United States Department of the Interior

OFFICE OF THE SOLICITOR
1849 C STREET N.W.
WASHINGTON, DC 20240

In reply, please address to:
Main Interior, Room 6456

Mr. Gary Qualset
Deputy Director for Licensing & Compliance
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 200
Sacramento, CA

May 20, 2004

Re: California Valley Miwok Tribe

Dear Mr. Gary Qualset:

The purpose of this letter is to confirm to you that the Department of the Interior does have pending before it an appeal from Yakima Dixie contesting the Department's recognition of Silvia Burley as the spokesperson of the California Valley Miwok Tribe. In addition, the Department is a defendant in litigation in the United States District Court for the Eastern District of California brought by the California Valley Miwok Tribe under the apparent direction of Ms. Burley. In that litigation, Brian Golding, the Tribal Operations Specialist for both the Central California Agency of the Bureau of Indian Affairs (BIA) and for the Pacific Region of the BIA recently described Ms. Burley's status as follows:

> 9. At the present time, the Bureau of Indian Affairs acknowledges Silvia Burley as the authorized representative of the California Valley Miwok Tribe with whom government-to-government business is conducted. However, the BIA does not view the Tribe to be an organized tribe and, therefore declines to recognize Ms. Burley as a "tribal chairperson" in the traditional sense as one who exercises authority over an organized Indian tribe.

Declaration of Brian Golding, at 4, ¶ 9. A copy of Mr. Golding's declaration is enclosed for your convenience.

The status of the California Valley Miwok Tribe as an unorganized tribe lacking a sufficiently defined governmental structure and membership is described in more detail in other paragraphs of Mr. Golding's declaration and the March 26, 2004, letter to Ms. Burley from the Superintendent of the Central California Agency, a copy of which was attached to Mr. Golding's declaration as Exhibit "b," and a copy of which is enclosed for your ready reference.

We will be glad to try to keep you informed of the status of the litigation and the dispute over the organization and leadership of the California Valley Miwok Tribe. In the meantime, if you have

Declaration S. KEEP
Exhibit 1

any questions or if we can be of any assistance in the future in some other matter, please don't hesitate to call on us.

Sincerely,

Scott Keep
Assistant Solicitor
Branch of Tribal Government and Alaska
Division of Indian Affairs

Enclosures

cc: John W. Spittler, Esq.
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 200
Sacramento, CA

Thomas Wolfrum, Esq.
1460 Maria Lane, Suite 340
Walnut Creek, CA 94596

Debora G. Luther, Esq.
Assistant United States Attorney
United States Attorney's Office
Eastern District of California
501 I Street, Suite 10-100
Sacramento, CA 95814

Phillip E. Thompson, Esq.
Thompson Associates
9450 Pennsylvania Avenue
Suite 4
Upper Marlboro, MD 20772

Brian Golding
Tribal Operations Specialist
Pacific Regional Office
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825