

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al., )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 DIRK KEMPTHORNE, Secretary of the Interior, )  
 et al., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

Case No. 1:96CV01285  
(Judge Lamberth)

**NOTICE OF FILING OF MAY 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 May 2006. A copy of the report is attached hereto.

Dated: June 15, 2006

Respectfully submitted,  
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 June 15, 2006 the foregoing *Notice of Filing of May 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**  
May 1 - 31, 2006

**PROGRAMMATIC:**

- Labat-Anderson (Labat Indexing Project)

Labat reported that 1,593 boxes of inactive Indian records were completed in May 2006. The total number of boxes completed through May 2006 is approximately 141,445.

- Movement of Records

The Bureau of Indian Affairs (BIA) and Office of the Special Trustee (OST) moved 3,620 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. NARA completed remediation of the original boxes in April 2006 except for those materials that were beyond NARA's capabilities to repair. The materials NARA could not repair consisted of one box that has about 25% of its contents covered with a tar-like substance; one entire box that had mold and the files are stuck together; and one box of green bar printouts from 1989 oil and gas royalty disbursements that have holes in the printout caused by insects. Three boxes have extensive water damage and the contents are blocked and should not be separated or further damage will result. The Office of Trust Records (OTR) has contracted with a conservationist to review the damaged materials to determine if further remedial action can or should be taken with the boxes that NARA could not repair.

- Records Retention Schedules

As reported in April, the electronic records schedule for the BIA GIS system was returned to OTR by NARA for additional information. It is anticipated that the schedule will be resubmitted to NARA in June 2006.

- Site Assessment Statement

During the month of May, OTRA issued final records assessment reports for Northern Idaho Agency BIA and IIM offices, Spokane Agency BIA and IIM offices, Puget Sound Agency BIA and IIM offices, Olympic Peninsula Agency

BIA and IIM offices, Salt River Agency BIA and IIM offices and Western Region BIA office. OTRA performed record assessments for Alaska Region BIA office, West-Central Alaska Agency BIA office, Winnebago Agency BIA and IIM offices, Salt River Agency BIA and IIM offices, Lower Brule Agency BIA and IIM offices, Cheyenne River Agency BIA and IIM offices and Western Region BIA office.

- **Records Training**

OTR provided records management training for 21 BIA employees in May 2006.

- **Equipment**

Twenty-one fireproof filing cabinets were delivered to BIA and two cabinets to OST.

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

Thirty-one 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 12<sup>th</sup> Street warehouse.

- **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, and the Department of Justice and its contractors. AIRR staff provided responses to 283 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.

A handwritten signature in cursive script that reads "D. J. Lords".

Jeff Lords  
Director, Office of Trust Review and  
Audit