

AMB. KEITH M. HARPER, Partner

Ambassador Harper is the Chair of the firm's Native American Law Practice. He focuses his practice on Native American affairs, litigation, and international clients from the private and public sectors. From 2014 until 2017, he served as the US Ambassador and Permanent Representative to the United Nations Human Rights Council in Geneva, Switzerland.

Ambassador Harper, a citizen of the Cherokee Nation, is the first Native American to be named a US Ambassador, represented the plaintiff class of 500,000 individual Indians and served as class counsel in the landmark Indian trust funds lawsuit, *Cobell v. Salazar*. Ultimately the case settled for \$3.4 billion, which represents the largest settlement of a lawsuit against the United States in history. The Native American Law team's service areas include litigation, investigations, and government relations matters involving sovereign immunity, water rights, taxation, sacred sites protection, treaties, reservation land status, land and resource use, tribal governance, gaming, lending, and labor and employment, among other issues. The team also has significant experience in international litigation, leveraging experience in government service and foreign affairs to represent clients in cross-border matters.

From 2010 to 2014, Ambassador Harper served as Commissioner on the President's Commission on White House Fellowships. He also served as a chair for Native American policy in the 2008 Obama for America presidential campaign and then as a member of the Obama-Biden Presidential Transition Team in the Energy and Environment Cluster. Ambassador Harper was previously Senior Staff Attorney and head of the Washington, DC office of the Native American Rights Fund (NARF) from 1995 to 2006. During his tenure at NARF, he also taught Federal Indian Law as an adjunct professor at Catholic University, Columbus School of Law and at American University Washington College of Law. Ambassador Harper served as a Supreme Court Justice on the Supreme Court of the Poarch Band of Creek Indians from 2007 to 2008 and as an Appellate Justice on the Mashantucket Pequot Tribal Court from 2001 to 2007.

While attending New York University School of Law, Ambassador Harper served as Articles and Notes Editor of the *Journal of International Law and Politics*, was a Root-Tilden-Snow Scholar and a Fellow at Center for International Studies. After graduation, he was law clerk to the Honorable Lawrence W. Pierce on the US Court of Appeals for the Second Circuit.

Ambassador Harper is the recipient of numerous awards and other recognitions, including: National Congress of American Indians Special Recognition Award (2017); Cherokee National Statesman Award (2014); American Bar Association "Human Rights Hero" (2014); election to membership at the American Law Institute (2012); the Native American Bar Association, DC, Award for Significant Contributions to Indian Law and Policy (2012); *LawDragon 500* (top 500 lawyers in United States) (2010); selection as one of 50 "Most Influential Minority Lawyers in America" by the *National Law Journal* (2008); Service Award by Annual People of Color Legal Scholarship Conference for Achievements and Commitments to Justice (2010); *Chambers USA: America's Leading Lawyers*



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PRACTICE GROUPS

Native American Law

EDUCATION

New York University School of Law, JD,
1994; Notes Editor, *Journal of International
Law and Politics*

University of California, Berkeley, BA, 1990

University of California, AB, 1991

ADMISSIONS

District of Columbia, 1997

New York, 1997

COURT ADMISSIONS

US Supreme Court

US Court of Appeals, DC Circuit

US Court of Appeals, Federal Circuit

US Court of Appeals, First Circuit

US Court of Appeals, Second Circuit

US Court of Appeals, Fifth Circuit

US Court of Appeals, Sixth Circuit

US Court of Appeals, Ninth Circuit

US District Court, District of Columbia

US District Court, Western District of
Michigan

US District Court, Eastern District of New
York

US District Court, District of North Dakota

US District Court, Western District of

for Business (2009-2013, 2019-2020); *The Best Lawyers in America*® (2009-2013, 2020); Washington DC "Super Lawyer" by *Super Lawyers* magazine (2010, 2012-2014, 2019-2020); NYU. Black, Latino, Asian Pacific Islander Alumni Association Outstanding Professional Achievement Honor (2009); Rockefeller Foundation Next Generation of Leaders Fellow (2002-2004); University of Arizona School of Law - IPLP Colloquium Senior Fellow (2003); Henry H. Fowler Fellow on Public Policy, Roanoke College (1999); Skadden, Arps Fellow (1995-97).

Ambassador Harper serves on numerous boards of non-profit organizations including the following: American Constitution Society; Defenders of Wildlife; United Nations Association – National Capitol Area and the Artistic Freedom Initiative. For the past two years, the American Bar Association President has appointed Ambassador Harper as a Special Advisor to the ABA's Rule of Law Initiative.

- Served as class counsel for plaintiff class of 500,000 individual Indians against the Department of Interior and Treasury Department arising out of the government management of their trust lands and assets in a prolonged lawsuit culminating in a \$3.4 billion settlement agreement. Served as lead counsel for numerous tribes suing the United States for mismanagement of tribal trust funds and natural resources.
- Served as lead counsel for one of the most successful gaming Tribes in the country in a case before the National Labor Relations Board, defending the Tribe's sovereign authority to apply its own Tribal employment and labor laws instead of federal law.
- Served as lead counsel successfully representing a tribe and individual Indian landowners in a suit against the Western Area Power Administration for trespass under the Federal Tort Claims Act after WAPA's Right-of-Way expired.
- Successfully represented Billy Frank Jr. and Frank's Landing Indian Community in contract litigation dispute. The Ninth Circuit Court of Appeals affirmed a lower court's decision that had foreclosed the Nisqually Indian Tribe's (Nisqually) challenge to an agreement between Frank's Landing, the state of Washington, and another tribe, the Squaxin Island Tribe regarding taxation of cigarette sales at Frank's Landing.

Awards

- National Congress of American Indians
Special Recognition Award, 2017
- United Nations Association, National Capitol Area
Allen "Tex" Harris Diplomacy Award, 2018
- Cherokee National Statesman Award, 2014

Oklahoma

US District Court, Northern District of Texas

US District Court, Western District of Texas

US Court of Federal Claims

JUDICIAL CLERKSHIPS

Honorable Lawrence W. Pierce, US Court of Appeals, Second Circuit

- American Bar Association
Human Rights Hero, 2014
- Native American Bar Association
DC Award for Significant Contributions to Indian Law and Policy, 2012
- *LawDragon* 500 (Top 500 lawyers in United States), 2010
- Annual People of Color Legal Scholarship Conference for Achievements and Commitments to Justice, 2010
- *The National Law Journal*
Most Influential Minority Lawyers in America, 2008
- *Chambers USA*
Native American Law - USA - Nationwide, 2009-2013, 2019-2020
- *The Best Lawyers in America*®
2009-2013, 2020
- *Super Lawyers*
Washington DC "Super Lawyer" - 2010, 2012-2014, 2019-2020
- New York University
Black, Latino, Asian Pacific Islander Alumni Association Outstanding Professional Achievement Honor, 2009
- Rockefeller Foundation Next Generation of Leaders Fellow, 2002-2004
- University of Arizona School of Law
IPLP Colloquium Senior Fellow, 2003
- Henry H. Fowler Fellow on Public Policy, Roanoke College, 1999
- Skadden, Arps Fellow, 1995-97

Memberships

- American Law Institute
Member, 2012 - present
- American Constitution Society
Board Member
- Defenders of Wildlife
Board Member
- United Nations Association—National Capitol Area
Board Member
- Artistic Freedom Initiative
Board Member

Service to the Community

- Presidential Commission on White House Fellows
Commissioner, 2010 – 2014
- Democratic National Committee
At-Large Member, Secretary-Treasurer of Native American Caucus, 2017-present
- American Bar Association Rule of Law Initiative
Special Advisor, 2019 and 2020
- Commission for the Protection of Cherokee Nation Sovereignty
Commissioner, 2020

Publications

- "Point of View: McGirt is a Chance for Greater Tribal-State Cooperation," *The Oklahoman*, July 30, 2020
- "Citizens United Does Not Impact the Laws of the Cherokee Nation," *Indian Country Today*, May 24, 2019
- "The Trump Administration's Brazen Duplicity in its 'Human Rights Agenda'," *Just Security*, August 21, 2018
- Co-Author, "On the U.N. Human Rights Council, Quitters Are Losers," *Foreign Policy*, January 28, 2018
- "Why Hasn't Trump Already Pardoned Kushner, Flynn, Page and Manafort?" *Newsweek*, July 17, 2017
- "Will the World be Silent in Face of the Rohingya Calamity?—The Time has Come for a UN Commission of Inquiry," *Just Security*, February 27, 2017
- "The Importance of Judicial Contempt Proceedings in a Trump Era," *Just Security*, February 7, 2017