**Title: Opposition to Nomination and Confirmation of Eric Miller to the Ninth Circuit**

**Court of Appeals**

**WHEREAS**, President Donald Trump has nominated Eric Miller to fill a vacant seat on the Ninth Circuit Court of Appeals; and

**WHEREAS**, there are 427 federally recognized tribes in the Ninth Circuit, more than any other Federal Court of Appeals; and

**WHEREAS,** because the Ninth Circuit hears more tribal cases than any other, it is a leader in the field of federal Indian law, other circuits often follow its example, and it feeds more tribal cases into the Supreme Court; and

**WHEREAS**, Miller built a law practice on mounting repeated challenges to tribal sovereignty, lands, religious freedom, and the core attribute of federal recognition of tribal existence in cases and more than half of the professional accomplishments listed on his law firm website came at the expense of tribal rights and interests; and

**WHEREAS,** his advocacy has focused on undermining the rights of Indian tribes, often taking extreme positions and using pejorative language to denigrate tribal rights; and

**WHEREAS,** Mr. Miller’s record makes clear that he does not possess a mainstream understanding of tribal sovereignty, treaty rights, and the federal trust responsibility, or their role in the Constitution and federal law; and

**WHEREAS,** the positions Mr. Miller has repeatedly advocated would have very serious consequences on the federal-tribal relationship and would undermine fundamental principles of tribal sovereignty, governance, and self-determination; and

**WHEREAS**, an appointment to the federal bench is a lifetime appointment and a commitment to fundamental Constitutional principles is essential.

**NOW THEREFORE BE IT RESOLVED,** that the [INSERT TRIBE] does hereby oppose the nomination and confirmation of Eric Miller, as Judge for the Ninth Circuit Courts of Appeals; and

**BE IT FURTHER RESOLVED,** that [INSERT TRIBE] will immediately convey its opposition to Mr. Miller’s nomination to the Senate Judiciary Committee and to our State’s Senators; and

**BE IT FINALLY RESOLVED,** that this resolution shall be the policy of [INSERT TRIBE] until it is withdrawn or modified by subsequent resolution.