



Nooksack Indian Tribe

February 4, 2022

To: United Nations Human Rights Office of the High Commissioner

Dear High Commissioner Michelle Bachelet Jeria;

I write on behalf of the Nooksack Indian Tribe and our over 2,000 members to demand an immediate retraction of your press release dated February 3, 2022 and concerning the Nooksack Tribe.

The Nooksack Indian Tribe are a federally recognized Tribe, a party to the Point Elliott Treaty of 1855, and today are based in their ancestral homeland of Whatcom County. They are Coast Salish people who lived, fished, hunted, and gathered for untold generations in their historic traditional lands from the base of Mt. Baker to the saltwater at Bellingham Bay. They extended into Skagit County to the south, and British Columbia to the north. Their territory included a primary Nooksack area, not open to free use by members of other groups, and joint-use areas, which were shared. Today there are approximately 2,000 enrolled Tribal members and the Nooksack reservation is at the town of Deming with Tribal land extending from Lynden to the South Fork Valley.


We ask that you immediately retract your statement. It is false and references an investigation which never took place. Mr. Balakrishnan Rajagopal or Mr. Francisco Cali Tzay failed to contact us or to learn the facts of the case. They appear to have communicated solely with a Seattle attorney who uses this issue to garner free press for his private business. Rather than investigate, Mr. Rajagopal and Mr. Tzay produced a press release riddled with misinformation provided to them by the attorney. Here are the facts:

- The people in question are not indigenous. That is why they are not Nooksack citizens and why they are not eligible for low-income housing at Nooksack.
- Contrary to the UN statement, none of them were “acquiring ownership” in the houses; they were all rental tenants with leases (see Bryan Mercier’s letter), so that was a blatant lie.
- This dispute began in 2015, so they have had notice for more than 7 years to move out.
- The Tribe’s court did not block the evictions, contrary to the UN statement, so that is flatly wrong. In addition, federal and state courts both have said that the Tribe can proceed with evictions.

- Asking the US government to intervene impairs tribal sovereignty (not to mention violates federal law), which is something that those we purport to advocate for indigenous peoples ought to defend rather than attack.

Attached is a letter from Bryan Mercier, Regional Director, Northwest Region, the United States Department of the Interior, Bureau of Indian Affairs with the results of their investigation. The Nooksack Indian Tribe welcomed the investigation.

Sincerely,

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Ross Cline, Sr
Nooksack Indian Tribe Chairman

cc: **Michelle Bachelet Jeria**
Mr Balakrishnan Rajagopal
Mr. Franciso Cali Tzay
Ms Mariya Stoyanova-Bahchevanova