
Native American Law

Providing sophisticated counsel on complex regulatory issues and high-stakes litigation while leveraging the experience of some of the nation's best strategic counselors and advocates focused on tribal issues.

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Led by a former Solicitor General and a former Deputy Secretary of the Interior, WilmerHale's Native American Law Practice is uniquely positioned to counsel tribal governments on difficult or unsettled legal questions, and to advocate for the rights of tribes (and their partners) in complex litigation and before federal agencies. The marriage of our Washington DC experience—a core element of the firm's brand—and our presence in the Rocky Mountain region enables us to understand the unique challenges the Native American community faces and reflects our commitment to helping our clients assert their rights, protect their sovereignty and preserve their resources.

We focus on high-stakes, sophisticated litigation and complex, high-profile regulatory matters on behalf of our clients, representing tribes on a variety of issues, including energy and natural resource development, land acquisition, water rights, gaming matters, and issues of tribal sovereignty.

We frequently represent tribes in US district courts, the federal courts of appeals, and the US Supreme Court, and in related discussions with the Department of the Interior and the Department of Justice. We work successfully both with and against the federal government on behalf of our tribal clients.

Members of our team are leaders in their field, and our practice is nationally ranked by *Chambers USA*. Led by Seth Waxman, a former US Solicitor General, we also count among our ranks a former Chief of Staff to the Secretary of the Interior and Assistant Secretary for Fish and Wildlife and Parks, a former Assistant Attorney General for the Department of Justice's Office of Legal Counsel, a former Assistant to the Solicitor General, and several former members of the Department of Justice. Their collective experience gives this group a broad

understanding of Native American legal and policy issues and allows them to provide comprehensive, practical and effective advice to our clients. Our team is also supported by a highly regarded legislative strategist, enabling WilmerHale to provide congressional strategy to the group's clients and advocate on their behalf in Congress.

The hallmarks of our practice are the high-stakes matters our clients entrust to us and the results we achieve for them. We have represented tribes or their supporting amici in important cases addressing such issues as whether the National Labor Relations Act applies to a tribal government employer, whether a tribal party injured by the federal government may pursue damages in the Court of Federal Claims and equitable relief in the district court, as well as the first appellate decision addressing the “restored lands” provision of the Indian Gaming Regulatory Act. We have also advised or represented prominent Native American organizations, including the National Congress of American Indians and the National Indian Gaming Association. We often work in close collaboration with other counsel, whether they represent the tribes or other interested parties, such as development partners, on an ongoing basis or in the particular matter at issue.

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