

FORT PECK TRIBES

Assiniboine & Sioux

September 26, 2022

Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20510

RE: Anthony Johnstone 9TH Circuit Judicial Nomination

Chairman Durbin & Ranking Member Grassley:

On behalf of the Assiniboine and Sioux Tribes of the Fort Peck Reservation, I am writing to express our support of Anthony Johnstone's nomination as a federal judge for the Ninth Circuit Court of Appeals. Mr. Johnstone will bring a much-needed Montana voice to the Court, in addition to bringing valuable experience in Federal Law and Indian Law. The Assiniboine and Sioux Nations strongly support Mr. Johnstone's appointment.

While serving as the Helen and David Mason Professor of Law at the University of Montana, Professor Johnstone has shown his expertise in Federal and State Constitutional Law, Legislation, Election Law, and Jurisprudence. Mr. Johnstone will bring valuable experience in Indian Law to the Ninth Circuit, as he has demonstrated through his integration of Indian Law into his work and courses. Further, Johnstone has also taught a course on Indian Voting Rights, signaling that he understands the importance of issues affecting Indian Country and the complexities of Indian Law. Due to the high volume of Indian Law cases before the Ninth Circuit Court of Appeals, it is important to have a member who has immense experience in the field of Indian Law.

Mr. Johnstone's roots in Montana and his devotion to public service are also admirable. Mr. Johnstone served as the Montana Solicitor General under Governor Bullock, where he represented the State in major Constitutional Law cases. Further, he has worked on multiple cases before the Ninth Circuit and clerked for the Honorable Sidney R. Thomas. His ties to Montana and his experience within the State indicate that he is well suited and qualified for the position.

Anthony Johnstone shows a commitment to the State of Montana and to Indian Country. Mr. Johnstone is qualified to be a fair judge that will understand the complexities of cases involving Indian Law and also the vast array of topics that will arise in the Ninth Circuit. Mr. Johnstone would make an excellent addition to the 9th Circuit Court of Appeals. Thank you for your time, attention, and consideration of the Assiniboine and Sioux Tribes' input in this matter.

Sincerely,


Floyd G. Azure, Chairman