



August 11, 2005

Mr. Daniel T. Warren
Upstate Citizens for Equality
Niagara Frontier Chapter
836 Indian Church Road
West Seneca, NY 14224-1235

RE: NIGC-FOIA-2005-112

Dear Mr. Warren:

This is in response to your Freedom of Information Act (FOIA), 5 U.S.C. § 552, request to the National Indian Gaming Commission (NIGC) dated July 6, 2005, in which you requested copies of all records pertaining to all decisions, determinations, or rulings that gaming on lands acquired after October 17, 1988 is permitted for the land occupied by the Turning Stone Casino and Resort and the Seneca Niagara Casino, along with any supporting documents submitted. A search of NIGC records failed to disclose any records responsive to your requests.

If you have not already done so you may wish to send a request to the Bureau of Indian Affairs, Department of the Interior. They may have responsive records for the portion of your request regarding the Seneca Niagara Casino.

If you consider my response to be a denial you have the right to administratively appeal this decision. Appeals should be in writing and addressed to: Office of General Counsel, National Indian Gaming Commission, 1441 L Street, N.W., Suite 9100, Washington, D.C. 20005, within 30 days of your receipt of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in blue ink that reads "Regina Ann McCoy".

Regina Ann McCoy
FOIA/PA Officer