

Request for Records Disposition Authority

Records Schedule Number DAA-0600-2017-0008

Schedule Status Approved

Agency or Establishment National Indian Gaming Commission

Record Group / Scheduling Group Records of the National Indian Gaming Commission

Records Schedule applies to Major Subdivision

Major Subdivision Division of Finance

Minor Subdivision Management Contracts Review Group

Schedule Subject Management Contract Reviews

Internal agency concurrences will be provided No

Background Information

The National Indian Gaming Commission (NIGC) was created in 1988 with the passage of the Indian Gaming Regulatory Act (IGRA), which was enacted to support and promote tribal economic development, self-sufficiency, and strong tribal governments through the operation of gaming on Indian lands. The Act provides a statutory basis for the federal regulation of Indian gaming. IGRA establishes the Commission to regulate and support tribal gaming as a means of generating revenue for tribal communities. See 25 U.S.C. § 2704.

The NIGC is committed to fulfilling its responsibilities by:

- regulating and monitoring certain aspects of Indian gaming;
- coordinating its regulatory responsibilities with tribal regulatory agencies
- providing training and technical assistance to tribal regulatory agencies;
- reviewing and approving tribal gaming ordinances and management agreements;
- reviewing the backgrounds of individuals and entities to ensure the suitability of those seeking to manage or invest in Indian gaming;
- overseeing and reviewing the conduct and regulation of Indian gaming operations;
- enforcing violations against the IGRA and its regulations; and
- referring law enforcement matters to appropriate tribal, Federal, and state entities.

The NIGC is comprised of a Chair, appointed by the President and confirmed by the Senate, and two additional commissioners

appointed by the Secretary of the Interior. The NIGC's organizational structure is composed of two main branches, the Office of General Counsel which handles legal affairs, and the Office of the Chief of Staff, which manages day-to-day activities and includes the Division of Compliance, Division of Finance, Division of Public Affairs, and the Division of Technology.

NIGC reviews proposed tribal gaming management contracts with third parties to ensure compliance with IGRA and NIGC regulations. Part of review involves a background investigation of management entity and principals.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
6	0	6	0

GAO Approval

Outline of Records Schedule Items for DAA-0600-2017-0008

Sequence Number	
1	Management Contract Review
1.1	Approved Management Contracts Disposition Authority Number: DAA-0600-2017-0008-0001
1.2	Disapproved Management Contracts Disposition Authority Number: DAA-0600-2017-0008-0002
1.3	Withdrawn Management Contracts Disposition Authority Number: DAA-0600-2017-0008-0003
2	Contracts Review Background Investigation Files
2.1	Background Investigation Final Report Disposition Authority Number: DAA-0600-2017-0008-0004
2.2	Billing Records Disposition Authority Number: DAA-0600-2017-0008-0005
2.3	Background Investigation Submitted Documents and Working Files Disposition Authority Number: DAA-0600-2017-0008-0006

Sequence Number

Sequence Number	
1	<p>Management Contract Review Class II and/or Class III Gaming Management Contract Reviews. Contracts submitted by a tribe for review and approval. Files include contract, business plan with financial projections, collateral agreements to contract, incoming and outgoing correspondence, internal working papers and National Environmental Protection Act (NEPA) files (draft Environmental Assessments (EAs), final EAs, draft Findings of No Significant Impact (FONSIs), final FONSIs and environmental reports.)</p>
1.1	<p>Approved Management Contracts</p> <div style="margin-left: 40px;">Disposition Authority Number DAA-0600-2017-0008-0001</div> <p>Letter approving contracts, any supporting memoranda, copies of the contracts as well as review notes and correspondence.</p> <div style="margin-left: 40px;">Final Disposition Temporary</div> <div style="margin-left: 40px;">Item Status Active</div> <div style="margin-left: 40px;">Is this item media neutral? Yes</div> <div style="margin-left: 40px;">Do any of the records covered by this item currently exist in electronic format(s) other than e- mail and word processing? No</div> <div style="margin-left: 40px;">GRS or Superseded Authority Citation N1-220-97-6 / 33a N1-220-97-6 / 25a</div> <p>Disposition Instruction</p> <div style="margin-left: 40px;">Cutoff Instruction Cutoff at end of calendar year in which the contract was approved</div> <div style="margin-left: 40px;">Retention Period Destroy 10 year(s) after cutoff</div> <p>Additional Information</p> <div style="margin-left: 40px;">GAO Approval Not Required</div>
1.2	<p>Disapproved Management Contracts</p> <div style="margin-left: 40px;">Disposition Authority Number DAA-0600-2017-0008-0002</div> <p>Letter disapproving contracts, any supporting memoranda, copies of the contracts as well as review notes and correspondence.</p> <div style="margin-left: 40px;">Final Disposition Temporary</div> <div style="margin-left: 40px;">Item Status Active</div>

1.3	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	GRS or Superseded Authority Citation	N1-220-97-6/ 33b N1-220-97-6/ 25b
	Disposition Instruction	
	Cutoff Instruction	Cutoff at end of calendar year in which the contract was disapproved or the appeal process had expired.
	Retention Period	Destroy 6 year(s) after cutoff
	Additional Information	
	GAO Approval	Not Required
	Withdrawn Management Contracts	
	Disposition Authority Number	DAA-0600-2017-0008-0003
	Withdrawn copies of the contracts, as well as any supporting memoranda, review notes, and correspondence.	
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
2	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	GRS or Superseded Authority Citation	N1-220-97-6/ 33c N1-220-97-6/ 25c
	Disposition Instruction	
	Cutoff Instruction	Cut off at end of month in which the contract or request was withdrawn
	Retention Period	Destroy 3 months after cut off
	Additional Information	
	GAO Approval	Not Required
	Contracts Review Background Investigation Files	
	When a tribe enters into a contract for the management of its gaming operation, each entity with a financial interest in, or management responsibility for, that contract must submit background investigation information (25 CFR Parts 533,	

	<p>535, and 537). The extent of the information required to be submitted varies by the type of gaming offered (Class II or Class III). The Tribe is not required to submit any information on itself.</p>
2.1	<p>Background Investigation Final Report</p> <p>Disposition Authority Number DAA-0600-2017-0008-0004</p> <p>NIGC generated report summarizing findings after reviewing background investigation documents.</p> <p>Final Disposition Temporary</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p>GRS or Superseded Authority Citation N1-220-97-6 / 45c</p> <p>Disposition Instruction</p> <p>Cutoff Instruction Cut off at end of calendar year in which the investigation was completed or terminated.</p> <p>Retention Period Destroy 10 year(s) after cutoff</p> <p>Additional Information</p> <p>GAO Approval Not Required</p>
2.2	<p>Billing Records</p> <p>Disposition Authority Number DAA-0600-2017-0008-0005</p> <p>Files of time and expenses accrued for background investigations in conjunction with management contract approval. Time sheets prepared by timekeepers. Expense reports prepared by timekeepers. Copies of checks for monies deposited in accordance with 25 CFR Part 537.3. Correspondence pertaining to background investigations. Invoices and copies of refund checks.</p> <p>Final Disposition Temporary</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p>GRS or Superseded Authority Citation N1-220-97-6 / 43</p>

2.3

Disposition Instruction

Cutoff Instruction Cut off at end of calendar year in which the background investigation is completed.

Retention Period Destroy 10 year(s) after cutoff

Additional Information

GAO Approval Not Required

Background Investigation Submitted Documents and Working Files

Disposition Authority Number DAA-0600-2017-0008-0006

To include financial statements, copies of documents establishing the entity (articles of incorporation, trust agreement, partnership agreement), list of individuals (top 10 persons with the greatest financial interest in the entity), copies of documents that provide the day-to-day operating rules for the entity, answers to questions regarding gaming experience, criminal history and other related information.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

GRS or Superseded Authority Citation N1-220-97-6/ 34a
N1-220-97-6/ 45a
N1-220-97-6/ 45b

Disposition Instruction

Cutoff Instruction Cut off files at end of calendar year in which the investigation was completed or terminated.

Retention Period Destroy 7 year(s) after cutoff

Additional Information

GAO Approval Not Required

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
03/28/2017	Certify	Tim Osumi	Records Manager	Technology Division - Records Management Program
06/21/2017	Return for Revision	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
08/22/2017	Submit For Certification	Tim Osumi	Records Manager	Technology Division - Records Management Program
08/22/2017	Certify	Tim Osumi	Records Manager	Technology Division - Records Management Program
10/26/2017	Submit for Concurrence	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
10/27/2017	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
10/27/2017	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
10/30/2017	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist