

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 JUNE 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 June 2006. A copy of the report is attached hereto.

Dated: July 14, 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.
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) 616-0238
Fax (202) 514-9163

CERTIFICATE OF SERVICE

I hereby certify that, on July 14, 2006 the foregoing *Notice of Filing of June 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**

June 1 - 30, 2006

PROGRAMMATIC:

- Labat-Anderson (Labat Indexing Project)

Labat reported that 1,628 boxes of inactive Indian records were completed in June 2006. The total number of boxes completed through June 2006 is approximately 143,080.

- Movement of Records

The Bureau of Indian Affairs (BIA) and Office of the Special Trustee (OST) moved 2,622 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 the National Archives and Records Administration (NARA) for remediation in June 2005. NARA completed remediation of the original boxes in April 2006 except for materials in six boxes 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 had mold and the files are stuck together; one box of green bar printouts from 1989 oil and gas royalty disbursements that have holes in the printout caused by insects; and three boxes that have extensive water damage and the contents are stuck together. NARA recommended that the documents should not be separated or further damage will result.

The Office of Trust Records (OTR) contracted with a paper conservator to further assess the damaged materials to determine if additional remedial action can or should be taken with the boxes NARA could not repair. The conservator's opinion is that much of the information can be salvaged by either physical stabilization or recovery of the information through reproduction techniques. OTR plans to contract for conservator services in the next reporting period.

- Records Retention Schedules

The electronic records schedule for the BIA Geographic Information System (GIS) was resubmitted to NARA during this month.

- Site Assessment Statement

During the month of June, OTRA issued final records assessment reports for Lower Brule Agency BIA and IIM offices, Cheyenne River Agency IIM office, Alaska Region BIA office and West-Central Alaska Agency BIA office. OTRA performed record assessments for Fort Peck Agency BIA and IIM offices, Fort Belknap Agency BIA and IIM offices, Crow Agency BIA and IIM offices, Northern Cheyenne Agency BIA and IIM offices, and Eastern Nevada Agency BIA and IIM offices.

- Records Training

OTR provided records management training for 27 BIA records contacts in June 2006.

- Equipment

90 pieces of fireproof filing equipment were delivered to BIA, 42 pieces to OST and 51 pieces to tribal offices in June 2006.

- 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 12th 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, and to researchers from the Shoshone-Bannock Tribes of Ft. Hall. AIRR staff provided responses to 473 research requests from BIA, OST and other litigation requests.

- Records Management Policies and Procedures

It was reported to OTR that the BIA Crow Agency, Forestry Department, was vandalized on or about June 7, 2006. Agency personnel reported a laptop and USB memory drive are missing. The laptop contains duplicate information regarding forest plot reports which include tree heights, diameter, number of trees per plot, regeneration information, fuels data, canopy cover, pictures of plots with general east/west directions, and road to center plot. It also contains information on the last 30 years of forest inventories (completed in 10-year increments). BIA Crow Agency reported there was no ownership data on the laptop or memory drive. The incident, and the loss, was reported to BIA Law Enforcement Service.

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
Director, Office of Trust Review and
Audit