



NOOKSACK INDIAN TRIBE

5016 Deming Road • P.O. Box 157 • Deming, WA 98244
Administration: (360)592-5176 • Fax: (360) 592-2125

NEWS RELEASE

FEDERAL COURT VINDICATES NOOKSACK TRIBAL COUNCIL IN DISENROLLMENTS

Deming, WA – May 26, 2021 -- Chairman Ross Cline, Sr., announced that on May 4, the federal Ninth Circuit Court of Appeals affirmed the dismissal of a lawsuit challenging the disenrollment of former tribal members who had been fraudulently enrolled years before. Those former members claimed that the Nooksack Tribal Council and tribal officials had attempted to deprive them of their property by illegally disenrolling them even though none of them could provide proof that they were eligible for enrollment in the first place.

The trial court dismissed their claims, holding that the Tribe and tribal officials were entitled to sovereign immunity. The federal appeals court agreed, saying "...the Nooksack Indian Tribe has a full tribal government that has been recognized by the [Department of Interior]." It also said that "tribal enrollment decisions are generally beyond the power of federal courts to review." It therefore dismissed the case, and that dismissal is now a final judgment.

Chairman Cline noted that this resolves any remaining legal issues from the years-old dispute over the disenrollment. The Chairman praised the decision, saying, "the right of a tribe to decide its own membership is the single most important aspect of tribal sovereignty, and it is gratifying that our federal trustee acknowledges that fact. Now that the federal courts agree that membership questions belong to the Tribe alone, the Tribal Council and I are hopeful that we can concentrate on the welfare of the Nooksack people instead of wasting valuable tribal resources on frivolous litigation."

The Chairman also observed that now that legal disputes over disenrollment have been decided in the Tribe's favor, the Tribal Council is free to devote increased resources on several pending economic development projects, on protection of the Nooksack River and on salmon habitat, and on increased social services for tribal members. "This decision frees us up to do the important work for our people," said Chairman Cline. "At last, we can get to work without distraction."

Please feel free to contact the Nooksack Indian Tribe Chief of Staff, Ms. Charity Allen, at (360)319-7503 or Allen@nooksack-nsn.gov if you have any questions or require further information of the Tribe's position. Thank you for your consideration.