



NATIONAL
NATIVE AMERICAN
BAR ASSOCIATION

November 9, 2023

Senator Richard Durbin, Chairman
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Senator Lindsey Graham, Ranking Member
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

RE: Nomination of Sara Hill to the U.S. District Court for the Northern District of Oklahoma

Dear Chairman Durbin and Ranking Member Graham:

The National Congress of American Indians (NCAI), the Native American Rights Fund (NARF), and the National Native American Bar Association (NNABA) jointly write in support of Sara Hill's nomination to serve on the United States District Court for the Northern District of Oklahoma. We urge you to take swift action to vote her nomination favorably out of Committee so that she may be promptly confirmed by the full Senate.

Increasing the number of Native Americans in the federal judiciary is a shared priority of NCAI, NARF, and NNABA. Our organizations collectively represent a substantial constituency of Tribal Nations, Native American individuals, and Indian law professionals. NCAI is the oldest, largest, and most representative Native American and Alaska Native tribal organization in the country, serving the broad interests of Tribal governments and communities. NARF is the leading non-profit law firm representing the interests of Native American, Native Hawaiian, and Alaska Native Tribal Nations, peoples, organizations, and individuals throughout the United States – entities and individuals which, without NARF's existence, might otherwise lack adequate legal representation. NNABA is an organization whose members include American Indian, Alaska Native, and Native Hawaiian attorneys, Indian law and native rights practitioners and professors, as well as Tribal court judges and advocates.

Many issues of daily life for people in Native communities are significantly affected by federal law, including federal common law, and cases involving Native American Tribal Nations and individuals and their interests are heard primarily in federal courts. For these reasons, it is imperative that federal judges are well-versed in the unique political status, legal principles, and human rights of Tribal Nations and Native individuals. Yet, despite the disproportionate impact of federal court decisions on Native individuals, Tribal Nations, and Tribal communities, Native Americans continue to be under-represented in the federal judiciary. Of the more than 870 authorized federal judgeships, only six judges currently serving on the federal bench are from American Indian, Alaska Native, and Native Hawaiian communities.

Sara Hill is highly qualified to be a federal judge. She is a dedicated and experienced attorney who, prior to going into private practice in August 2023, most recently served for four years as the Attorney General of the Cherokee Nation. The Cherokee Nation is the largest Tribal Nation in the United States with more than 460,000 tribal citizens worldwide, more than 142,000 of whom reside within its 7,000 square-mile Reservation in northeastern Oklahoma.

Faithfully serving the Cherokee Nation for 19 years, primarily in the Attorney General's office, Ms. Hill's work ranged from handling negotiations between the Cherokee Nation and the State of Oklahoma on hunting and fishing rights, to reaching agreements with the State on motor vehicle requirements, to filing litigation and successfully advocating to protect the Cherokee Nation from unwanted storage of radioactive material near major water sources. During her career, Ms. Hill has litigated in state and federal courts, including before the U.S. Supreme Court. She has also served as a Special Assistant U.S. Attorney in the U.S. Attorney's Office for the Northern District of Oklahoma.

Ms. Hill led the Cherokee Nation's legal and public safety and justice efforts following the Supreme Court's decision in *McGirt v. Oklahoma*, 140 S. Ct. 2452 (2020). During her tenure as Attorney General, Ms. Hill oversaw a historic Tribal investment in Tribal law enforcement, pre-trial and post-conviction detention space, court space and personnel, and legal services, including the expansion of the Cherokee Nation's prosecution office. Her efforts to quickly ramp up and expand the Cherokee Nation's criminal justice system post-*McGirt* were critical to ensuring the public safety and justice of all citizens – Tribal and non-Tribal, alike – living and working on the Cherokee Nation Reservation.

Throughout her career, Ms. Hill has demonstrated exceptional commitment to civil service. That she is a Native American with deep roots in and strong ties to not only to her Tribal Nation, the Cherokee Nation, but to Native communities generally and the State of Oklahoma, where she was raised, educated, and has worked for her entire career are relevant factors deserved of your favorable consideration.

If confirmed, Ms. Hill would be the first Native American woman to be seated on the federal bench in Oklahoma, and the *only* active Native American federal judge in the state. Oklahoma is home to 39 federally recognized Tribal Nations and approximately 43% of lands in Oklahoma are considered Indian country. We note also that since the Supreme Court's ruling in *McGirt*, there is an urgent need for additional federal judges in Oklahoma, especially in the Northern District. It is vitally important that candidates like Ms. Hill – with her vast knowledge of and experience in federal Indian law and the Native and non-Native communities affected by this body of law – be seated on the federal bench.

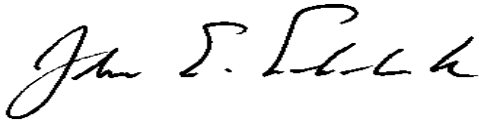
NCAI, NARF, and NNABA are proud to support Sara Hill's nomination to the U.S. District Court for the Northern District of Oklahoma. We hope that the Senate will move swiftly and decisively to confirm this worthy and historic nominee.

Should you have any questions or wish to discuss these issues further, please do not hesitate to contact NCAI Legal and Policy Director, Ryan Seelau, at rseelau@ncai.org, and NARF Staff Attorney, Morgan Saunders, at msaunders@narf.org.

Sincerely,



Fawn Sharp, President
National Congress of American Indians



John E. Echohawk, Executive Director
Native American Rights Fund



Makalika Naholowaa, President
National Native American Bar Association

cc:

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