## 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.	) )

No. 1:96CV01285 (Judge Lamberth)

## DEFENDANTS' AMENDED NOTICE REGARDING RESTORATION OF BLM'S NATIONAL TRUST SYSTEMS TO THE INTERNAL NETWORK FOR OPERATIONAL USE

On June 2, 2006, Defendants filed "Defendants' Notice To The Court Of Restoration Of BLM's National Trust Systems To The Internal Network For Operational Use." (Dkt. No. 3247) In that notice, Defendants reported erroneously that BLM restored its National Trust Systems to BLM's internal network for operational use on June 2, 2006. Subsequent to our filing this notice, we learned that, in fact, those Trust Systems were not restored to BLM's internal network for operational use on the systems was reconnected for certain testing activities. This amended notice is intended to clarify and correct the Notice filed on June 2, 2006.

Defendants now understand that the Alaska Land Information System ("ALIS") was not reconnected to BLM's internal network for any purpose on or after June 2, 2006. The Indian Automated Fluid Minerals Support System ("IAFMSS") was not reconnected to the BLM network for operational use, but was connected to the BLM internal network on the afternoon of June 2, 2006, to begin the initial stages of activation testing. IAFMSS was disabled from tester access on the morning of June 5, 2006, as the initial step for physical disconnection from the BLM internal network. A system administrator began standard backup procedures, upon the conclusion of which IAFMSS was physically disconnected from BLM's internal network on June 6, 2006, at 11:33 a.m., MDT. Since then, IAFMSS has remained physically disconnected from BLM's internal network.

Pursuant to conversations with Plaintiffs' counsel on June 7, 2006, Defendants have agreed to provide notice to Plaintiffs' counsel with notice of at least 48 hours before either IAFMSS or ALIS is connected to BLM's internal network.

Dated: June 9, 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 **GLENN D. GILLETT** Trial Attorney JOHN WARSHAWSKY (D.C. Bar No. 417170) Trial Attorney **Commercial Litigation Branch Civil Division** P.O. Box 875 Ben Franklin Station Washington, D.C. 20044-0875 Telephone: (202) 616-0328 Facsimile: (202) 514-7162

## CERTIFICATE OF SERVICE

I hereby certify that, on June 9, 2006 the foregoing *Defendants' Amended Notice Regarding Restoration of BLM's National Trust Systems to the Internal Network for Operational Use* 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