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U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AUG 11 PM 8:21

NANCY H.
MAYER-WHITTINGTON
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ELOUISE PEPION COBELL, et al.,)
)
Plaintiffs,)
)
v.)
)
GALE A. NORTON, Secretary of the)
Interior, et al.,)
)
Defendants.)
_____)

Case No. 1:96CV01285
(Judge Lamberth)

**INTERIOR DEFENDANTS' SUBMISSIONS IN COMPLIANCE
WITH PRELIMINARY INJUNCTION**

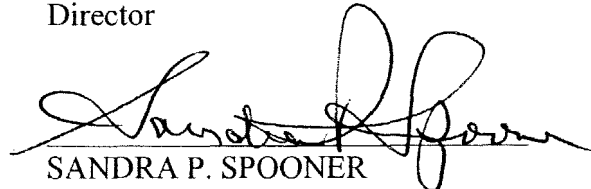
By order dated July 28, 2003, the Court ordered the Department of Interior immediately to disconnect from the Internet all of its information technology systems, except for (1) systems whose continued connection to the Internet are certified to be necessary to protect against fires and other threats to life or property, and (2) systems that the Special Master has previously authorized to be reconnected to the Internet, if the Department of Interior further certifies that those systems are either secure or do not house or access "individual Indian trust data," as defined by the preliminary injunction.

In compliance with the Court's order, the Department of Interior submits the attached certifications. This compliance should not be understood to reflect agreement with the Court's reasoning. As we explained in opposing entry of the preliminary injunction, the record contains no evidence that could warrant entry of any injunction, much less an order requiring the Department of the Interior to disconnect from the Internet. The Court does not have a general power to supervise the security of the Interior Department's information technology systems. To the extent that the Court has any authority in this area, its review is limited to determining

whether the Department's security measures are "so defective that they would necessarily delay rather than accelerate the ultimate provision of an adequate accounting." Cobell v. Norton, 240 F.3d 1081, 1110 (D.C. Cir. 2001). The government thus reserves the right to challenge the Court's preliminary injunction ruling on appeal.

Respectfully submitted,

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Dated: August 11, 2003

CERTIFICATE OF SERVICE

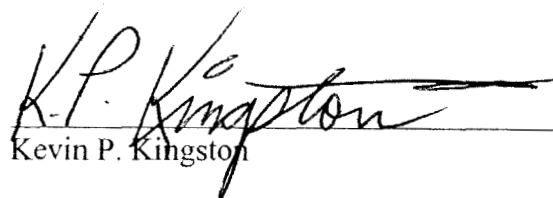
I declare under penalty of perjury that, on August 11, 2003 I served the foregoing *Interior Defendants' Submissions in Compliance with the Preliminary Injunction* by Prepaid First Class Mail upon:

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