

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

**NOTICE OF FILING OF DECEMBER 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 December 2005. A copy of the report is attached hereto.

Dated: January 13, 2006

Respectfully submitted,
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/s/ Robert E. Kirschman, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that, on January 13, 2006 the foregoing *Notice of Filing of December 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*)
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/s/ Kevin P. Kingston
Kevin P. Kingston

ACTIVITY REPORT
OFFICE OF TRUST RECORDS
December 1 - 31, 2005

PROGRAMMATIC:

- Labat-Anderson (Labat Indexing Project)

Labat reported that 2,887 boxes of inactive Indian records were completed in December 2005. The total number of boxes completed through December 2005 is approximately 131,710.

- Movement of Records

The Bureau of Indian Affairs (BIA) and OST moved 3,554 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.

On December 23, 2005, OTR received a memorandum issued by the Preservation Specialist overseeing this project for NARA. The breakout of what will occur with the boxes differs from that previously reported by NARA and reported in the November report. The memorandum states that 145 boxes are ready to be released for reference use (and have been sent for indexing and subsequent storage at AIRR); 60 boxes require simple holdings maintenance work; 21 boxes require humidification and flattening treatment; 39 boxes are badly damaged and require handling by a preservation specialist for further care; 16 boxes are exceptionally damaged and require specialized treatment, "[i]n some cases . . . a portion of the records in the box should not be treated at all or they may be irreparably damaged. These include N36-05-0360, 13 of 96, Ft. Defiance Nat. Res. Buld. [sic] 9#152**, where the records are laden with a tar like substance and boxes such as 075-02-0543, 9 of 18, Ft. Belk. 4914-T3F, where the paper has rotted and blocked[.]"; and 8 boxes contain oversized maps which in order to facilitate handling and promote preservation could be copied. OTR expects that a treatment plan will be provided by NARA in January 2006 for those boxes requiring further care.

- 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.

- Site Assessment Statement

During the month of December, OTRA issued final records assessment reports for Yankton Agency BIA and IIM and Ft. Yuma Agency BIA

- Records Training

In the monthly reports for October and November, OTR reported that it did not conduct records training during those months. This is a correction to those reports. OTR conducted records training for 10 tribal employees in October 2005 and 9 tribal employees in November 2005. OTR conducted training for 19 BIA/OST records contacts and 60 tribal employees in December 2005.

- Equipment

OTR provided 12 pieces of fireproof filing equipment to BIA and OST 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 the Quapaw and Osage Tribes. 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 165 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