

Amb. Keith M. Harper

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Areas of Focus

Government Controversies
and Public Policy Litigation

Human Rights and Global
Strategy

Native American Law

ESG: Environmental, Social,
and Governance

Sports and Gaming



Overview

Ambassador Keith Harper focuses his practice on Native American affairs, litigation, and human rights 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. Keith currently serves as a Co-Chair of the firm’s Human Rights and Global Strategy Practice and Chair of the Native American Law Practice.

A citizen of the Cherokee Nation, Keith is the first Native American to be named a US Ambassador. He 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.

From 2010 to 2014, Keith 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. Keith 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. Keith 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, Keith 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.

GlobalmindED Inclusive Leader for Government Award (2024); Mitchell Museum of the American Indian Trailblazer Award (2021); U.N. Association Allen “Tex” Harris Diplomacy Award (2017); National Congress of American Indians Special Recognition Award (2017); Cherokee National Statesman Award (2014); American Bar Association “Human Rights Hero” (2014); 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); *Chambers USA: America's Leading Lawyers for Business Tier 1* (2009-2013, 2019-2025);; 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); and Skadden, Arps Fellow (1995-97).

Keith serves on numerous boards of non-profit organizations including the American Constitution Society; the Artistic Freedom Initiative and Women@The Table. From 2018 to 2022 he served on the American Bar Association president as a Special Advisor to the ABA’s Rule of Law Initiative. He was elected to membership at the American Law Institute in 2012.

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.

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- Government Controversies and Public Policy Litigation
- Human Rights and Global Strategy
- Native American Law
- ESG: Environmental, Social, and Governance
- Sports and Gaming
- Post-*Chevron* Task Force

Representative Matters

- 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 counsel for three intervening tribes in *Brakeeen v. Haaland* and successfully defended the Indian Child Welfare Act's constitutionality in all levels of the proceeding including a 7-2 victory in the US Supreme Court.
- 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 eight Indian tribes and obtained an injunction against the United States Department of Treasury for its delay in distributing \$8 billion under the CARES Act intended to address the consequences of the COVID-19 pandemic.
- 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.
- Conducted workers' rights assessment to assess a large technology company's efforts to comply with its Human Rights Policy in the United States as it relates to workers' freedom of association and collective bargaining.

Credentials

Admissions

- District of Columbia, 1997
- New York, 1995

Education

- New York University School of Law, JD, 1994
- University of California, Berkeley, BA, 1990
- University of California, BA, 1991

Court Admissions

- US Supreme Court
- 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 Court of Appeals, District of Columbia Circuit
- US Court of Appeals, Federal 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 Oklahoma
- US District Court, Northern District of Texas
- US District Court, Western District of Texas
- US Court of Federal Claims

Clerkships

- Hon. Lawrence W. Pierce, US Court of Appeals, Second Circuit

Service / Recognition

Awards

- *Legal 500*, Native American Law, 2021
- 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
- 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
- *The National Law Journal*, Most Influential Minority Lawyers in America, 2008
- Capital Pro Bono Honor Roll, 2024-2025; High Honor Roll, 2022
- *Chambers US*, Native American Law (Nationwide) (Tier 1), 2009-2013, 2019-2025
- *The Best Lawyers in America*®, Native American Law, 2009-2013, 2020-2022, 2024, 2026
- *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

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, 2019-2020
- American Law Institute, Member, 2012-present
- American Constitution Society, Treasurer
- United Nations Association—National Capitol Area, Former Board Member
- Artistic Freedom Initiative, Board Member