

# NATIONAL INDIAN GAMING COMMISSION

1441 L Street, NW, 9th Floor

Washington, DC 20005

TEL: 202-632-7003

FAX: 202-632-7066

## MANAGEMENT CONTRACT BACKGROUND INVESTIGATIONS

**Subject:** Instructions for the submission of required information including Standard Form 85P and Supplemental Information

Pursuant to National Indian Gaming Commission (NIGC) regulations, 25 CFR Section 537 -**BACKGROUND INVESTIGATIONS FOR PERSONS OR ENTITIES WITH A FINANCIAL INTEREST IN, OR HAVING MANAGEMENT RESPONSIBILITY FOR, A MANAGEMENT CONTRACT**, the NIGC Chairman shall make a determination of suitability for a person with a financial interest in or having management responsibility for a management contract based upon a background investigation conducted for that purpose. In order to efficiently conduct an individual background investigation, it has been determined that the following documentation shall be submitted to the NIGC:

**Standard Form 85P -Questionnaire For Public Trust Positions**  
**Supplemental Information Pursuant To 25 CFR Section 537.1 (b)(1)**  
**Privacy Notice and Notice Regarding False Statements (2)**  
**NIGC Authorization For Release of Information (2)**  
**Fair Credit Reporting Act Release (2)**  
**Fingerprints (2 Original Cards)**  
**Form 8821 -Tax Information Release (2) (Will be provided at commencement of Financial Background Investigation)**

All questions and requested information shall be answered accurately and completely. If no response is necessary or applicable, please so indicate by entering "None" or "N/A". Please submit two (2) copies of each document -photocopies are acceptable as long as *all pages contain original signatures and dates* in black ink. (Fingerprint cards must be originals and completed cards must be received from an appropriate federal, state or tribal law enforcement agency. See § 537.1(b)(3).)

In completing Standard Form 85P (SF 85P), please pay careful attention to the section "Instructions for Completing this Form" on the cover sheet. Some questions on the SF 85P specify a time frame of seven years, which is not consistent with 25 CFR Section 537.1 (b)(1). Therefore, in order to meet the standards of 25 CFR Section 537, *the following questions should be answered for the time frame indicated:*

9. **Residences:** Provide **ten (10) years** of the information requested in this section. In addition, please provide the city, state and country of residence from age eighteen (18) to the present on the Supplemental Information form, Section (iii.)
11. **Employment:** Provide information for the past **ten (10) years**.
20. **Police Record:** In completing this section, please be sure to provide the following information pursuant to 25 CFR Section 537.1(b)(1):
- (ix) For each gaming offense and for each felony for which there is an ongoing prosecution or a conviction, the name and address of the court involved, the charge, and the dates of the prosecution and the disposition; **(Information for this section should be provided regardless of when the offense occurred.)**
- (x) 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 for the court involved, and the dates of the prosecution and the disposition;
- (xii) For each criminal charge, (excluding minor traffic charges) regardless of whether or not it resulted in a conviction, if such criminal charge is within **ten (10) years** of the date of the application and is not otherwise listed pursuant to paragraphs (b)(1)(ix) or (b)(1)(x) of this section, the name and address of the court involved, the criminal charge, and the dates of the charge and disposition;...]

**It is not necessary to answer question 21 nor complete the "Authorization For Release Of Medical Information." However, please be sure to complete the "Authorization For Release of Information" on Page 8 of SF 85P.**

In addition, please assure that a \$5,000 investigative fee deposit has been submitted to the NIGC for each individual for whom a background investigation will be conducted. The deposit may be in the form of a check, bond or letter of credit. A background investigation cannot be commenced until this deposit has been received.

Careful attention to the accurate and complete submission of all requested information and documentation will greatly expedite the background investigation process.

If there are any questions, please contact either Barbara Haizlip at telephone number (202) 632-7003 or John Manis at (202) 632-0060 in the Washington, D.C. office or on his toll free pager at 1-888-586-0257.

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**MANAGEMENT CONTRACT BACKGROUND INVESTIGATIONS**

**Subject:** Supplemental Information Pursuant To 25 CFR Section 537.1(b)(1)

In addition to the completed Standard Form 85P, the following information must be provided to the National Indian Gaming Commission pursuant to 25 CFR Section 537.1(b)(1) [Information may be provided on this sheet or in another format that provides the same information. If additional space is required, please attach additional sheets as needed. **Each additional sheet must contain the individual's name, date of completion and be initialed by the individual.**]:

- (ii) A current photograph (taken within 90 days of the date of this submission),(:)

Driver's License Number,(:) \_\_\_\_\_

**and,**

A list of all languages spoken or written,(:)

- (iii) ...the city, state and country of residence from age eighteen (18) to the present.(:)

Applicant's Name: \_\_\_\_\_ Initials: \_\_\_\_\_

Contractor/Tribe: \_\_\_\_\_ Date: \_\_\_\_\_



**25 CFR Section 537.1(b)(4) PRIVACY NOTICE**

Solicitation of the information in this section is authorized by 25 U.S.C. 2701, et.seq. The purpose of the requested information is to determine the suitability of individuals with a financial interest in, or having management responsibility for, a management contract. The information will be used by the National Indian Gaming Commission members and staff and Indian tribal officials who have need for the information in the performance of their official duties. The information may be disclosed to appropriate federal, tribal, state or foreign law enforcement and regulatory agencies in connection with a background investigation or when relevant to civil, criminal or regulatory investigations or prosecutions or investigations of activities while associated with a gaming operation. Failure to consent to the disclosures indicated in this statement will mean that the Chairman of the National Indian Gaming Commission will be unable to approve the contract in which the person has a financial interest or management responsibility.

The disclosure of a person's Social Security Number (SSN) is voluntary. However, failure to supply a SSN may result in errors in processing the information provided.

**25 CFR Section 537.1(b)(4) NOTICE REGARDING FALSE STATEMENTS**

A false statement knowingly and willfully provided in any of the information pursuant to this section may be grounds for not approving the contract in which I have a financial interest or management responsibility, or for disapproving or voiding such contract after it is approved by the Chairman of the National Indian Gaming Commission. Also, I may be punished by fine or imprisonment (U.S. Code, title 18, section 1001).

Executed at \_\_\_\_\_, \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**NOTARY PUBLIC**

Applicant's Name: \_\_\_\_\_

Initials: \_\_\_\_\_

Contractor/Tribe: \_\_\_\_\_

Date: \_\_\_\_\_

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Signature \_\_\_\_\_

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\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

Applicant's Name: \_\_\_\_\_

Initials: \_\_\_\_\_

Contractor/Tribe: \_\_\_\_\_

Date: \_\_\_\_\_

**NATIONAL INDIAN GAMING COMMISSION  
AUTHORIZATION FOR RELEASE OF INFORMATION**

PRESENTED TO: \_\_\_\_\_

I, \_\_\_\_\_,  
(Print/type applicant's Name)

hereby authorize release to the National Indian Gaming Commission (NIGC) any information requested in order for the NIGC to determine my suitability for involvement in Indian gaming.

This document authorizes release of requested information whether or not such information would otherwise be protected from disclosure by any constitutional, statutory or common law privilege.

I agree to accept any risk of adverse public notice, embarrassment, criticism or financial loss that may result from use of information that is obtained in connection with a background investigation for the purpose listed in the first paragraph of this document.

I authorize release of any information related to my activities including: schools, property interests (real and personal), employment, criminal justice agencies, regulatory agencies, businesses, financial institutions, lending institutions, medical institutions, hospitals, and health care professionals.

I authorize review and copying of all documents.

I relinquish any right that I may otherwise have to pursue a cause of action against any person (or his or her agent) to whom this request is presented when such cause of action arises out of a response to a request for information pursuant to the Indian Gaming Regulatory Act of 1988 (25 U.S.C. § 2701 et seq.) I further agree to indemnify and hold harmless any person to whom this request is lawfully presented. Such indemnification and holding harmless includes all claims, damages, losses and expenses, including reasonable attorney's fees.

A reproduction of this authorization is the same as the original.

Executed at (city) \_\_\_\_\_, (state) \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature: \_\_\_\_\_

Subscribed and sworn to before me on this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

Presented by National Indian Gaming Commission representative.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_



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AUTHORIZATION FOR RELEASE OF INFORMATION**

PRESENTED TO: \_\_\_\_\_

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(Print/type applicant's Name)

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on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature: \_\_\_\_\_

Subscribed and sworn to before me on this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

Presented by National Indian Gaming Commission representative.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_



**DISCLOSURE AND AUTHORIZATION  
PERTAINING TO CONSUMER REPORTS  
PURSUANT TO THE FAIR CREDIT REPORTING ACT**

Disclosure. This is a release for the National Indian Gaming Commission to obtain consumer/credit reports about you in connection with a management contract background investigation. One or more reports about you may be obtained for the purpose of evaluating your suitability.

Authorization. I, \_\_\_\_\_,

hereby authorize the National Indian Gaming Commission to obtain such reports from any consumer/credit reporting agency for background investigation purposes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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PERTAINING TO CONSUMER REPORTS  
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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date