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Before You Sign: Key Contract Provisions for Tribes Considering Data Center Developments, *ICT*

Publications

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Grace Signorelli-Cassady of Jenner & Block's Native American Law Practice authored an opinion piece for *ICT* examining key contract provisions tribes should consider when approached about data center developments.

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As technology companies increasingly reach out to Native American tribes to propose large-scale data center developments, Grace emphasizes that the decision to proceed rests solely with each tribe as an exercise of its sovereignty. For tribes that choose to consider a data center project, she identifies three areas that deserve close attention at the negotiating table:

- **The money:** how payment and project participation can be structured such that compensation fairly reflects the advantages of locating on the tribe's reservation and promotes a sustained relationship
- **The law:** options for whose laws govern a data center project and related disputes, as well as avenues to protect tribal assets, tribal regulatory authority, and sovereign immunity
- **The future:** how contracts can address decommissioning, site restoration, and remediation

Grace represents tribes in high-stakes litigation, investigations, and a variety of tribal energy and infrastructure matters. She has spoken at several conferences on the intersection of artificial intelligence, data centers, and tribal economic growth.

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