Venable Launches Native American Law and Policy Practice; U.S. Department of the Interior and U.S. Department of Justice Veteran Joins Firm

Venable LLP is pleased to announce that it has launched a Native American Law and Policy Practice, which will focus on representing the interests of tribes and Alaska Native corporations across a variety of areas, as well as state and local governments and non-Indian entities seeking to engage with, or invest in, Indian Country. In addition, the firm is happy to announce that Kyle E. Scherer has joined Venable as a partner in the Environmental and Natural Resources Group in the Washington, D.C., office. Scherer will co-chair the Native American Law and Policy Practice with David A. Mullon Jr., a current partner at Venable who has spent the majority of his career addressing issues that impact tribes and tribal interests.

Prior to joining Venable, Scherer served as the principal deputy general counsel for the White House Council on Environmental Quality (CEQ). There, he helped implement and defend CEQ's revised National Environmental Policy Act (NEPA) regulations and coordinate the review of agency-specific NEPA rulemaking. He began his career in federal service at the U.S. Department of Justice (DOJ) as a White House Fellow and counsel to the associate attorney general. Among other things, his portfolio included oversight of the Environment and Natural Resources Division, the Office of Justice Programs, and the Office of Tribal Justice.

In 2017, Scherer joined the U.S. Department of the Interior (DOI) as a counselor to the assistant secretary for Indian affairs. He was later appointed the deputy solicitor for Indian affairs and the acting deputy solicitor for parks and wildlife. There, he concurrently led two of the largest divisions within the DOI Office of the Solicitor, managing more than 60 career attorneys across seven practice areas. In these roles, he provided advice to the secretary of the interior and other administration officials on issues ranging from Indian gaming and tribal trust land acquisitions to Endangered Species Act (ESA) enforcement and national monument designations. During his tenure at DOI, he represented the United States as senior agency counsel on nearly all significant Indian affairs litigation, including affirmative cases brought on behalf of tribes as federal trustee and appellate matters, such as the defense of the Indian Child Welfare Act (ICWA). Notably, Scherer was further responsible for supporting the DOJ Office of the Solicitor General in more than 10 cases before the U.S. Supreme Court, which, over four terms, considered matters involving the Alaska National Interest Lands Conservation Act (ANILCA), the ESA, Indian reservation boundary disputes, tribal sovereign immunity, and tribal treaty rights.

Scherer began his legal career working on the Navajo Nation as a staff attorney for DNA-People’s Legal Services, a nonprofit organization that provides access to justice for low-income Native Americans living in the Four Corners region of the United States. He then spent five years at a leading international law firm, where he advised clients on corporate finance transactions and liability management. Scherer is a graduate of Harvard College and Harvard Law School, and is a veteran of the wars in Afghanistan and Iraq. He is an enrolled member of the Munsee Delaware Nation and a descendent of the Chippewa of the Thames First Nation.