

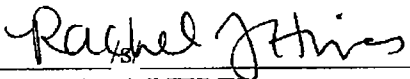
Congress aware--through the annual budget justification documents that are a part of the President's budget requests to Congress and a shortfall-type report submitted to Congress in May 1997--that the appropriations for CSC have been insufficient to fully fund all of the tribal contractors' contract support costs. This is more fully explained at Tab A.

Defendants included the statement in footnote 24 to support a third, alternative argument for dismissal of any claim by Plaintiffs that the Secretary had a duty, fiduciary or otherwise, to request a set amount of funds from Congress and that this alleged duty was breached. Defendants' primary arguments in support of dismissal of this claim--and the arguments relied upon by the Court in dismissing these claims--were that the plaintiffs lacked standing to bring such a claim and that neither the ISDA nor any other governing document created such a duty.

Respectfully submitted,

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Dated: February 3, 2004

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2004, I sent, via first class mail, a copy of the foregoing Notice of Clarification, with attachment, addressed to:

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