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Congress of the United States

House of Representatives

BARBARA CUBIN

WYOMING—AT LARGE

March 24, 2004

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The Honorable Royce C. Lamberth
District Judge
U.S. District Court for the District of Columbia
333 Constitution Ave., NW
Washington, DC 20001

Dear Judge Lamberth,

I write to express my deep concerns about the Preliminary Injunction dated March 15, 2004 requiring most of the U.S. Department of the Interior organizations to disconnect from the Internet and to shutdown automated systems that have Internet connectivity. This order will have a horrendous impact upon the people and tribes of Wyoming and I ask that you stay the order immediately.

As you know, the preliminary injunction forced the Minerals Management Service (MMS) to shutdown the financial system that it uses to receive, process and distribute mineral revenues. The state of Wyoming relies heavily upon these mineral revenues to keep our teachers paid, our roads in shape and police on our streets.

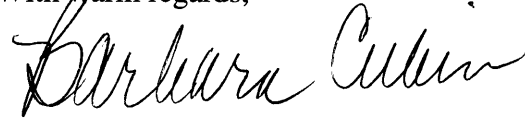
The state of Wyoming typically receives well over one million dollars a day in these revenues. The Eastern Shoshone and Northern Arapaho tribes of the Wind River Reservation in Wyoming also rely heavily on these revenues as the primary funding for their tribal council. Your order has put the prompt payment of these revenues in jeopardy, with no end in sight. We all agree that the issue of Trust Reform must be solved in a fair and equitable manner, but holding the revenue owed to the people and tribes of Wyoming hostage is unconscionable and punishes them for problems they had no part in creating.

In your opinion you state, "While Interior will no doubt continue to suffer *some hardship* and inconvenience as a result of having systems disconnected from the Internet, *such hardship is outweighed by the potential alteration or destruction of IIM trust data* by unauthorized access through the Internet" (Emphasis added). The opinion goes on to state, "the Court finds that preliminary injunctive relief would advance the interests of the public. The interest of the three hundred thousand plus current beneficiaries of the individual Indian trust outweigh the *potential inconvenience* of those parties that would otherwise have access to Interior's Internet services" (Emphasis added).

I am here to tell you that the 493,782 people of Wyoming and the 21,000 plus members of the Eastern Shoshone and Northern Arapaho would disagree that the obstruction of the mineral revenues owed to them under current law is in the public interest and that it will have a highly damaging effect upon their governments. What you call a "potential inconvenience" I call a travesty and an immense harm to my constituents who had no role in making the current difficulties in Indian Trust Reform.

A small, rural state like Wyoming and its tribes cannot afford to lose the mineral revenues due under law. Therefore I respectfully ask you to withdraw your preliminary injunction immediately so that no further harm will come to my constituents.

With warm regards,

A handwritten signature in black ink that reads "Barbara Cubin". The signature is written in a cursive, flowing style.

Barbara Cubin
Member of Congress

cc: Governor Dave Freudenthal
Secretary Gale Norton