

Exhibit B



Nooksack Indian Tribe

September 8, 2017

U.S. Dept. of Interior
Bureau of Indian Affairs
Attn: Regional Director
911 NE 11th Avenue
Portland, OR 97232-4169

RE: Letter of Concern dated, Sept. 7, 2017

Dear Acting Regional Director Shaw:

This letter is in response to your letter dated September 7, 2017, regarding our implementation of the Memorandum of Agreement (MOA) entered between the Acting Assistant Secretary Michael Black and myself, as Chairman of the Nooksack Indian Tribe, on August 25, 2017.

AT the outset, I want to express my profound disappointment in your September 7, letter because it appears to question our good faith in carrying out the terms of the MOA. As such, I feel compelled to respond to ensure you (and others) that the Tribe is proceeding in a manner that is fully consistent with its obligations in the MOA.

First, the signed MOA only makes one reference to Carmen Tageant, which indicated that the Department did not recognize the 2016 recall of Ms. Tageant. The remainder of the MOA is silent as to Ms. Tageant and lacks any requirement that she be "reinstated" within 7 days. Given the Department's continued non-recognition of a Tribal Council, your directive to reinstate Ms. Tageant and ensure her access to Tribal Council meetings is inappropriate. Finally, I note that Ms. Tageant was recalled by all eligible voters of the Nooksack Indian Tribe, including those who were later disenrolled, and no Tribal Council action was taken on her recall after March 2, 2016. To reinstate her at this point would frustrate the will of the voters and would violate Nooksack tribal law.

Second, your request that we provide the "purported disenrollees" public notice of their rights is not supported by the signed MOA. The MOA mandated that the purported disenrollees (unless and until disenrolled in accordance with the MOA) be permitted to vote, run for office, and receive Tribal benefits equally with all other Tribal members. The Department participated in the drafting of the MOA and had the opportunity to insert additional requirements but failed to do so. The MOA lacks any requirement that a notice be published to the purported disenrollees informing them of certain "rights." To the extent a notice was provided specifically to the purported disenrollees, a public notice directed only at purported disenrollees would place the purported disenrollees on an unequal level with all other tribal members, as all other tribal members do not receive such a notice.

Third, you request that no sooner than 7 days following the previous two (2) directives, the Tribe make Candidate Packets available in accordance with its Elections Ordinance. Section B of the signed MOA addressed the Tribe's Special Election and lacked any provision regarding the timing of the release of Candidate Packets, or any prerequisites to the release of the Packets. In fact, the MOA

is silent on the timing of the Special Election other than to require that it be called within 120 days and that it be held in accordance with the Tribe's laws (subject to the MOA's requirements).

Fourth, your request that the Tribe ensure the actual provision of tribal benefits to the purported disenrollees. As mentioned in the second point above, the MOA mandated the Tribe treat the purported disenrollees on an equal basis as other tribal members with regard to the receipt of tribal benefits and certain rights. The Tribe has done so and will continue to do so for the duration of the MOA.

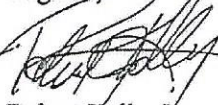
Fifth, we believe that the letter contains a misstatement of fact concerning the Tribe's Notice of Election. On August 30th, the Election Superintendent began the release of the Tribe's Notice of Special Election. A copy of the Notice is attached hereto. As the Notice clearly states, the Candidate Packets will become available on September 7th with a return deadline approximately two weeks later. This is roughly the same period of time allowed in regular elections.

We strive for total transparency with regards to the Special Election and will continue to do so. Advance notice of certain election activities has been given to the Regional and local BIA offices. Further, I enclose a declaration of our Election Superintendent regarding election activities to date. As made clear in the declaration, all eligible voters (per the MOA) were given a Notice of the Election and the Notice was otherwise published in accordance with Tribal law. Should you have any question or concern regarding the activities, please feel free to contact either the Election Superintendent or the Office of Tribal Attorney.

Finally, as made clear in the documentation previously provided to the Regional and local offices, I have made an appointment for the Election Superintendent. The Superintendent's declaration which contains various supporting materials is also attached. The concerns identified in your letter are unsupported by any legal requirement, or by the Tribe's obligations in the MOA. As such, my appointment of an Election Superintendent, mandated under Nooksack's Election Ordinance and specifically discussed on our meeting on June 15, 2017 with Acting Assistant Secretary Michael Black, is valid. This appointment is exclusively within my discretionary authority as enumerated in the Tribal Constitution and Election Ordinance. Any conflicts (or potential conflicts) are either addressed within Tribal law, or precautions have been (or are being made) to ensure the Special Election occurs without issue so that the Tribe can resume normal governance activities as soon as possible,

We would be happy to meet with you and your staff to discuss any of the concerns identified in your September 7, letter. Again, I want to reiterate that it is the Nooksack Tribe's intention to fully comply with the terms of the MOA. Should you have any questions and/or concerns, please feel free to contact the Election Superintendent at (360) 592-5176 or Charles Hurt, Senior Tribal Attorney at (360) 592-4158.

Regards,



Robert Kelly, Jr.
Chairman
Nooksack Indian Tribe

cc: Nooksack Tribal Council
Katherine Canete, General Manager
Office of Tribal Attorney
John Hay, United States Department of Interior

Encl: Decl. of Katrice Rodriguez
MOA