



**Resolution of the NATIONAL NATIVE AMERICAN BAR ASSOCIATION**

**RESOLUTION # 2015-4**

**TITLE: To Increase Native American representation in the Federal Judiciary**

**WHEREAS**, the National Native American Bar Association (“NNABA”) works to promote issues important to the Native American community and to improve professional opportunities for Native American lawyers, we do hereby establish and submit the following resolution; and

**WHEREAS**, NNABA was founded in 1973 and serves as the national association for Native American attorneys, judges, law professors and law students, and NNABA strives to be a leader on social, cultural, political and legal issues affecting American Indians, Alaska Natives, and Native Hawaiians; and

**WHEREAS**, given the undeniable authority that federal courts have over Native people and their lands, and that hundreds of cases are decided every year on issues of federal Indian law that effect the daily lives of American Indians, Alaska Natives and Native Hawaiians; and

**WHEREAS**, throughout the history of the federal courts, only four Native Americans have been appointed to the federal judiciary: Judge Frank Howell Seay, nominated in 1979 by President Carter, who assumed senior status in 2003; and Judge Billy Michael Burrage, nominated by President Clinton in 1994, who resigned his appointment in 2001; Derrick Kahala Watson, a Native Hawaiian, in 2013; and Diane J. Humetewa who was sworn in in 2014; and

**WHEREAS**, there are 874 Article III federal judgeships in the United States—nine on the Supreme Court, 179 on the Courts of Appeals, 677 on the District Courts and nine on the Court of International Trade—and currently only one of these judgeships is held by an American Indian or Alaska Native; and

**WHEREAS**, NNABA has repeatedly submitted over two dozen names and resumes of qualified Native Americans for consideration by the White House for appointment to the federal bench; and



**WHEREAS**, the nomination and affirmative vote out of the Judiciary Committee of Derrick Kahala Watson, a Native Hawaiian, was the first Native attorney to be voted on by the Judiciary Committee since 1994; and

**WHEREAS**, the nomination an affirmative vote out of the Judiciary Committee of Diane J. Humetewa, a member of the Hopi Tribe of Indians, was the first American Indian attorney to be voted on by the Judiciary Committee since 1994;

**NOW THEREFORE BE IT RESOLVED**, that the National Native American Bar Association calls upon the President of the United States to nominate and to actively work with the Senate of the United States, in particular the Senate Judiciary Committee, to confirm qualified American Indian, Alaska Native and Native Hawaiian candidates for the federal judiciary at the U.S. District Court, U.S. Circuit Courts of Appeals and the Supreme Court of the United States.

#### **CERTIFICATION**

The foregoing resolution was adopted by the Board of the National Native American Bar Association, on January 11, 2015, with a quorum present.

*Mary Smith*

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Mary L. Smith, President