

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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 JANUARY 2006 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 January 2006. A copy of the report is attached hereto.

Dated: February 15, 2006

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.

ROBERT E. KIRSCHMAN, Jr.
(D.C. Bar No. 406635)
Assistant Director
Commercial Litigation Branch
Civil Division
P.O. Box 875
Ben Franklin Station
Washington, D.C. 20044-0875
Phone (202) 307-3242
Fax (202) 514-9163

CERTIFICATE OF SERVICE

I hereby certify that, on February 15, 2006 the foregoing *Notice of Filing of January 2006 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
January 1 - 31, 2006

PROGRAMMATIC:

- Labat-Anderson (Labat Indexing Project)

Labat reported that 2,736 boxes of inactive Indian records were completed in January 2006. The total number of boxes completed through January 2006 is approximately 134,445.

- Movement of Records

The Bureau of Indian Affairs (BIA) and OST moved 867 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

As reported, 283 boxes of inactive records that were or may have been damaged or contaminated by mold, mildew, mouse droppings or other adverse elements were shipped to NARA for remediation in June 2005. As reported in the OTR Activity Report for November 2005, the number has increased to 289 boxes as a result of holdings maintenance being performed. Some boxes cannot hold the entire contents of the original box and are placed in an "overflow box" which is kept with the original box. As reported in December, of the original 283 boxes, 145 boxes were released by NARA and sent for indexing and subsequent storage in AIRR. The remaining 138 boxes remained in NARA's custody in January 2006 for appropriate treatment. OTR did not receive a treatment plan from NARA in January 2006.

- Records Retention Schedules

Six electronic records schedules for BIA systems (GIS, MADS, Keyfile System, GLADS, Alaska Title Plant Database and Land Title Mapper) and the record schedule for the Box Index Search System (BISS) are pending review and approval by the Archivist. No approvals were received in January 2006.

- Site Assessment Statement

During the month of January, OTRA issued a final records assessment report for Ft. Apache BIA and performed record assessments for the BIA and OST offices located at the Papago Agency.

- Records Training

OTR did not provide records management training in January 2006.

- Equipment

OTR delivered 66 pieces of fireproof filing equipment to BIA, OST and tribal 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 which included researchers from the Osage Tribe. OTR continued to provide significant support to the Office of the Solicitor, Office of Historical Trust Accounting and its contractors, and the Department of Justice and its contractors. AIRR staff provided responses to approximately 220 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. Abetta

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