

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al., )  
 )  
 Plaintiffs, )  
 )  
 v. ) Case No. 1:96cv01285(JR)  
 )  
 DIRK KEMPTHORNE, Secretary of the Interior, )  
 et al., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

**NOTICE OF FILING OF MAY 2008 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 2008. A copy of the report is attached hereto.

Dated: June 27, 2008

Respectfully submitted,

GREGORY G. KATSAS  
Acting Assistant Attorney General  
MICHAEL F. HERTZ  
Deputy Assistant Attorney General  
J. CHRISTOPHER KOHN  
Director

/s/ Robert E. Kirschman  
ROBERT E. KIRSCHMAN, JR.  
Deputy Director  
(D.C. Bar No. 406635)  
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CERTIFICATE OF SERVICE

I hereby certify that, on June 27, 2008 the foregoing *Notice of Filing of May 2008 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  
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/s/ Kevin P. Kingston  
Kevin P. Kingston

**ACTIVITY REPORT**  
**OFFICE OF TRUST RECORDS**  
May 1 - 31, 2008

**PROGRAMMATIC:**

- Labat-Anderson (Labat Indexing Project)

Labat reported that indexing of 1,800 boxes of inactive Indian records was completed in May 2008. The total number of boxes completed through May 2008 is approximately 174,740.

- Movement of Records

The Bureau of Indian Affairs (BIA) and Office of the Special Trustee (OST) moved 1,161 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 May, OTRA performed 2 records assessments at OST, Office of Appraisal Services, Alaska Region and Anadarko OST IIM field office and 1 records assessment at Anadarko Agency BIA office. OTRA also performed 14 follow-up records assessments, one each at the following locations: Pacific Region BIA office, Pacific Region OST IIM field office, West Central Alaska Agency BIA office, Alaska Region BIA office, Alaska Region OST IIM field office, Central California Agency BIA office, Central California Agency OST IIM field office, Northern California Agency BIA office, Northern California Agency OST IIM field office, Fairbanks Agency BIA office, Palm Springs Agency BIA office, Palm Springs OST IIM field office, Southern California Agency BIA office, and Southern California OST IIM field office. OTRA issued 1 records assessment report for Southern Ute Agency OST IIM field office. OTRA also issued 10 follow-up records assessment reports, one each at the following locations: Anadarko Agency BIA office, Anadarko Agency OST IIM field office, Southern Plains Region OST IIM field office, Ute Mountain Ute Agency BIA office, Jicarilla Agency BIA office, Central California OST IIM field office, Northern California OST IIM field office, Palm Springs Agency OST IIM field office, Southern California Agency OST IIM field office, and Pacific Region OST IIM field office.

The following corrections are made to the March 2008 and April 2008 Site Assessments Statement: During the month of March, OTRA performed 2 records management assessment exams at the request of BIA's Western Region Director

for the region's Environmental & Safety Management and Environmental Quality programs. The April 2008 report erroneously stated that OTRA performed a follow-up records assessment at Southern Ute OST IIM field office. This assessment was conducted as a new assessment and was not a follow-up assessment. The April 2008 report also erroneously listed the OST Office of Appraisal Services, Western Region, as a regular records assessment report. This report should have been listed as a records assessment follow-up report. OTRA also conducted a trust program records assessment at Ute Mountain Ute Agency in April 2009 at the request of the BIA Agency Superintendent.

- Records Training

In May 2008, OTR provided records management training for 54 BIA/OST records contacts and 40 tribal employees. OTR provided training on vital records for 64 BIA/OST employees.

- Equipment

81 pieces of fireproof filing equipment were delivered to BIA/OST and Tribal offices in May 2008.

- Notice of Destruction of Records

It was reported to OTR in late April 2008 that 4 cubic feet of records consisting of IRMS 1992 Status Reports on Allotment or Tracts and Individual Ownership (greenbars) at the BIA Colorado River Agency were shredded under the mistaken assumption that the green bars were copies or "obsolete or duplicate documents" that could be destroyed. OTR concluded its investigation of the matter in May 2008 and confirmed that records were shredded at the agency. All title transactions recorded in the year 1992 should currently be available in TAAMS. OTR has again impressed upon agency staff that no records can be destroyed.

- 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 on behalf of various Tribes. AIRR staff provided responses to 153 research requests from BIA, OST and other requesters. With the filing of numerous tribal trust litigation cases, litigation-related information and document requests pertaining to records at the AIRR continue to increase. Many of these requests have very short deadlines.

**ADMINISTRATIVE:** General administrative activities continued.

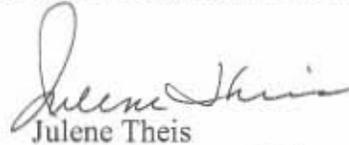
**GENERAL OBSERVATIONS:** None.

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. Abeja

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.



Julene Theis  
Acting Director, Office of Trust Review and  
Audit