

# West Bank Homeowners Association

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October 13, 2017

The Honorable Kamala Harris  
United States Senator  
50 United Nations Plaza, Room 5584  
San Francisco, CA 94102

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

Dear Senator Harris:

Further to our letter of June 7, 2017 (attached), we wish to now augment our previous request 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 you are aware of the Colorado River Indian Tribes (CRIT) attempt to establish jurisdiction within the disputed area as addressed within California's *amicus* brief filed in this case at your direction, you may be our only hope of preserving our homes and preventing an act of tyranny by the federal government's Indian agency. (California's *amicus* brief enclosed).

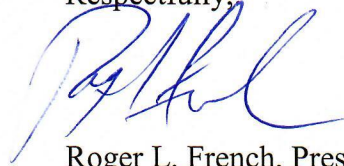
Please note that we attempted to appeal the BIA's 34 decisions against the residents via the Interior Board of Indian Appeals (IBIA) (enclosed). But the IBIA dismissed our appeal on March 24, 2017, claiming that the appeal was not timely filed in spite of evidence to the contrary. However, this technical 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 members 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 takings clause of 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: Jim Cason, Associate Deputy Secretary, DOI