

CALIFORNIA VALLEY MIWOK TRIBE

10601 Escondido Pl., Stockton CA 95212 Bus: (209) 931-4567 Fax: (209) 931-4333

<http://www.californiavalleymiwoktribe-nsn.gov>

Transmitted Via Fax and Express Mail (Certified Return Receipt)

November 7, 2006

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

Re: California Valley Miwok Tribe

Dear Superintendent Burdick:

The California Valley Miwok Tribe ("Tribe") is in receipt of your letter dated November 6, 2006. This letter states that your office intends to post a notice of general council meeting within the Miwok "region". Your letter does not define any specific Miwok region which is among the many other decencies. On behalf of the legitimate members of the Tribe, we object to this gross intrusion into internal tribal government matters.

Despite years and countless documents indicating our government-to-government relationship, you intend to simply create a new tribal government without regard to current law or our numerous requests for information regarding legitimate current pending applications and inquiries into membership into the Tribe. Rather your office intends to allow a group of non-Indians, criminals and other undesirables to undermine what would otherwise be a legitimate tribal government without your gross interference.

We have grave fundamental issues with the position that your office has taken. As such, this letter shall serve as a formal request pursuant to the requirements of the Freedom of Information Act 5 U.S.C. §§ 552 *et seq.* (FOIA) to all BIA records, documents, letters, memorandum relating to any organization efforts, including organization meetings, the BIA Central California Agency Office (CCA) has conducted over the last twenty years. We are also requesting all letters the CCA has sent to individuals relating to the CCA's authority regarding membership in a Native American Tribe in the last ten years pursuant to the requirements of FOIA. This information will allow the Tribe to fully understand the scope of your letter and its intentions.

In addition, the process outlined in your letter is in direct conflict and is inconsistent with the pending mediation in the U.S. Court of Appeals for the District of Columbia which squarely addresses this subject matter.

Finally, on or about October 16, 2006, the Tribe forwarded a letter to Mr. Mike Olsen. (Attachment 1) In this letter, the Tribe set out its specific requirements for participating in any process relating to organization and membership to this Tribe. It is our understanding that we are going to receive a response to this letter. Please advise if a response is still pending.

If you have any questions, please do not hesitate to contact us.

Sincerely,



Silvia Burley
Chairperson
California Valley Miwok Tribe

Enc (1)

Cc: Tribal Council
Mike Olsen
✓ Clay Gregory
Phillip E. Thompson
Senator John McCain

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Transmitted Via First Class Mail

October 16, 2006

Mr. Michael Olsen
Assistant Secretary
U.S. Bureau of Indian Affairs
1849 C Street, NW
Washington, DC 20240

Re: California Valley Miwok Tribe

Dear Assistant Secretary Olsen:

I am writing to you on behalf of the California Valley Miwok Tribe (Tribe). The Tribe appreciates you meeting with Mr. Mark R. Smith and our attorneys. We understood that some progress was made at the meeting with regard to the California Valley Miwok Tribe and the Bureau of Indian Affairs' position regarding our Tribe. I greatly appreciate your willingness to find common ground on the issues under discussion. I am certain that we can work together to clarify and resolve all outstanding considerations.

Based on our mutual understanding of the issues previously discussed, we are providing the following items in order to move this process forward in a timely manner.

1. A clear affirmation from the BIA that they recognize Silvia Burley as the Chairperson, or Acting-Chairperson within the Tribe with whom the BIA conducts its government-to-government relationship.
2. The Processing of the Public Law 638 Contract application which was forwarded by Silvia Burley, Chairperson, on-behalf of the Tribe.
3. The Tribe has previously requested to be taken out of the jurisdiction of the Central California Agency and is again requesting to be removed from the jurisdiction of CCA. The Redding BIA Agency is a three (3) hour drive from Stockton, therefore, the Tribe is requesting the designation of Virgil Atkins, Superintendent of the Northern California Agency Office/BIA as the person with whom the Tribe will work with on future tribal enrollment and organization issues.

If you are unable to grant this request, then the Tribe is asking to work directly with someone from the Department of the Interior/Bureau of Indian Affairs in Washington D.C. that has had no previous involvement with the California Valley Miwok Tribe and is an independent arbiter.

The Tribe through my leadership is prepared to move forward immediately. We understand that Another meeting may be scheduled within the next two weeks. We look forward to working with the BIA to resolve the BIA concerns.

If you have any questions, please do not hesitate to contact me at 209 931 4197 or Mr. Smith at 202 293 3144.

Sincerely,



Silvia Burley, Chairperson
California Valley Miwok Tribe

Cc: ✓ Tribal Council
Phillip E. Thompson
Karla Bell
Mark R. Smith
Mike Smith