



United States Department of the Interior

Bureau of Indian Affairs

Northwest Regional Office

911 NE 11th Avenue

Portland, Oregon 97232-4169

JAN 11 2018

**In Reply Refer To:
Regional Director**

CERTIFIED MAIL AND EMAIL

Honorable Robert Kelly, Jr.
Nooksack Indian Tribe
Post Office Box 157
Deming, Washington 98244

Dear Chairman Kelly:


On August 25, 2017, a Memorandum of Agreement (MOA) was entered into between the Acting Assistant Secretary – Indian Affairs (AS-IA) and the Nooksack Tribal Chairman. The MOA stated that the Nooksack Election Board would certify the results of the special election and send a report to the BIA Northwest Regional Office demonstrating that the MOA conditions were satisfied. The MOA further states that the Regional Director is responsible for forwarding the report to the AS-IA with either a recommendation for an endorsement or for a withholding of an endorsement.

Please be advised that we are in receipt of the Election Board report dated December 12, 2017 and other associated materials in accordance with the MOA. The BIA Northwest Regional Office is currently reviewing the submitted materials and preparing our recommendation to the AS-IA. Thank you for your submittals.

In an effort to exercise due diligence, we are seeking some additional information on the ballots used in election. We note that the ballots were numbered in sequential order. In reconciling the 2017 General Election voting list, we have identified a series of gaps in the numbering sequence. Specifically, ballots numbered 1535 through 1562, 1603 through 1618, and 1637 through 1720 do not appear to have been mailed out or used as replacement ballots. For clarification, we are seeking information regarding the status of the above mentioned ballots and wish to review them. Additionally, the 2017 General Election voting list includes a ballot number 3196, which is unusual in comparison with the other numbers. We are seeking information regarding the numbering of this ballot, as well.

Ms. Marcella Teters, Puget Sound Agency Superintendent, will be contacting you to schedule a visit within the next two weeks to review the 125 ballots and to discuss ballot number 3196. Please have the above referenced ballots available for her observation during the visit. We appreciate your assistance and cooperation during this review.

If you have further questions, please contact Greg Norton, Tribal Government Specialist, at (503) 231-6723. Ms. Teters can be reached at (425) 258-2651.

Sincerely,

ACTING

Acting Northwest Regional Director

CC: Election Board Superintendent, Nooksack Indian Tribe
Office of the Nooksack Tribal Attorney