

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL et al.,)
)
Plaintiffs,)
)
v.)
)
GALE NORTON, Secretary of the Interior, et al.,)
)
Defendants.)
_____)

Case No. 1:96CV10285
(Judge Lamberth)

**NOTICE OF FILING OF DECEMBER 2004 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 December 2004. A copy of the report is attached hereto.

Dated: January 19, 2005

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on January 19, 2005 the foregoing *Notice of Filing of December 2004 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*)
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/s/ Kevin P. Kingston
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ACTIVITY REPORT
OFFICE OF TRUST RECORDS
December 1 – 31, 2004

PROGRAMMATIC:

- Labat-Anderson (Labat) Indexing Project

Labat reported that 3,225 boxes of inactive Indian records were completed in December. The total number of boxes completed through December 2004 is 97,220.

The Office of Trust Records (OTR) and Labat staff worked at the Bureau of Indian Affairs Southern Plains Regional Office and the Anadarko Agency to prepare inactive records for shipment to Lenexa. 533 boxes of inactive records were shipped in December from the regional office. It is anticipated that this project will conclude in January.

- Movement of Records

OTR moved 4,121 boxes from Albuquerque storage facilities to Lenexa, Kansas for permanent storage. OTR moved 638 boxes, BIA moved 1,063 boxes (includes the 533 from BIA reported above) and OST field offices moved 15 boxes of inactive records to Lenexa for indexing and storage. In the November 2004 report, OTR mistakenly reported that OST moved 1,302 boxes of inactive records to Lenexa. This resulted from including 1,222 boxes that had already been reported in the October 2004 report as part of the 4,780 boxes moved by OTR during that month. The actual number of boxes moved by OST during November 2004 was 80.

- Boxes Requiring Preservation and /or Remediation

Carino Conservation did not complete its recommendations for remediation of boxes it assessed at the 12th Street warehouse. It is anticipated that the report will be completed by the end of January.

- Individual Files Requiring Preservation

As reported in the November monthly report, ongoing analysis of data in the Box Index Search System identified 7,500 files containing one or more documents which may be at risk due to over usage, age or other conditions. OTR has not yet had discussions with the National Archives and Records Administration in Lenexa regarding the files but is scheduled to do so in January.

- Site Assessments

OTR staff continued to draft reports for site assessments conducted at the following BIA agencies: Okmulgee Agency, Talihina Agency, Osage Agency, Chickasaw Agency, Wewoka Agency and Miami Agency. The Office of the Special Trustee for American Indians (OST) field office at Osage Agency was also assessed. OTR staff also continued to draft reports for site assessments of tribal records management programs at the Creek Nation, Choctaw Nation, Chickasaw Tribe, Osage Tribe and Wyandotte Tribe. It is anticipated the written reports will be completed by OTR in January.

- Records Training

OTR provided a Records Management Briefing for 18 OST supervisors and managers during the month.

- Equipment

285 pieces of fireproof filing equipment were provided to BIA and OST programs.

- Litigation Support

OTR continued to provide support in research of records for tribal trust litigation cases including: Jicarilla Apache, Laguna, Blackfeet, Osage, Warm Springs Shoshone and Arapaho of Wind River and Shoshone-Bannock of Ft. Hall. OTR continued to provide support to the Office of Historical Trust Accounting and to BIA and OST offices.

- Records Evaluation – Accession #M00-03-8001

OST's review of the 31 boxes in Accession #M00-03-8001 continued in December. The review, as reported last month, is intended to determine whether their contents might be federal/trust records or whether they had been properly marked as non-record duplicates.


ADMINISTRATIVE:

Ordinary administrative activities continued.

GENERAL OBSERVATIONS:

OTR records operations staff continued to struggle to meet the demands placed on them by attorneys and tribal and federal researchers for boxes and to continue to meet OTR program requirements.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

A handwritten signature in black ink, appearing to read 'Ethel J. Abeita', written in a cursive style.

Ethel J. Abeita