

INTERIOR BOARD OF INDIAN APPEALS

CALIFORNIA VALLEY MIWOK TRIBE,

Plaintiff,

BUREAU OF INDIAN AFFAIRS,

Defendant.

Case No. _____

NOTICE OF APPEAL

The California Valley Miwok Tribe (the "Tribe") hereby provides notice of its intent to appeal the letter decision of the United States Bureau of Indian Affairs, Central California Agency ("BIA") dated December 14, 2007. That letter decision purports to reject the Tribe's renewal application for its annual PL-93-638 self-determination contract. Pursuant to 25 C.F.R. §900.150 *et seq.*, the Tribe requests a briefing schedule and a formal hearing.

INTRODUCTION

As early as January 1, 2002, the Tribe began entering into annual self-determination agreements with the BIA pursuant to PL-93-638 and the associated regulations. On October 1, 2007, the Tribe submitted its annual renewal application for 2008. See Application; Ex. "1."

In an abrupt change of its course of dealings with the Tribe, the BIA did not approve the Tribe's annual renewal application for 2008. On December 14, 2007, Troy Burdick, Superintendent of the Central California Agency of the BIA, informed the Tribe via letter that its annual contract would not be renewed (the "December 2007 Letter") (attached as Ex. "2"). According to the December 2007 Letter, the BIA no longer recognizes the Tribe as having a recognized governing body, and therefore, the BIA rejected the renewal application. The December 2007 letter clearly declines to award the Tribe a self-determination contract, triggering the appeal procedures of 25 C.F.R. §900.150, *et seq.* See, 25 C.F.R. §900.150(a).