



THE PERMANENT MISSION
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

June 1, 2023

Balakrishnan Rajagopal

The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Geneva, Switzerland

Francisco Cali Tzay

Special Rapporteur on the rights of indigenous peoples

Geneva, Switzerland

Claudia Mahler

Independent Expert on the enjoyment of all human rights by older persons

Geneva, Switzerland

Dear Special Procedures Mandate Holders:

Please find enclosed the U.S. response to your letter AL USA 1/2023 dated March 31, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Billingsley".

Kelly Billingsley

Deputy Permanent Representative

Human Rights

U.S. Response to AL USA 1/2023 Joint Communication on alleged forced evictions of Indigenous Nooksack individuals

Dear Special Procedures Mandate Holders,

Thank you for your letter dated March 31, 2023, raising concerns about the alleged forced evictions by the Nooksack Tribe of individuals who self-identify as Tribal members or Tribal citizens. We are grateful for the work you do across the globe to promote respect for human rights, and for the opportunity to correspond with you.

The United States has a unique, legally affirmed Nation-to-Nation relationship with American Indian and Alaska Native Tribal Nations, which is recognized under the Constitution of the United States, treaties, statutes, Executive Orders, and court decisions. The United States recognizes the right of Tribal governments to self-govern and supports Tribal sovereignty and self-determination.

The U.S. Department of Interior (DOI) takes the situation addressed in your letter seriously. In the case of the first nine individuals facing eviction, DOI has thoroughly reviewed the allegations against the Nooksack Tribe in coordination with the Nooksack Tribal Council for due process violations including any departure from the Tribe's own administrative procedures. At this time, DOI has not found the Tribe to be out of compliance with its own administrative procedures but has urged the Tribe to provide all tenants due process prior to eviction as required under federal and tribal laws.

The U.S. Department of Housing and Urban Development (HUD) has also requested on multiple occasions that Tribal leaders reconsider their planned evictions. In the event the threatened evictions take place, HUD has provided and will continue to provide information regarding housing resources to families so that they are aware of their potential options to keep them stably housed. HUD will also continue to monitor the situation.

The U.S. government continues to urge the Nooksack government to take all reasonable measures to assure that due process of law is maintained, and to provide a reasonable opportunity for families facing potential eviction to find alternative secure housing.