

CALIFORNIA VALLEY MIWOK TRIBE

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Transmitted Via Fax

March 1, 2005

Mr. Dale Morris
Superintendent
Central California Agency
650 Capital Mall
Suite 8-500
Sacramento, CA 95814

Re: California Valley Miwok Tribe

Dear Superintendent:

Chairperson Burley informed me of her conversation with you yesterday that you would be meeting with Mr. Dale Risling and Mr. Ray Fry soon to discuss the California Valley Miwok Tribe. In that regard, she wanted me to provide you with some of the documentation to better discuss the Tribe's situation with those gentlemen.

document { Hopefully, you have received the request for information from the attorney who is handling our enrollment matters. The first letter we would like for you to look at is a letter that came from our Enrollment Committee President to Mr. Clay Gregory dated June 28, 2004. (Attachment 1) This letter requested the BIA's assistance in identifying individuals who wished to enroll in the Tribe. A copy was sent to Mr. Risling and to date, the Tribe has not received any response to that letter.

The second letter was from the Tribe's former attorney, Mr. David Rapport, dated January 25, 2001. (Attachment 2) In that letter, Mr. Rapport informed Mr. Risling that the Tribe's request for a Secretarial Election under IRA had been pending since March 6, 2000, despite the fact that IRA required the BIA to take action within 180 days. Mr. Rapport in his letter specifically requested that the BIA move forward on the election.

Despite this letter and the law, no election had been granted by June 2001, so the Tribe forwarded a Petition to Withdraw its request for a Secretarial Election. (Attachment 3) The BIA Central California Agency office maintained that the Tribe had to have a Secretarial Election and promised a legal opinion to the Tribe in April 2002 on the topic. (Attachment 4) Unfortunately, a Solicitor's Opinion on this topic was never provided to the Tribe. However, during the

discovery phase of our legal action against the Federal government on the land and termination issue, in or around February 2004, the Assistant United States Attorney informed the Tribe that the Government would not require the Tribe to conduct a Secretarial Election.

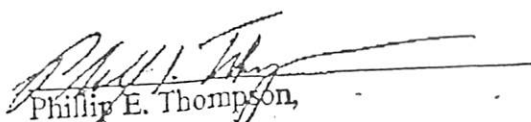
Once the Tribe found out a Secretarial Election would not be required, the Tribe then complied with the direction provided by Mr. Fry during his sworn testimony at his Deposition in February 2004, and forwarded our Constitution to the BIA for record keeping purposes. We also started the process of identifying potential tribal members that included our letter in June 2004. As stated above, the BIA has provided no assistance to the Tribe in identifying potential members to the Tribe.

We have complete documentation to support all of these facts, plus the sworn testimony of Mr. Risling and Mr. Fry that supports our position that Ms. Silvia Burley is the Chairperson of the Tribe and that the Tribe has followed the BIA's direction in organizing the Tribe. We have a document from Mr. Risling where he designed the current membership of the Tribe as those persons who had the authority to organize the Tribe. (Attachment 5) We gave the BIA an opportunity to conduct a Secretarial Election and they violated the law by not conducting that election in 180 days.

The Tribe looks forward to providing you further information as to the history of this Tribe and its relationship with the BIA Central California Agency office. We hope that this matter can be solved at your level and that the BIA provide full recognition to Ms. Burley and the Tribal Council as it did in July 2000 (See Attachment 6).

If you have any questions or require any additional information, please do not hesitate to contact the Tribe.

Sincerely,


Phillip E. Thompson,
General Counsel
California Valley Miwok Tribe

Cc: Chairperson Burley
Tribal Council
Colleen Petty
George Steele, Esq.

WILSON CLERK

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