

DEPARTMENT OF THE INTERIOR

Freedom of Information Act 1996 Annual Report  
January 1 – December 31, 1996

Bureau/Office Bureau of Indian Affairs  
Reporting Official Carolyn Smalley  
Telephone No. 202-208-0437  
Date: February 12, 1997

1. Request received. 788

2. Denials and noncompliance.

a. Number of requests fully or partially denied: 87

b. Number of times each exemption under Subsection 552(b)  
was invoked in making the denial:\*

<u>Exemption</u>	<u>Times invoked</u>
1	<u>                    </u>
2	<u>          4          </u>
3	<u>          2          </u>
4	<u>         22         </u>
5	<u>         16         </u>
6	<u>         37         </u>
7	<u>          6         </u>
8	<u>                    </u>
9	<u>                    </u>

---

\*In some cases, more than one exemption may be cited in denying a single request.

c. **List of statutes invoked under the use of exemption 3:**

2 - Indian Mineral Development Act of 1982, 25 USC 2103(c).

d. **List of names and titles of officials denying records and the number of instances for each official:\***

<u>Name</u>	<u>Title</u>	<u>No. of Instances</u>
George Skibine	Director, Indian Gaming Management	5
Barbara Coen	Office of the Solicitor	5
David Nicholas	Law Enforcement Specialist	1
Deborah Maddox	Director, Office of Tribal Services	4
James McDivitt	Director, Office of Management & Administration	20
Scott Keep	Office of the Solicitor	4
Nancy Jameson	Director, Office of Economic Development	1
Marcia Kimball	Regional Solicitor	6
Persilla Wilfahrt	Regional Solicitor	1
Delbert Brewer	Area Director	6
Dwain Holland	Criminal Investigator	3
Russell Bradley	Superintendent	1
Kenneth Davis	Superintendent	7
Donald Whitener	Acting Area Director	5
Robert Baracker	Area Director	4
Katherine Freels	Regional Solicitor	14
L.W. Collier	Area Director	1
Keith Beartusk	Area Director	6
Richard Aldrich	Field Solicitor	6

**NOTE: The Billings Area Coordinator was very reluctant to give a name(s) for the Attorney-Advisor consulted on denials. The Field Solicitor instructed the Bureau not to use personal names of the attorney in denial responses.**

Jim Fields	Area Director	4
Dennis Wickliffe	Acting Area Director	1
Dennis Sisco	Superintendent	2
Gordon Jackson	Superintendent	5
Wilson Barber	Area Director	3
Melvin Rousseau	Acting Area Director	2
Elouise Chicharello	Acting Area Director	1
James Harjo	Acting Area Director	1
Catherine Freels	Regional Solicitor	5

Tom O'Hare	Regional Solicitor	1
Ethel Abeita	Regional Solicitor	1
Ted Quasula	Area Director	2
Berry Welch	Acting Area Director	5
Robert Moeller	Regional Solicitor	4
Richard Greenfield	Regional Solicitor	2
Wayne Nordwall	Regional Solicitor	1
Stanley Speaks	Area Director	4
Ronald Jaeger	Area Director	2
Stephen Palmer	Regional Solicitor	2
Terry Beckwith	Director, Palm Springs Office, BIA	4

---

\*For the purpose of the Annual Report, only list those officials actually responsible for the denial—do not include everyone consulted during the review process.

**e. Number of requests not fully complied with (other authority):**

(1) Requester's failure to adequately identify records.	<u>42</u>
(2) Refusal to pay fees.	<u>12</u>
(3) Nonpossession of records by DOI. (Records do not exist)	<u>96</u>
(4) Referred to another agency.	<u>91</u>
(5) Request withdrawn.	<u>30</u>
(6) Request referred to another bureau.	<u>15</u>
(7) Requested information previously furnished.	<u>7</u>
(8) Other (explain).	<u>                    </u>

2 – Requested a written request and received reply.

**3. Fees.**

Total amount of fees collected from the public.	<u>\$ 10,922</u>
-------------------------------------------------	------------------

**4. Costs.**

Total cost to administer the FOIA. \$229,150

**5. Number of time extensions taken and the reason for each.**

a. The need to search for and collect the requested records from another source. 18

b. The need to search for, collect, and examine a voluminous amount of records. 20

c. Consultation with another agency, or other components in DOI. 20

**6. Availability of records.**

List new categories of records, or segregable portions thereof, now being released. N/A

**7. FOIA training.**

List any FOIA training provided to bureau/office employees during CY 1997; i.e., date and location of training.

- February 1996 Muskogee, Oklahoma
- June 1996 San Antonio, Texas
- September 1996 Albuquerque, New Mexico
- November 1996 Muskogee, Oklahoma
- December 1996 Muskogee, Oklahoma