

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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|--|---|-----------------------|
| ELOUISE PEPION COBELL, <u>et al.</u> , |) | |
| |) | |
| Plaintiffs, |) | No. 1:96CV01285 (RCL) |
| v. |) | |
| |) | |
| GALE A. NORTON, Secretary of |) | |
| the Interior, <u>et al.</u> , |) | |
| |) | |
| Defendants. |) | |

**NOTICE OF FILING OF OCTOBER 2005 STATUS REPORT BY
THE DEPARTMENT OF THE INTERIOR OFFICE OF TRUST RECORDS**

The Department of the Interior Office of Trust Records hereby submits its status report for activity in October 2005. A copy of the report is attached hereto.

Dated: November 15, 2005

Respectfully submitted,
ROBERT D. McCALLUM, Jr.
Associate Attorney General
PETER D. KEISLER
Assistant Attorney General
STUART E. SCHIFFER
Deputy Assistant Attorney General
J. CHRISTOPHER KOHN
Director

/s/ Robert E. Kirschman, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that, on November 15, 2005 the foregoing *Notice of Filing of October 2005 Status Report by the Department of the Interior Office of Trust Records* was served by Electronic Case Filing, and on the following who is not registered for Electronic Case Filing, by facsimile:

Earl Old Person (*Pro se*)
Blackfeet Tribe
P.O. Box 850
Browning, MT 59417
Fax (406) 338-7530

/s/ Kevin P. Kingston
Kevin P. Kingston

ACTIVITY REPORT
OFFICE OF TRUST RECORDS
October 1 – 31, 2005

PROGRAMMATIC:

- Labat-Anderson (Labat Indexing Project)

Labat reported that 1,970 boxes of inactive Indian records were completed in October 2005. The total number of boxes completed through October 2005 is approximately 126,295.

- Movement of Records

The Bureau of Indian Affairs (BIA) and OST moved 2,064 boxes of inactive records from various field locations to Lenexa, Kansas for indexing and subsequent storage at the American Indian Records Repository (AIRR) during this reporting period.

- Boxes Requiring Preservation and/or Remediation

The approximately 30 boxes which the National Archives and Records Administration (NARA) determined will require additional care were further evaluated by NARA during October 2005. It is anticipated that NARA will be making recommendations to OTR on treatment of these boxes in the next reporting period.

- Records Retention Schedules

OTR was informed by NARA that the records schedules for the BIA Office of Law Enforcement Services and the BIA Office of Indian Education were approved by the Archivist of the United States on October 24, 2005. NARA further informed OTR that the five BIA electronic records schedules which were sent to NARA for appraisal and approval during the last reporting period are still undergoing review.

- Site Assessment Statement

During the month of October, OTRA issued one final records assessment report for OST Colville field office and performed site assessments for the Sisseton and Yankton Agencies for both the BIA and OST offices.

- **Records Training**

OTR did not conduct records management training in October.

- **Equipment**

OTR provided seven pieces of fireproof filing equipment to BIA offices during this reporting period.

- **Records Evaluations – Accession #M00-03-8001**

The 31 boxes continue to remain with OTR pursuant to a litigation hold. Once the boxes are released, OST can carry out its plans to verify whether any potential records in the boxes are also filed at the field office. The boxes continue to be stored at the 12th Street warehouse.

- **Litigation Support and Research Requests**

OTR continued to provide litigation support in research of records for tribal trust litigation cases including the Shoshone-Arapaho Tribes of Wind River and the Shoshone-Bannock Tribes of Ft. Hall. OTR continued to provide significant support to the Office of Historical Trust Accounting and its contractors, and the Department of Justice and its contractors. AIRR staff provided responses to approximately 200 research requests from BIA and OST.

ADMINISTRATIVE:

General administrative activities continued.

GENERAL OBSERVATIONS:

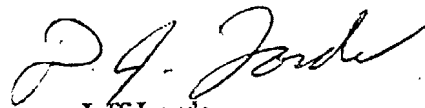
None.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. I express no opinion on the content of the Site Assessments subsection described above.



Ethel J. Abeita

I declare under penalty of perjury that the content of the Site Assessments Statement described above is true and correct to the best of my knowledge, information and belief. I express no opinion on the contents of other sections/subsections of the report.



Jeff Lords
Acting Director, Office of Trust
Review and Audit