

West Bank Homeowners Association

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October 17, 2017

The Honorable Dianne Feinstein
United States Senator
331 Hart Senate Office Building
Washington, D.C. 20510

RE: Colorado River Indian Reservation
Disputed Western Boundary
BIA Threatens to Take Homes

Dear Senator Feinstein:

Further to our letters of October 25, 2014, and May 19, 2011 (attached), we wish to augment our previous requests for a legislative solution with a request for immediate assistance with the U.S. Bureau of Indian Affairs (BIA). Due to the recent U.S. Supreme Court denial of certiorari in *French v. Starr*, the residents of the disputed area are at extreme risk of having their homes confiscated by the BIA as threatened via administrative decisions from their Western Regional Office (copy attached). As we noted in our previous correspondence, the Colorado River Indian Tribes (CRIT) attempt to establish jurisdiction within the disputed area was challenged by the State of California in this case (*Amicus* brief enclosed). The federal courts affirmed California's position that the reservation boundary was still in dispute, but refused to consider the Congressional statute, Public Law 88-302, that denies tribal jurisdiction.

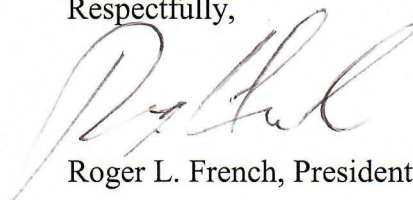
Please note that we attempted to appeal the BIA's 34 decisions against the residents via the Interior Board of Indian Appeals (IBIA) (enclosed). But the IBIA dismissed our appeal on March 24, 2017, claiming that the appeal was not timely filed in spite of evidence to the contrary. However, this technical dismissal was moot because the IBIA previously dismissed a similar appeal in 1997 claiming that it "lacks jurisdiction to review an order by the Secretary of the Interior", referring to the 1969 Secretarial Order that California argued "Did Not, and Does Not Resolve the Dispute Over the Reservation Boundary".

Presented within the filings to the IBIA, included within *French v. Starr*, and as noted within California's *amicus*, "In Public Law 88-302, Congress expressly excluded the disputed area from the Secretary of the Interior's leasing authority". This simple fact defeats any notion of CRIT or the BIA having any legal authority over non tribal residents within the disputed area.

As described in the Petition for a Writ of Certiorari before the U.S. Supreme Court (enclosed), residents are fearful of accelerated CRIT hostility as demonstrated in the past with burning down homes, destruction and theft of private property, use of bodily force by CRIT police, and threats of legal damages imposed by CRIT's tribal courts as occurred in the case cited here.

The West Bank Homeowners Association representing the residents of the disputed area, humbly requests your assistance in helping us prevent the BIA from taking our homes without due process in accordance with the Fifth Amendment of the U.S. Constitution. Please let us know what we can do to further this request. Your assistance is greatly appreciated.

Respectfully,



Roger L. French, President

cc: Governor Jerry Brown c/o Joe Dhillon