



Chief FOIA Officer's Report  
February 12, 2018

The National Indian Gaming Commission (NIGC) submits this report in accordance with the Department of Justice 2009 FOIA Guidelines calling upon agencies to reaffirm the Federal Government's "commitment to accountability and transparency," and as directed in the Guidelines for 2018 Chief FOIA Officers Reports.

Training / Backlog Reduction

This year, all NIGC personnel were required to attend a summer FOIA training session. This session provided an overview of the NIGC FOIA processes and detailed NIGC employee obligations under the statute. In addition to this agency-wide training, four NIGC employees attended specialized FOIA training provided by the Department of Justice. After receiving this training, these employees were deployed to provide supplementary assistance to the FOIA Office in closing out backlog requests. As a result of these efforts, backlog requests have been reduced by over 50% and the FOIA Office now estimates that all remaining backlog cases will be eliminated by the end of this fiscal year.

Outreach / Regulation Updates

Over the past year, the NIGC has been conducting outreach to its constituents to make them aware of changes to the FOIA and to inform them of recent proposed updates to NIGC regulations that incorporate these statutory changes. The NIGC has presented these proposed regulatory changes at tribal consultations and posted them on its website. Among the ongoing proposed changes to the NIGC FOIA regulations are:

- 25 C.F.R. §517.3(h) – updating the definition of record
- 25 C.F.R. §517.3(i) – updating the definition of 'news media'
- 25 C.F.R. §517.6(c)(2) – inserting reference to Office of Government Information Services
- 25 C.F.R. §517.6(e) – adding advisement of dispute resolution services for adverse determinations
- 25 C.F.R. §517.8(b)(1) - lengthening the timing for appeals

The NIGC also continues to regularly proactively publish documents on its website that are likely to be of interest to the public including: approved gaming ordinances; enforcement actions, lands opinions; and declination letters.

Technology / Restructuring

Recent changes in NIGC records management practices have had a significant impact on NIGC FOIA. Specifically, in 2017 the NIGC updated all of its records schedules and accelerated the transition of agency recordkeeping systems from dispersed paper format to centralized electronic format. FOIA search and collection functions, in turn, have become more integrated with records management and directly benefit from the greater efficiencies of the newer and more centralized information technologies. FOIA personnel are now able to access and search the agency's electronic records archives with greater speed, thoroughness and accuracy and all the while reducing the FOIA search burden on non- FOIA agency personnel.

Better Customer Service

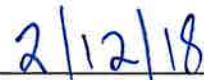
The integration of FOIA response and information management has also enabled the FOIA team to take a fresh look at how NIGC FOIA interacts with requesters. Previously, a requester's request would be passed along to various agency components for follow-up and document searching. In contrast, now IT/FOIA personnel can quickly review the request and survey the electronic archival landscape to assess how well the request matches up with agency holdings. In many cases, requesters benefit from the immediate feedback that the IT/FOIA personnel can provide and, based on this feedback, often refine their search in order to more accurately target the agency's product lines and therefore obtain more satisfying results.

Improved Tracking

Finally, NIGC FOIA has upgraded its FOIA tracking software so that it includes all the fields needed to complete the FOIA annual and quarterly reports. In particular, the database now includes fields that keep track of decisions made in response to requests for expedited processing and fee waivers.



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Tim Osumi,  
NIGC Chief FOIA Officer



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