



U.S. Department of Housing and Urban Development
Northwest Office of Native American Programs
Federal Office Building
909 First Avenue, Suite 300, OAPI
Seattle, WA 98104-1000

February 14, 2022

The Honorable Roswell Cline, Sr.
Tribal Chairman
Nooksack Indian Tribe
PO Box 157
Deming, WA 98244-0157

SENT VIA ELECTRONIC MAIL

Dear Chairman Cline:

Subject: Nooksack Pending Evictions

On December 17, 2021, the Northwest Office of Native American Programs (NwONAP) of the Department of Housing and Urban Development (HUD) sent you a letter advising you to delay any pending or planned evictions until the Department of the Interior (DOI) completed its investigation into alleged Indian Civil Rights Act (ICRA) violations. Part of that DOI investigation included a review of whether the evictions are being carried out in accordance with the terms of the rental agreements and Nooksack Indian Housing Authority (NIHA) procedures.

On February 3, 2022, NwONAP received correspondence from DOI which provided the results of its review of the alleged ICRA violations. DOI's limited review concluded that the Nooksack Tribe's eviction process has thus far been carried out in accordance with the terms of the rental agreements and NIHA procedures. DOI's review pertained only to nine specific individuals residing within the Tribe's rental units.¹

In response to additional complaints NwONAP received from individuals facing eviction, NwONAP also performed a limited review of available documents to determine if there was any indication of potential non-compliance with the Native American Housing Assistance and Self-Determination Act and its implementing regulations at 24 CFR Part 1000. NwONAP's review did not disclose any specific instances of statutory or regulatory non-compliance by the Nooksack Tribe in relation to the actions the Tribe has taken toward these nine individuals facing evictions.

Based on DOI's findings and NwONAP's limited review, NwONAP has concluded that the actions taken by the Tribe to date to evict the nine individuals have not violated HUD programmatic requirements. However, this conclusion is again limited to the nine individuals and does not preclude HUD from initiating future monitoring efforts, including with respect to any potential planned evictions of additional families.

¹ Norma Aldredge, Cathalina Barril, Saturnino Javier, Alexander Nicol-Mills, Olive Oshiro, Francisca Rabang, Francisco Rabang, Michael Rabang, and Michelle Roberts

NwONAP appreciates the Tribe's cooperation in delaying the eviction actions until DOI could complete its review and issue its determination. This has been a difficult and contentious situation for all involved.

NwONAP echoes the recent statement made by DOI asking the Tribe to stop these planned evictions. We respect and commit to upholding Tribal sovereignty. These evictions will have a substantial impact on the entire community, and even more so to these specific families. This request is with that in mind. It is our hope that the Nooksack Tribe exercises its sovereignty in a manner that treats its community members with dignity and respect.

If these evictions are executed and families need assistance, we respectfully request that the Tribe refer impacted families directly to our office. HUD can provide them with information on resources that may be available.

If you have any questions or comments, please contact me via email at tom.carney@hud.gov, or by phone at (206) 220-6204.

Sincerely,

A handwritten signature in blue ink that reads "Thomas H. Carney".

Thomas H. Carney
Administrator

cc: Charles N. Hurt, Jr., Senior Tribal Attorney
Malori Klushkan, Executive Director
Nooksack Indian Housing Authority
Katherine Romero, General Manager