

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al.,

Plaintiffs,

v.

KEN SALAZAR, Secretary of the Interior,
et al.,

Defendants.

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Case No. 1:96cv01285(JR)

**NOTICE OF FILING OF FEBRUARY 2009 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 February 2009. A copy of the report is attached hereto.

Dated: March 16, 2009

Respectfully submitted,

MICHAEL F. HERTZ
Deputy Assistant Attorney General
J. CHRISTOPHER KOHN
Director

/s/ Robert E. Kirschman, Jr.
ROBERT E. KIRSCHMAN, JR.
Deputy Director
(D.C. Bar No. 406635)
JOHN R. KRESSE
Trial Attorney
Commercial Litigation Branch
Civil Division
P.O. Box 875, Ben Franklin Station
Washington, D.C. 20044-0875
Telephone: (202) 616-0328

CERTIFICATE OF SERVICE

I hereby certify that, on March 16, 2009 the foregoing *Notice of Filing of February 2009 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
February 1 - 28, 2009

PROGRAMMATIC:

- Labat-Anderson (Labat Indexing Project)

Labat reported that indexing of 1093 boxes of inactive Indian records was completed in February 2009. The total number of boxes completed through February 2009 is approximately 187,395. It was previously reported that OTR was expected to terminate its contractor relationship with Labat on March 31, 2009. OTR is now expected to terminate its contract on May 31, 2009. OTR will continue indexing records with federal employees.

- Movement of Records

The Bureau of Indian Affairs (BIA) and Office of the Special Trustee (OST) moved 454 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.

- Site Assessments Statement

During the month of February, no records assessments were scheduled. OTRA issued two records management assessment follow-up reports, one each at the following locations: Colorado River Agency BIA office and Colorado River OST IIM field office.

- Records Training

In February 2009, OTR provided records management training for 104 BIA/OST records contacts and 38 Tribal employees. OTR provide training on vital records for 27 BIA/OST and 5 Tribal employees.

- Litigation Support and Research Requests

OTR continued to provide significant support to the Office of the Solicitor, Office of Historical Trust Accounting and its contractors, the Department of Justice and its contractors, and tribal attorneys and contractors on behalf of various Tribes. OTR continued to receive requests for information regarding litigation-related document requests pertaining to records relevant to litigation. Many of these requests have very short deadlines.

During February 2009, AIRR staff provided responses to 137 non-litigation research requests from BIA, OST and other requesters.

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 Statement 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.



Larry Morrin
Director, Office of Trust Review and Audit