmittal Form.~~

~~i. The original, completed and signed gaming operation application for employment;~~

~~ii. The submission of any relevant documentation furnished by the applicant in connection with the CNGC or gaming operation application;~~

~~iii.i.~~ _____ The original notarized Authorization for Release of Documents;

~~iv.ii.~~ _____ A digital photograph;

~~v.iii.~~ _____ Copy of Social Security Card, if unavailable a written explanation;

~~vi.iv.~~ _____ Copy of CDIB or Tribal Membership card, if applicable;

~~vii.v.~~ _____ Copy of valid driver's license, if unavailable a copy of state ID with written explanation;

~~viii.vi.~~ _____ Copy of any license issued to the applicant by any tribal, state or federal licensing and/or regulatory agency; and,

~~ix.vii.~~ _____ Copy of DD-214 (military history), if applicable.

11. Verification of Application for **Operational Permits**

Upon receipt of the ~~Individual Application Packet~~ submitted application for license, the CNGC shall conduct an inquiry into the accuracy and truthfulness of the information contained in said packet submission, including but not limited to the following requirements:

- a. Full name with any and all aliases (oral or written);
 - b. Social Security number(s);
 - c. Gender and all languages (spoken or written);
 - d. Residential and business addresses and phone numbers currently and for the past ten (10) years;
 - e. Reputation record based on the name, phone number, and current addresses of at least three (3) personal references who are not related to the applicant including one who was acquainted with the applicant during each period of residence listed;
 - f. Name, phone number, and address of any licensing or regulatory agency with which the applicant has filed an application for permit or license related to gaming, whether or not such permit or license was granted;
 - g. Military Service History, if applicable;
 - h. For each felony for which there is an ongoing prosecution or a conviction, the charge, the name and address of the court involved, and the date and disposition if any
 - i. For each misdemeanor conviction or ongoing misdemeanor prosecution (excluding minor traffic violations) within ten (10) years of the date of the application, the name and address of the court involved and the date and disposition;
 - ~~h.j. For each criminal charge (excluding minor traffic charges) whether or not there is a conviction, if such criminal charge is within ten (10) years of the date of the application and is otherwise listed pursuant to this paragraph, the criminal charge, the name and address of the court involved and the date disposition; Criminal history for all convictions, whether classified as a felony or misdemeanor as well as all criminal charges which may not have resulted in a conviction, by contacting federal, tribal, state, city and county courts and/or law enforcement agencies and providing the name, phone number, and address of the court involved, the date, and case disposition. CNGC requires copies of court documents regarding criminal findings, and;~~
 - i.k. Any other information which the CNGC deems relevant.
12. An applicant's failure to provide the CNGC with the above documentation in accordance with the application, or within thirty (30) days of a request made by the CNGC, may result in an application being denied by the CNGC. Further, any

intentional omission or misstatement of truth shall result in the application being denied by the CNGC.

F. BACKGROUND INVESTIGATION REPORT

1. The CNGC is both required and responsible for submitting an investigation report on applicants for an individual permit or license within sixty (60) days after the date of hire.
2. Upon completion of the Background Investigation, including the fingerprint report, the CNGC shall create and maintain an investigative report on each background investigation. An investigation report shall include all of the following: prepare a confidential written report as provided for in the Appendix to this document, which shall set forth:
 - a. A description of the steps taken in conducting the background investigation;
 - b. An explanation of the results obtained;
 - c. A statement of the conclusions reached as to any exceptions, areas of concern or negative information obtained, and if none were obtained, a statement to that effect; and,
 - d. The justification for each conclusion so reached.

G. SUITABILITY DETERMINATION AND STANDARD

1. Based on the background investigation report relating to prior activities, criminal record, reputation, habits and associations, the CNGC shall make a finding as to the suitability for and individual permit and/or license within sixty (60) days of the date of the application. Pursuant to Title 4 C.N.C.A. § 45, the suitability standard shall be whether the individual:
 - a. Poses a threat to the public interest or to the effective regulation of gaming;
 - b. Creates or enhances the danger of unsuitable, unfair or illegal practices, methods and/or activities in the conduct of gaming; or,
 - c. Fails to meet the standards set forth in this document as a part of the conditions of issuance or the background investigation.

H. NON-SUITABILITY DETERMINATION AND HEARINGS

1. If the CNGC makes a determination that an individual does not meet the foregoing suitability standard or deems the applicant unsuitable at anytime, the CNGC shall prepare and certify a “Preliminary Finding of Non-Suitability for Licensing.”
 - a. A Notice of Hearing shall be hand delivered or mailed via certified mail to the applicant’s address provided to the CNGC, which shall inform the applicant of the date, time, and place of a hearing at which the applicant will be afforded an opportunity to appear to show cause why the Preliminary Finding of non-suitability should not be adopted by the CNGC and made final.
 - b. The Notice of Hearing shall advise the applicant that if the applicant fails to appear at the hearing and show cause, the Preliminary Finding of non-suitability will be adopted by the CNGC and a permanent and final finding and an order of denial or revocation of the applicants permit or license shall be entered without further notice.
 - c. If certified mail is returned as unclaimed, non-deliverable, or refused by the addressee, no further notice is necessary or required to be sent to the applicant by the CNGC and the notice shall be considered served.
3. The hearing shall be held in no less than five (5) and no later than thirty (30) calendar days after the date on which the Preliminary Finding of non-suitability was made. The hearing shall be conducted as provided for in Title 4 and/or as provided by the CNGC. At the conclusion of the hearing or as soon as practicable thereafter, the CNGC shall enter a final finding and order. The applicant seeking the license shall have the right to appeal such order in accordance with Title 4 C.N.C.A. § 19.
4. If the CNGC determines that the applicant is suitable for a permit and/or license, the CNGC shall proceed with the NIGC submission and provide notice to the State Compliance Agency (SCA), as applicable, for Covered Gaming Licenses.
5. The CNGC shall notify the applicant and the gaming operation of the determination, in writing, through hand delivery or via certified mail. If certified mail is returned as unclaimed, non-deliverable, or refused by the addressee, no further notice is necessary or required to be sent to the applicant by the CNGC and the notice shall be considered served.
6. The gaming operation shall not employ an individual who has not received a suitability determination and/or license within ninety (90) days of submitting the application pursuant to 25 C.F.R. § 558.3.

I. SUBMISSION TO THE NATIONAL INDIAN GAMING COMMISSION (NIGC)

1. If the CNGC finds an applicant suitable for a Covered Gaming License, the CNGC shall forward the ~~investigation report and Suitability Determination~~notice of results to the NIGC. The notice of results shall contain:
 - b. Applicants name;
 - c. Date of birth;
 - d. Social security number;
 - e. Date on which the applicant began or will being work in a covered gaming license;
 - f. Summary of the information present in the investigative report, which shall at a minimum include a listing of:
 - i. Licenses that have previously been denied;
 - ii. Gaming licenses that have been revoked, even if subsequently reinstated;
 - iii. Every known criminal charge brought against the applicant within the last 10 years of the date of application; and
 - ±iv. Every known felony of which the applicant has been convicted or any ongoing prosecution.
2. The NIGC shall have thirty (30) ~~business~~ days to review the suitability determination and to request additional information or make any objections. If an objection is raised within the 30-day period, the CNGC shall reconsider the application and shall notify the NIGC of its decision.
3. The CNGC may issue a license after submitting the investigation report and suitability determination to the NIGC. However, subsequent to submitting the suitability determination and the issuance of a license, should the CNGC receive an objection from the NIGC or new information that contradicts the conclusions reached in the suitability determination, the CNGC shall suspend the license pending a revocation hearing before the CNGC. The CNGC shall make the final determination and notify the NIGC of its decision.
4. After the CNGC has provided notice of results to the NIGC, the CNGC may license an individual in a covered gaming license.
5. Within 30 days after the issuance of the license, the CNGC shall notify the NIGC of the issuance.
6. The gaming operation shall not employ an individual who has not received a suitability determination and/or license within ninety (90) days of submitting the application pursuant to 25 C.F.R. § 558.3.
7. If the CNGC does not license an applicant, the CNGC shall notify the NIGC and shall forward a copy of the eligibility determination and notice of results for inclusion in the Indian Gaming Individuals Record System.
8. The CNGC shall retain the following for inspection by the NIGC Chair or his or her designee for no less than three (3) years form the date of termination of employment:

- b. Applications for licensing;
- c. Investigative reports; and,
- 3-d. Eligibility determinations.

J. SUBMISSION TO THE STATE COMPLIANCE AGENCY (SCA)

1. The CNGC shall forward quarterly licensing reports for covered gaming licenses to the SCA, pursuant to Part 10 of the Tribal-State Compact.
2. The SCA, at its discretion and expense, may conduct its own background investigation of an individual pursuant to Part 10 of the Tribal-State Compact.
3. The SCA shall notify the CNGC of any background investigation it initiates and, upon written request from the CNGC, shall provide the CNGC with the results of the investigation.
4. The SCA may object in writing to the employment of any individual by the gaming operation based upon the criteria set forth in Part 10 of the Tribal-State Compact.
5. The CNGC shall make the final determination of any applicant for a Covered Gaming License.

K. TRANSFERS

1. Individuals that transfer to a position within the same licensing level are not required to complete a transfer application with the CNGC; e.g. operational to operational or key to key. Notification must be sent to the CNGC in advance to the transfer and the individual must receive their new CNGC license prior to transferring or starting in their new position.
2. Individuals may transition or transfer from an operational licensee to a covered game licensee through the operation's Employee Services policies and procedures. Notification for all transfers shall be provided in advance to the CNGC from the Employee Services Department. The following procedures shall be utilized and completed for transitions between different levels of licensing prior to the applicant transferring to a covered gaming position:
 - a. A supplemental application for a covered gaming license must be submitted electronically with all additional required documents and fingerprints must be obtained pursuant to Section C, item 9 of this Chapter if the licensee is transferring to a covered game license position;
 - b. Background Investigation procedures shall be completed based on the new level of licensing as set forth in this Chapter; and,

c. A fee assessment shall be completed on the individuals transferring from an operational level to a covered game level for the difference in the license fee structure; however, a fee reduction will not occur for those individuals that transfer down to an operational level.

~~e.d.~~ An individual transferring to a new position within the same license level will only be assessed the fee to replace their license.

~~d.e.~~ All transfers must meet with the CNGC to obtain their new CNGC permit or license at the weekly scheduled orientation or other time designated by the CNGC before transferring to the new position.

L. RENEWALS

Individuals are not required to submit a renewal application. Notice of the renewal will be sent to Employee Services no less than sixty (60) days in advance to the licensee's expiration date for verification of the licensee's personal and personnel information. The CNGC shall review and investigate permits and/or licenses granted by the CNGC to determine validity of the suitability standard held by licensees, they shall not be employed without a valid permit and/or license duly issued by the CNGC pursuant to the provisions of this Section. After the issuance of a permit and/or license, the CNGC shall review the licensee's suitability by applying the same initial review procedures as stated in this Section. The following shall apply to the licensees:

1. Covered Game Employee Individual License

Individual licenses issued to covered game employees shall be renewed on an annual basis from the date of the original issuance by the CNGC.

2. Operational Employee Individual Permit

Individual licenses issued to operational employees shall be renewed on a bi-annual basis (2 years) from the date of the original issuance by the CNGC.

3. Continuing Reporting Responsibility

The licensee and/or Employee Services at each location are required to inform the CNGC at any time of the following:

- a. Any changes to contact information or mailing address through the use of a monthly report;
- b. Any arrests or criminal charges regardless of type within ten (10) calendar days of the occurrence;

- c. Any change to the legal name of the applicant by submitting the proper paperwork within five (5) calendar days of the employee service action; and,
 - d. Any change in job title or location prior to the transfer becoming effective; and,
 - e. Any change to the status of employment, such as transfers or status, within five (5) days of the employee service action.
4. If the CNGC makes a determination that a renewal licensee does not meet the foregoing suitability renewal standard, the CNGC shall prepare and certify a “Preliminary Finding of Non-Suitability for Licensing”. Such finding shall conform to the form described in the Appendix to this document.

M. REHIRE APPLICATION STANDARDS

1. An individual that separates from employment with the gaming operation and that is eligible to be rehired shall have their license deactivated by the CNGC. The following standards shall apply to those individuals:
- a. If the individual returns to the gaming operation within six (6) months from the effective date of separation, the individual shall not be required to submit another application for licensing, unless otherwise directed by the CNGC. The CNGC shall review the individual file and make a determination on the license status dependent on the time frames of the background investigation, license approval, and/or separation. The following shall apply in consideration of the status:
 - i. The individual shall submit an updated contact form;
 - ii. If in the renewal process, the individual may be presented as a renewal;
 - iii. If a Temporary Permit has been issued, the individual may continue with the renewal process; or,
 - iv. If the individual has not received a permit or license, then the determination shall be based on report time frames from the initial background investigation.
 - b. The applicant shall not be charged an application fee if the applicant meets the six (6) month guideline and based on the determination of the background investigation reports and report timeframes.
 - c. A fee will be charge for a replacement license or permit.

- d. If an individual does not return within six (6) months from the date of separation, the individual will be required to submit a new CNGC application and the gaming operation will be required to verify and submit the application, pursuant to Section D of this Chapter.
 - e. The individual will be charged the standard licensing fee.
 2. An individual that involuntarily separates from employment with the gaming operation but that is subject to rehire must adhere to the following:
 - a. Complete a new Individual License Application pursuant to Section B of this Chapter regardless of the length of time of separation.
 - b. If the individual has returned after a period longer than six (6) months, may be considered for licensing in accordance with this Chapter.
 3. An individual that involuntarily separates from employment with the gaming operation and is not subject to rehire may not be considered for licensing by the CNGC.

O. REAPPLICATION AND RECONSIDERATION ON CNGC ACTIONS

1. An individual who has had his/her Individual License Application denied or revoked by the CNGC cannot reapply for a period minimum of one (1) year from the date of denial or revocation or as established by the CNGC, unless said application is made pursuant to the following:
 - a. An individual who has had his/her Individual License Application denied or revoked may submit a request for consideration provided the individual is able to present the CNGC with clear and convincing evidence as to why the new application may meet the licensing standards in this Chapter adopted by the CNGC. The CNGC may deny or honor the request at its discretion.
 - b. The individual will be notified via certified mail if the request for reconsideration is denied by the CNGC, which shall contain a reason(s) for the denial.
2. An individual who has had his/her permit/license denied or revoked by the CNGC for violations of the CNGC substance abuse regulation cannot reapply for an individual license for a period eighteen (18) from the date of revocation.
3. An individual who has had his/her permit/license denied or revoked by the CNGC for violations of the CNGC rules and regulations, NIGC rules and regulations, Tribal-State Compact provisions, or other applicable rule, regulation, statute or law cannot reapply for a period of one (1) year from the date of the denial or revocation by the CNGC.

4. All Individual License Applications received pursuant to the previous sections will be charged the standard license fee for the position for which application is made.
5. Denials of requests for reconsideration are final and are not appealable pursuant to Section 19 of Title 4 of the Cherokee Nation Code Annotated.

P. RECORDS MAINTENANCE

1. Inactive Individual license files shall be maintained for a period of three (3) years. After that time frame, the CNGC may utilize approved confidential destruction methods to purge license files.
2. The CNGC shall maintain a permanent archive record of all active and deactivated license files.



CHEROKEE NATION GAMING COMMISSION

INDIVIDUAL COVERED GAMING LICENSE APPLICATION

NOTICE & INSTRUCTIONS

This application is to be completed by all persons seeking employment in any covered gaming licensed position (Key or PMO License) with any Cherokee gaming facility and/or whose duties require access to sensitive equipment and/or systems or access to restricted areas of the gaming facilities not open to the general public. Employees of Cherokee Nation Entertainment, LLC (CNE), Cherokee Casinos, Cherokee Nation Businesses (CNB), and the Cherokee Nation Gaming Commission (CNGC) are required to undergo a background investigation; this is inclusive of persons employed by entities operating within a gaming facility that are not owned by CNE or CNB.

Applicants are strongly encouraged to read each question carefully before answering. ~~Be sure to initial each page and sign wherever indicated; initials, signatures, and responses must be in BLUE INK. Do not use any correction fluid, pen or tape on this form; simply put one line through the error and your initials next to it. Example: Error^{your initials}~~

Answer every question completely and truthfully. Do not leave any blank spaces. If a question does not apply to you, indicate "N/A" in response to the question. If there is nothing to disclose as to a particular question, state "None" in response to that question. Ensure criminal history, if applicable, is answered completely and truthfully; failure to list all instances of criminal history may result in the denial of your application. Applications that are not complete and legible will not be considered. If space provided is not sufficient for complete answers or you wish to furnish additional information, attach additional sheets of the same size as the application, and number the answers to correspond with the question.

In compliance with the Privacy Act of 1974, the following information is provided:

Solicitation of the information on this form is authorized by 25 U.S.C. 2701 et. seq. The purpose of the requested information is to determine the eligibility of individuals to be granted a gaming license. The information will be used by the Tribal gaming regulatory authorities and the National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, Tribal, State, local, or foreign law enforcement and

regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a Tribe or the National Indian Gaming Commission in connection with the issuance, denial, or revocation of a gaming license, or investigations of activities while associated with a Tribe or gaming operation. **FAILURE TO CONSENT TO THE DISCLOSURE INDICATED IN THIS NOTICE WILL RESULT IN A TRIBE'S BEING UNABLE TO LICENSE YOU FOR A PRIMARY MANAGEMENT OFFICIAL OR KEY EMPLOYEE POSITION.**

The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

A FALSE STATEMENT ON ANY PART OF YOUR APPLICATION MAY BE GROUNDS FOR DENYING A LICENSE OR THE SUSPENSION OR REVOCATION OF A LICENSE. ALSO, YOU MAY BE PUNISHED BY FINE OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001).

The application and the information obtained during the background investigation process are kept confidential to the extent permitted by law.

In addition to any documents required to support information provided in this application, you will be required to provide:

- † A copy of your current State issued Driver's License; and
- † A copy of your Social Security Card; and
- † Tribal Membership Card and/or Certificate Degree of Indian Blood (CDIB) (if applicable); and
- † A copy of your military discharge papers (DD-214), if applicable; and
- † A copy of any license/permit issued by any jurisdiction/agency; and
- † A copy of your Birth Certificate; or
- † A copy of your Passport / Visa / Resident Alien documentation.

SECTION 1 – LICENSE TYPE

Gaming Facility Location: _____

Position: _____

Have you previously applied for and/or received a gaming license/permit from the CNGC? Yes No

If yes, at which facility, when and for what position: _____

What was the status of your license/permit? _____

SECTION 4 – RESIDENTIAL HISTORY

List all of your residences for the past ten (10) years in chronological order, including addresses while attending school if away from your primary residence. Provide the current address on the first line down to the oldest address in the last line. Attach additional sheets, if necessary.

From	To	Address	City, State, Zip	Phone Number

SECTION 5 – PERSONAL REFERENCES

Please list at least three (3) personal references (**not relatives**), including one who was acquainted with you during each period of residence as listed above. Please provide a current address and phone number.

Full Name: _____ Relationship: _____

Address: _____ E-Mail: _____

Home Phone Number: _____ Cell Phone Number: _____

Occupation: _____ Years Acquainted: _____

Full Name: _____ Relationship: _____

Address: _____ E-Mail: _____

Home Phone Number: _____ Cell Phone Number: _____

Occupation: _____ Years Acquainted: _____

Full Name: _____ Relationship: _____

Address: _____ E-Mail: _____

Home Phone Number: _____ Cell Phone Number: _____

Occupation: _____ Years Acquainted: _____

SECTION 6 – EMPLOYMENT HISTORY

List the information requested below for current employer(s) or most recent employer and those for the last ten (10) years. List in chronological order beginning with the most recent; use additional sheets, if necessary. Use Month and Year for Date information:

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Have you ever been fired or terminated for cause by any employer or been allowed to resign under threat of termination?

Yes No

If you were fired or terminated for cause, did the basis for such action involve any allegation of theft, fraud, embezzlement, or any other misconduct involving truthfulness or honesty?

Yes No

If you answered "Yes" to either question above, please provide Employer's Name:

Explain: _____

Have you ever been denied employment or dismissed from any employment for usage or conviction of a drug and/or alcohol related offense?

Yes No

If "Yes" please provide Employer's Name: _____

Explain: _____

Have you ever served in the U.S. Military? Yes No

If "Yes" please provide a copy of your DD-214 with this application.

SECTION 7 – LICENSE DATA

List in chronological order any license application submitted to and/or licenses received from ANY licensing agency in ANY state (not including Driver’s Licenses). Please list date when license was granted or denied. This includes gaming licenses, professional licenses, liquor licenses, real estate licenses, etc.

Agency		Address		Contact Number
Position / Type	Date of Issuance	Granted (Yes or No)		Status (inactive, denied, revoked)

Agency		Address		Contact Number
Position / Type	Date of Issuance	Granted (Yes or No)		Status (inactive, denied, revoked)

Agency		Address		Contact Number
Position / Type	Date of Issuance	Granted (Yes or No)		Status (inactive, denied, revoked)

Agency		Address		Contact Number
Position / Type	Date of Issuance	Granted (Yes or No)		Status (inactive, denied, revoked)

If you have ever been denied or subject to the suspension or revocation of a license by any jurisdiction, provide a full explanation below. Attach additional sheets, if necessary.

SECTION 8 – BUSINESS RELATIONSHIP DATA

Do you have any existing or previous business relationships with Indian Tribes, including any ownership interest in those businesses?

Yes No

If “Yes”, please explain: _____

Do you have any existing or previous business relationships with the gaming industry in general, including any ownership interest in those businesses?

Yes No

If “Yes”, please explain: _____

Do you have any relatives associated with, employed by, or who have a pending application for employment with any tribal gaming operation?

Yes No

If “Yes”, please provide the individual’s name, relationship, address, telephone number, the position, and name of the Tribe and operation: _____

SECTION 9 – DRIVING RECORD

Please provide your current driver’s license number, the State of issuance, and residence(s) during the time the license was valid, as well as those for the past ten (10) years. Please start with the current Driver’s License number. Please start with your current Driver’s License number and use Month and Year for expiration date:

Driver’s License Number	State of Issuance	Address	Expiration

~~**SECTION 10 – CIVIL COURT RECORD**~~

~~Have you ever been a plaintiff in a court action? Yes No~~

~~If “Yes”, please provide a detailed explanation. Use additional sheets, if necessary.~~

~~Have you or your spouse ever been sued or named as a defendant or respondent in a law suit (including negligence matters, auto accident matters, contract matters, collection matters, debt matters, etc.)~~

~~Yes No~~

~~If “Yes”, please complete the following:~~

Date Filed	Name & Address of Court	Docket Number	Other Parties to Suit	Nature of Suit

SECTION II — FINANCIAL / CREDIT HISTORY

~~Has your credit record ever been considered unsatisfactory or have you ever been refused credit?~~

~~_____ Yes _____ No~~

~~If "Yes", give dates, places, and names of creditors and circumstances.~~

~~Are you or your spouse delinquent or in dispute over the filing of any report or the payment of any tax as required by federal, state, tribal, or municipal laws:~~

~~_____ Yes _____ No~~

~~If "Yes", please explain: _____~~

~~Have you or your spouse filed bankruptcy, individually or together, within the past ten (10) years?~~

~~_____ Yes _____ No~~

~~If "Yes", please explain: _____~~

SECTION 12 – CRIMINAL HISTORY

A thorough background investigation will be conducted into your past upon submission of this application. If you fail to fully disclose your prior criminal history or provide the required documents with the application, your application will not be processed and it will be returned. If you leave out, do not fully and voluntarily disclose or give false information about your criminal history, your application for a license/permit shall be denied and you may be charged with a crime under Title 59 of the Oklahoma Statutes and/or Title 18 U.S.C. Section 1001.

Prior to answering the questions contained in this section, carefully review the following definitions and instructions. You may be asked to supply a disposition or Court document to any matter you disclose in your application. If you have any such document(s) in your possession, it is advised that you supply them at the time the application is submitted or within a timeframe established by the CNGC.

Definitions:

- † **Date of Charge(s):** Refers to the date you were arrested, detained, held, taken into custody or the date that formal charges were brought against you for any unlawful conduct that you were alleged to have committed.
- † **Offense Charged:** Refers to any information, complaint or indictment filed in any tribal, state, or federal Court alleging that you have committed any “offense”. It can also refer to any complaint that may not have resulted in any formal indictment but did result in an arrest. Includes all felony and misdemeanor crimes regardless of the seriousness of the alleged conduct, including serious violations of the motor vehicle code or ordinance such as driving while intoxicated or driving under the influence of a controlled substance or alcohol. However, this does not mean minor traffic violations (i.e. parking tickets, speeding tickets).
- † **Disposition:** Refers to the outcome of the matter such as any convictions, guilty plea, no contest plea, suspended sentences, deferred sentences, or a matter that was dismissed, expunged, or where no charges were filed or prosecution was sought.
- † **Sentence:** Refers to any time you were ordered to serve in any penal institution, county or city jail, DUI school, probation or diversionary program, pay a fine, or received a suspended or deferred sentence.
- † **Incarcerated:** Refers to any jail (city or county) or state or federal correctional facility, in which you were held, detained or taken into custody.
- † **Probation:** Will need to be marked “Yes” if you are currently paying on any fines, restitution or are on a deferred sentence. If a case is closed but payments are still pending in any matter you will

need to state that. If a matter is still pending but a sentence has not been ordered at the time you complete this application, you will need to disclose that information.

Instructions

Answer “Yes” and provide a full explanation of the facts and circumstances for each incident **even if**:

- † You did not commit the offense charged;
- † The charges were dismissed, deferred or downgraded to a lesser charge;
- † You completed pretrial intervention or equivalent diversionary program;
- † You were not convicted;
- † You did not serve a prison or jail sentence;
- ~~† The charges or offenses occurred more than ten (10) years ago.~~

Answer “No” only if you have never been arrested or charged with any offense as defined above.

IMPORTANT NOTICE

Your fingerprints will be submitted to the Federal Bureau of Investigation’s (FBI) National Crimes Information Center, a comprehensive law enforcement database containing federal and state criminal arrest and conviction records. A report will be returned to the CNGC containing any arrest and conviction information in the database associated with your fingerprints. The content of this report will be compared to the information contained in this application. If you have failed to disclose any arrests or convictions in this application, such omission(s) will be taken into account in assessing your character, honesty, integrity and suitability for licensure and may result in the denial of your application for a gaming license/permit. Often Court matters expunged on the District Court level will be included in the FBI report. Not all matters that are expunged from your record will be deleted from the FBI database, which could give the impression that you failed to disclose the matter in your application. In the event that you do not disclose any charge(s) that have been expunged from your record and it does appear on your FBI report, you will be asked to supply an Order of the Court stating that the matter was expunged.

The following questions regarding criminal records **must** be answered. You must supply all information, regardless of the jurisdiction (i.e. tribal, state, county, city, federal, or military) or the advice from a probation officer, attorney or Court. Failure to provide such information may result in the suspension and/or denial of your application for a gaming license/permit.

1. Have you ever been arrested, detained, charged, indicted, or summoned to answer for any criminal offense or violation for any reason whatsoever, regardless of the disposition of the event or even if charges were not filed within the past ten (10) years? YES NO
2. Have you ever been fingerprinted by any authority for any reason? YES NO
3. Have you ever had any criminal charges (excluding minor traffic violations) filed against you whether or not there was a conviction; including DUI, DWI, or DUS within the past ten (10) years of the date of this application? YES NO
4. Have you ever been charged or convicted of, or do you have an ongoing prosecution for a felony regardless of the date it took place? YES NO
5. Have you ever been charged or convicted of, or do you have an ongoing prosecution for a misdemeanor (excluding minor traffic violations) within the past ten (10) years of the date of this application? YES NO
6. Have you ever received a deferred sentence for a criminal charge filed against you? YES NO
7. Have you ever received a suspended sentence for a criminal charge filed against you? YES NO
8. Have you ever had any charges filed against you be dismissed? YES NO
9. Have you ever had any charges filed against you be expunged from your record? YES NO
10. Have you ever been arrested, detained, charged, indicted, or summoned to answer for any gambling related offense, fraud, or misrepresentation regardless of the date of the disposition of the event or even if charges were not filed? YES NO
11. Have you ever been subpoenaed or commanded to appear to testify before any tribal, federal, state, or county grand jury, board or commission? YES NO
12. Have you ever been or are you currently on parole, probation, deferred or suspended sentence or supervised release? YES NO
13. Did an attorney or Court tell you that if anyone ever asked you if you have been convicted of a crime that you should tell them “no” because the sentence was deferred and the charges would either be dismissed or expunged? YES NO
14. Have you ever received a pardon? YES NO

If you answered “Yes” to any of the questions above, please provide details below or provide criminal history information as indicated. Use additional sheets, if necessary. Attach all available documents.

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Applicant must declare whether or not he/she is serving / has served a suspended or deferred sentence and the status, regardless if it has been expunged.

I hereby request and authorize the CNGC and its staff to make any reference, background, credit, and/or criminal history check necessary to make a license determination and hereby waive any right to see the information obtained. I understand that, if offered employment and granted a license/permit, I will be bound by all applicable statutes, rules, regulations, policies and procedures, which may be changed without prior notice to me. I further understand that my application for a license/permit is not being made for a definite period of time and that all terms and conditions of licensure are subject to change without notice. I hereby certify that I understand the above statements and further authorize all consumer reporting agencies to release to the CNGC any information requested by the CNGC in connection with the background investigation and processing of this application. I hereby certify that all information and statements contained in this application are complete and true. I understand that failure to disclose all information completely and accurately may result in refusal to issue, denial, or revocation of this license and/or any other action deemed necessary by the CNGC.

Further, I acknowledge that I am obligated to notify the CNGC within ten (10) calendar days of any change involving any section of this application. _____(Initial)

Applicant's PRINTED Name

Applicant's SIGNATURE

Date



CHEROKEE NATION GAMING COMMISSION

INDIVIDUAL OPERATIONAL PERMIT APPLICATION

NOTICE & INSTRUCTIONS

This application is to be completed by all persons seeking employment in any licensed Cherokee gaming facility for non-covered gaming positions and/or whose duties access to restricted areas of the gaming facilities not open to the general public.

~~Applicants are strongly encouraged to read each question carefully before answering. Be sure to initial each page and sign wherever indicated; initials, signatures, and responses must be in BLUE INK. Do not use any correction fluid, pen or tape on this form; simply put one line through the error and your initials next to it. Example: Error^{your initials}~~

Answer every question completely and truthfully. Do not leave any blank spaces. If a question does not apply to you, indicate "N/A" in response to the question. If there is nothing to disclose as to a particular question, state "None" in response to that question. Ensure criminal history, if applicable, is answered completely and truthfully; failure to list all instances of criminal history may result in the denial of your application. Applications that are not complete and legible will not be considered. If space provided is not sufficient for complete answers or you wish to furnish additional information, attach additional sheets of the same size as the application, and number the answers to correspond with the question.

† In compliance with the Privacy Act of 1974, the following information is provided:

† Solicitation of the information on this form is authorized by 25 U.S.C. 2701 et. seq. The purpose of the requested information is to determine the eligibility of individuals to be granted a gaming license or permit. The information will be used by the Tribal gaming regulatory authorities and the National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a Tribe or the National Indian Gaming Commission in connection with the issuance, denial, or

revocation of a gaming license or permit, or investigations of activities while associated with a Tribe or gaming operation. **FAILURE TO CONSENT TO THE DISCLOSURE INDICATED IN THIS NOTICE WILL RESULT IN A TRIBE'S BEING UNABLE TO PROCESS YOUR APPLICATION.**

- † The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

- † **A FALSE STATEMENT ON ANY PART OF YOUR APPLICATION MAY BE GROUNDS FOR DENYING A LICENSE/PERMIT OR THE SUSPENSION OR REVOCATION OF A LICENSE/PERMIT. ALSO, YOU MAY BE PUNISHED BY FINE OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001).**

- † A copy of your current State issued Driver's License or State/Federal/Tribal Photo ID; and
- † A copy of your Social Security Card; and
- † Tribal Membership Card and/or Certificate Degree of Indian Blood (CDIB) (if applicable); and
- † A copy of your military discharge papers (DD-214), if applicable; or
- † A copy of your Passport / Visa / Resident Alien documentation.

SECTION 1 – PERMIT TYPE

Gaming Facility Location: _____

Position: _____

Have you previously applied for and/or received a gaming license/permit from the CNGC? Yes No

If yes, at which facility, when and for what position: _____

SECTION 2 – PERSONAL DATA

Legal Name:

Last	First	Middle	(Maiden)
------	-------	--------	----------

Nickname(s) / Alias(es), or Other Legal Name Previously Used (e.g. married name(s))

Have you ever legally changed your name? Yes No

If “Yes”, please provide: _____

Date	Place	Court
------	-------	-------

Physical Address (at which service of all papers may be served):

Street / P. O. Box	City	State	Zip
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Mailing Address (if different than above):

Street Address / P. O. Box	City	State	Zip
----------------------------	------	-------	-----

Social Security Number	Date of Birth
------------------------	---------------

Driver’s License Number & Issuing State

Daytime Phone Number: _____

Evening Phone Number: _____

Cellular Phone Number (optional): _____

E-mail Address (optional): _____

Are you a U.S. Citizen? Yes No

If no, please specify:

Country of Citizenship Passport/Visa/Alien Number & Expiration Date

Are you a member of a Federally recognized Tribe? Yes No

If "Yes", please list tribal affiliation: _____

Race Language(s) Gender (M/F) Age Place of Birth (city/county/state)

Eye Color Hair Color Weight Height Distinguishing Marks (i.e. tattoos, scars, etc.)

SECTION 3 – RESIDENTIAL HISTORY

List all of your residences for the past five (5) years in chronological order, including addresses while attending school if away from your primary residence. Provide the current address on the first line down to the oldest address in the last line. Attach additional sheets, if necessary.

From	To	Address	City, State, Zip	Phone Number

SECTION 4 – PERSONAL REFERENCES

Please list at least three (3) personal references (**not relatives**), including one who was acquainted with you during each period of residence as listed above. Please provide a current address and phone number.

Full Name: _____ Relationship: _____

Address: _____ E-Mail: _____

Home Phone Number: _____ Cell Phone Number: _____

Occupation: _____ Years Acquainted: _____

Full Name: _____ Relationship: _____

Address: _____ E-Mail: _____

Home Phone Number: _____ Cell Phone Number: _____

Occupation: _____ Years Acquainted: _____

Full Name: _____ Relationship: _____

Address: _____ E-Mail: _____

Home Phone Number: _____ Cell Phone Number: _____

Occupation: _____ Years Acquainted: _____

SECTION 5 – LICENSE DATA

List in chronological order any license application submitted to and/or licenses received from **ANY** licensing agency in **ANY** state (not including Driver's Licenses). Please list date when license was granted or denied. This includes gaming licenses, professional licenses, liquor licenses, real estate licenses, etc.

Agency		Address		Contact Number
Position / Type	Date of Issuance	Granted (Yes or No)		Status (inactive, denied, revoked)

Agency		Address		Contact Number
Position / Type	Date of Issuance	Granted (Yes or No)		Status (inactive, denied, revoked)

Agency		Address		Contact Number
Position / Type	Date of Issuance	Granted (Yes or No)		Status (inactive, denied, revoked)

SECTION 6 – CRIMINAL HISTORY

Instructions

A thorough background investigation will be conducted into your past upon submission of this application. If you fail to fully disclose your prior criminal history or provide the required documents with the application, your application will not be processed and it will be returned. If you leave out, do not fully and voluntarily disclose or give false information about your criminal history, your application for a permit shall be denied and you may be charged with a crime under Title 59 of the Oklahoma Statutes and/or Title 18 U.S.C. Section 1001.

Prior to answering the questions contained in this section, carefully review the following definitions and instructions. You may be asked to supply a disposition or Court document to any matter you disclose in your application. If you have any such document(s) in your possession, it is advised that you supply them at the time the application is submitted or within a timeframe established by the CNGC.

Definitions:

- † **Date of Charge(s):** Refers to the date you were arrested, detained, held, taken into custody or the date that formal charges were brought against you for any unlawful conduct that you were alleged to have committed.
- † **Offense Charged:** Refers to any information, complaint or indictment filed in any tribal, state, or federal Court alleging that you have committed any “offense”. It can also refer to any complaint that may not have resulted in any formal indictment but did result in an arrest. Includes all felony and misdemeanor crimes regardless of the seriousness of the alleged conduct, including serious violations of the motor vehicle code or ordinance such as driving while intoxicated or driving under the influence of a controlled substance or alcohol. However, this does not mean minor traffic violations (i.e. parking tickets, speeding tickets).
- † **Disposition:** Refers to the outcome of the matter such as any convictions, guilty plea, no contest plea, suspended sentences, deferred sentences, or a matter that was dismissed, expunged, or where no charges were filed or prosecution was sought.
- † **Sentence:** Refers to any time you were ordered to serve in any penal institution, county or city jail, DUI school, probation or diversionary program, pay a fine, or received a suspended or deferred sentence.

- † **Incarcerated:** Refers to any jail (city or county) or state or federal correctional facility, in which you were held, detained or taken into custody.
- † **Probation:** Will need to marked “Yes” if you are currently paying on any fines, restitution or are on a deferred sentence. If a case is closed but payments are still pending in any matter you will need to state that. If a matter is still pending but a sentence has not been ordered at the time you complete this application, you will need to disclose that information.

Instructions

Answer “Yes” and provide a full explanation of the facts and circumstances for each incident **even if:**

- † You did not commit the offense charged;
- † The charges were dismissed, deferred or downgraded to a lesser charge;
- † You completed pretrial intervention or equivalent diversionary program;
- † You were not convicted;
- † You did not serve a prison or jail sentence;
- ~~† The charges or offenses occurred more than ten (10) years ago.~~

Answer “No” only if you have never been arrested or charged with any offense as defined above.

IMPORTANT NOTICE

If you have fail to disclose any arrests or convictions in this application, such omission(s) will be taken into account in assessing your character, honesty, integrity and suitability for licensure and may result in the denial of your application for a operational permit. Not all matters that are expunged from your record, which could give the impression that you failed to disclose the matter in your application.

The following question regarding criminal records **must** be answered. You must supply all information, regardless of the jurisdiction (i.e. tribal, state, county, city, federal, or military) or the advice from a probation officer, attorney or Court. Failure to provide such information may result in the denial of your application for a gaming license/permit.

1. Have you **ever** been arrested, detained, charged, indicted, or summoned to answer for any criminal offense or violation for any reason whatsoever, regardless of the disposition of the event or even if charges were not filed within the past ten (10) years of the date of this application? YES NO
2. Have you ever been fingerprinted by any authority for any reason? YES NO
3. Have you ever had any criminal charges (excluding minor traffic violations) filed against you whether or not there was a conviction; including DUI, DWI, or DUS within the past ten (10) years of the date of this application? YES NO
4. Have you ever been charged or convicted of, or do you have an ongoing prosecution for a felony regardless of the date it took place? YES NO
5. Have you ever been charged or convicted of, or do you have an ongoing prosecution for a misdemeanor (excluding minor traffic violations) within the past ten (10) years of the date of this application? YES NO
6. Have you ever received a deferred sentence for a criminal charge filed against you? YES NO
7. Have you ever received a suspended sentence for a criminal charge filed against you? YES NO
8. Have you ever had any charges filed against you be dismissed? YES NO
9. Have you ever had any charges filed against you be expunged from your record? YES NO
10. Have you ever been arrested, detained, charged, indicted, or summoned to answer for any gambling related offense, fraud, or misrepresentation regardless of the date of the disposition of the event or even if charges were not filed? YES NO
11. Have you ever been subpoenaed or commanded to appear to testify before any tribal, federal, state, or county grand jury, board or commission? YES NO
12. Have you ever been or are you currently on parole, probation, deferred or suspended sentence or supervised release? YES NO
13. Did an attorney or Court tell you that if anyone ever asked you if you have been convicted of a crime that you should tell them "no" because the sentence was deferred and the charges would either be dismissed or expunged? YES NO

Have you ever received a pardon? YES NO

If you answered "Yes" to any of the previous questions, please provide details below or provide criminal history information as indicated. Use additional sheets, if necessary. Attach all available documents.

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Date of Charge	Offense Charged	Jurisdiction
Sentence		If Incarcerated, Where?
Charge Type & Disposition		Presently on Probation?
		Yes No

Applicant must declare whether or not he/she is serving / has served a suspended or deferred sentence and the status, regardless if it has been expunged.

I hereby request and authorize the CNGC and its staff to make any reference, background, and/or criminal history check necessary to make a determination and hereby waive any right to see the information obtained. I understand that, if offered employment and granted a permit, I will be bound by all applicable statutes, rules, regulations, policies and procedures, which may be changed without prior notice to me. I further understand that my application for a permit is not being made for a definite period of time and that all terms and conditions of licensure are subject to change without notice. I hereby certify that I understand the above statements and further authorize all consumer reporting agencies to release to the CNGC any information requested by the CNGC in connection with the background investigation and processing of this application. I hereby certify that all information and statements contained in this application are complete and true. I understand that failure to disclose all information completely and accurately may result in refusal to issue, denial, or revocation of this license and/or any other action deemed necessary by the CNGC.

Further, I acknowledge that I am obligated to notify the CNGC within ten (10) calendar days of any change involving any section of this application. _____(Initial)

Applicant's PRINTED Name

Applicant's SIGNATURE

Date



CHEROKEE NATION GAMING COMMISSION

INDIVIDUAL COVERED GAMING SUPPLEMENTAL (TRANSFER) LICENSE APPLICATION

NOTICE & INSTRUCTIONS

This application is to be completed by all persons seeking transfer from an Operational Permit to any covered gaming licensed position (Key or PMO License) with any Cherokee gaming facility and/or whose duties require access to sensitive equipment and/or systems or access to restricted areas of the gaming facilities not open to the general public. Employees of Cherokee Nation Entertainment, LLC (CNE), Cherokee Casinos, Cherokee Nation Businesses (CNB), and the Cherokee Nation Gaming Commission (CNGC) are required to undergo a background investigation; this is inclusive of persons employed by entities operating within a gaming facility that are not owned by CNE or CNB.

~~Applicants are strongly encouraged to read each question carefully before answering. Be sure to initial each page and sign wherever indicated; initials, signatures, and responses must be in BLUE INK. Do not use any correction fluid, pen or tape on this form; simply put one line through the error and your initials next to it. Example: Error^{your initials}~~

Answer every question completely and truthfully. Do not leave any blank spaces. If a question does not apply to you, indicate "N/A" in response to the question. If there is nothing to disclose as to a particular question, state "None" in response to that question. Ensure criminal history, if applicable, is answered completely and truthfully; failure to list all instances of criminal history may result in the denial of your application. Applications that are not complete and legible will not be considered. If space provided is not sufficient for complete answers or you wish to furnish additional information, attach additional sheets of the same size as the application, and number the answers to correspond with the question.

In compliance with the Privacy Act of 1974, the following information is provided:

Solicitation of the information on this form is authorized by 25 U.S.C. 2701 et. seq. The purpose of the requested information is to determine the eligibility of individuals to be granted a gaming license. The information will be used by the Tribal gaming regulatory authorities and the National Indian Gaming Commission members and staff who have need for the information in the performance of their official duties. The information may

be disclosed to appropriate Federal, Tribal, State, local, or foreign law enforcement and regulatory agencies when relevant to civil, criminal or regulatory investigations or prosecutions or when pursuant to a requirement by a Tribe or the National Indian Gaming Commission in connection with the issuance, denial, or revocation of a gaming license, or investigations of activities while associated with a Tribe or gaming operation. **FAILURE TO CONSENT TO THE DISCLOSURE INDICATED IN THIS NOTICE WILL RESULT IN A TRIBE'S BEING UNABLE TO LICENSE YOU FOR A PRIMARY MANAGEMENT OFFICIAL OR KEY EMPLOYEE POSITION.**

The disclosure of your Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing your application.

A FALSE STATEMENT ON ANY PART OF YOUR APPLICATION MAY BE GROUNDS FOR DENYING A LICENSE OR THE SUSPENSION OR REVOCATION OF A LICENSE. ALSO, YOU MAY BE PUNISHED BY FINE OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001).

The application and the information obtained during the background investigation process are kept confidential to the extent permitted by law.

In addition to any documents required to support information provided in this application, you will be required to provide:

- † An updated copy of your current State issued Driver's License or State/Federal/Tribal Photo ID; and
- † A copy of your Birth Certificate; and
- † A copy of any license/permit issued by any jurisdiction/agency.

SECTION 1 – LICENSE TYPE

Gaming Facility Location: _____

Position: _____

Employee ID#: _____

SECTION 3 – EDUCATION – LIST COMPLETE NAME AND LOCATION

Name of School List all attended: High School/College/Graduate	Address, City State Zip	Dates Attended	Courses or Degree Pursued	Diploma(s) Received & Dates

SECTION 4 – EMPLOYMENT HISTORY

List the information requested below for current employer(s) or most recent employer and those for the last ten (10) years. List in chronological order beginning with the most recent; use additional sheets, if necessary. Use Month and Year for Date information:

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Company Name: _____

Address (city/state/zip): _____

Supervisor's Name: _____ Phone Number: _____

Employment Dates: _____ Salary: _____

Position: _____ Reason for Leaving: _____

Description of Work: _____

Have you ever been fired or terminated for cause by any employer or been allowed to resign under threat of termination?

Yes No

If you were fired or terminated for cause, did the basis for such action involve any allegation of theft, fraud, embezzlement, or any other misconduct involving truthfulness or honesty?

Yes No

If you answered "Yes" to either question above, please provide Employer's Name:

Explain: _____

Have you ever been denied employment or dismissed from any employment for usage or conviction of a drug and/or alcohol related offense?

Yes No

If "Yes" please provide Employer's Name: _____

Explain: _____

Have you ever served in the U.S. Military? Yes No

If "Yes" please provide a copy of your DD-214 with this application.

SECTION 5 – BUSINESS RELATIONSHIP DATA

Do you have any existing or previous business relationships with Indian Tribes, including any ownership interest in those businesses?

Yes No

If "Yes", please explain: _____

Do you have any existing or previous business relationships with the gaming industry in general, including any ownership interest in those businesses?

Yes No

If "Yes", please explain: _____

Do you have any relatives associated with, employed by, or who have a pending application for employment with any tribal gaming operation?

Yes No

If "Yes", please provide the individual's name, relationship, address, telephone number, the position, and name of the Tribe and operation: _____

SECTION 6 – DRIVING RECORD

Please provide your current driver’s license number, the State of issuance, and residence(s) during the time the license was valid, as well as those for the past ten (10) years. Please start with the current Driver’s License number. Please start with your current Driver’s License number and use Month and Year for expiration date:

Driver’s License Number	State of Issuance	Address	Expiration

~~**SECTION 7 – CIVIL COURT RECORD**~~

~~Have you ever been a plaintiff in a court action? Yes No~~

~~If “Yes”, please provide a detailed explanation. Use additional sheets, if necessary.~~

~~Have you or your spouse ever been sued or named as a defendant or respondent in a law suit (including negligence matters, auto accident matters, contract matters, collection matters, debt matters, etc.)~~

~~Yes No~~

~~If “Yes”, please complete the following:~~

Date Filed	Name & Address of Court	Docket Number	Other Parties to Suit	Nature of Suit

SECTION 8 – FINANCIAL / CREDIT HISTORY

~~Has your credit record ever been considered unsatisfactory or have you ever been refused credit?~~

~~_____ Yes _____ No~~

~~If “Yes”, give dates, places, and names of creditors and circumstances.~~

~~Are you or your spouse delinquent or in dispute over the filing of any report or the payment of any tax as required by federal, state, tribal, or municipal laws:~~

~~_____ Yes _____ No~~

~~If “Yes”, please explain: _____~~

~~Have you or your spouse filed bankruptcy, individually or together, within the past ten (10) years?~~

~~_____ Yes _____ No~~

~~If “Yes”, please explain: _____~~

I hereby request and authorize the CNGC and its staff to make any reference, background, credit, and/or criminal history check necessary to make a license determination and hereby waive any right to see the information obtained. I understand that, if offered employment and granted a license/permit, I will be bound by all applicable statutes, rules, regulations, policies and procedures, which may be changed without prior notice to me. I further understand that my application for a license/permit is not being made for a definite period of time and that all terms and conditions of licensure are subject to change without notice. I hereby certify that I understand the above statements and further authorize all consumer reporting agencies to release to the CNGC any information requested by the CNGC in connection with the background investigation and processing of this application. I hereby certify that all information and statements contained in this application are complete and true. I understand that failure to disclose all information completely and accurately may result in refusal to issue, denial, or revocation of this license and/or any other action deemed necessary by the CNGC.

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Applicant's PRINTED Name

Applicant's SIGNATURE

Date