

DEPARTMENT OF THE INTERIOR

**Freedom of Information Act 1997 Annual Report
January 1 - September 30, 1997)**

Bureau/Office Bureau of Indian Affairs
Reporting Official Carol Smalley
Telephone No. 505-248-6090
Date: January 13, 1998

1. **Request received.** 693

2. **Denials and noncompliance.**

a. Number of requests fully or partially denied: 118

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> 3 </u>
3	<u> 2 </u>
4	<u> 23 </u>
5	<u> 26 </u>
6	<u> 46 </u>
7	<u> 18 </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:

Indian Mineral Development Act of 1982, 25 USC 2103 (used two times).

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

<u>Name and Title</u>	<u>No. of Instances</u>
Central Office	
James McDivitt, Acting Director, Office of Management and Administration	61
Neil McDonald, Attorney-Advisor, Office of the Solicitor, Central Office	61
Aberdeen Area Office	
Alan W. Lien, Acting Superintendent, Lower Brule Agency, Aberdeen Area Office, BIA	1
Persilla Wilfahrt, Regional Solicitor, Minneapolis, SOL	1
Albuquerque Area Office	
Robert Baracker, Area Director, Albuquerque Area Office, BIA	1
Catherine Freels, A-Ad., Albuquerque Area Office, SOL	1
Anadarko Area Office	
Joe Walker, Acting Area Director, Anadarko Area Office, BIA	2
Ken Drapreau, Acting Superintendent, Shawnee Agency, Anadarko Area Office, BIA	1
Robert Jones, Superintendent, Shawnee Agency, Anadarko Area Office, BIA	1
Sharon, Blackwell, Field Solicitor, Tulsa, SOL	4
Billings Area Office	
Keith Beartusk, Area Director, Billings Area Office, BIA	5
Richard Aldrich, Field Solicitor, Billings, SOL	5
Eastern Area Office	
Frank Keel, Area Director, Eastern Area Office, BIA	1
Roger Babb, Regional Solicitor, Atlanta, SOL	1
Muskogee Area Office	
Jim Fields, Area Director, Muskogee Area Office, BIA	2
Dennis Wickliffe, Acting Area Director, Muskogee Area Office, BIA	2
Dennis Sisco, Superintendent, Miami Agency, Muskogee Area Office, BIA	1
Gordon Jackson, Superintendent, Osage Agency, Muskogee Area Office, BIA	4
Robert Impson, Superintendent, Chickasaw Agency, Muskogee Area Office, BIA	2
Larry Mings, Superintendent, Talihina Agency, Muskogee Area Office, BIA	6
Jimmy Gibson, Superintendent, Okmulgee Agency, Muskogee Area Office, BIA	2
Betty Belt, Acting Superintendent, Talihina Agency, Muskogee Area Office, BIA	1
Sharon Blackwell, Field Solicitor, Tulsa, SOL	20

Navajo Area Office

Elouise Chicharello, Acting Area Director, Navajo Area Office, BIA	1
Catherine Freels, A-Ad., Navajo Area Office, SOL	1

Phoenix Area Office

Jeanette Hanna, Acting Area Director, Phoenix Area Office, BIA	13
David Allison, Superintendent, Uintah & Ouray Agency, Phoenix Area Office, BIA	1
Katherine Verburg, Field Solicitor, Phoenix, SOL	14

Portland Area Office

Stanley Speaks, Area Director, Portland Area Office, BIA	2
Richard DeClark, A-Ad., Portland Regional Office, SOL	2

Sacramento Area Office

Carmen Facio, Acting Area Director, Sacramento Area Office, BIA	2
Michael Smith, Acting Area Director, Sacramento Area Office, BIA	3
Virgil Townsend, Superintendent, Southern California Agency, Sacramento Area Office, BIA	3
William Wirtz, Deputy Regional Solicitor, Sacramento, SOL	4
Stephen Palmer, A-Ad., Portland Regional Office, SOL	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>29</u>
(2) Refusal to pay fees.	<u>10</u>
(3) Nonpossession of records by DOI (Records do not exist).	<u>131</u>
(4) Referred to another agency.	<u>44</u>
(5) Request withdrawn.	<u>5</u>
(6) Request referred to another bureau.	<u>11</u>
(7) Requested information previously furnished.	<u>4</u>
(8) Other (explain).	<u>65</u>

64 – Referred to the Tribe.

1 – Requested general information, not records.

3. Fees.

Total amount of fees collected from the public.	<u>\$ 26,300</u>
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4. Costs.

Total cost to administer the FOIA. \$193,235

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. 25

b. The need to search for, collect, and examine a voluminous amount of records. 29

c. Consultation with another agency, or other components in DOI. 17

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.

- April 28-29 Billings, Montana
- June 16-18 Albuquerque, New Mexico
- August 5 Washington, D.C.