

PILAR MARIA THOMAS, ESQ. (Pascua Yaqui)

PROFESSIONAL EXPERIENCE:

Quarles & Brady LLP, Tucson, AZ

January 2020 to Present

Partner, Energy Environment and Natural Resources; Indian Law and Policy Practice Groups

- Practice focuses on tribal renewable energy project development and finance, tribal economic development, federal Indian law, and natural resource development.
- Assist clients with tribal energy policy and planning; clean energy and infrastructure project development and finance; federal and state energy regulatory, programs, and policy efforts; and federal requirements for tribal lands development. She has negotiated or assisted with agreements related to transmission lines, landfill gas, solar projects, a natural gas power plant and mineral development on tribal lands.
- Serves as general counsel for several tribes, Section 17 and tribal business entities.
- Representative Matters
 - Negotiate leases and right of ways for utility scale renewable energy projects on tribal lands
 - Shepherd clients through federal regulatory process for land into trust decisions and related environmental reviews
 - Draft HEARTH Act leasing regulations
 - Draft tribal laws, regulations and policies related to economic development, land use, and environmental review
 - Tribal consultation practices
 - Monitor, review and draft comments on federal and state agency actions
 - Monitor, review and draft federal legislation related to tribal energy development

Lewis Roca Rothgerber Christie LLP, Tucson, AZ

January 2015 to January 2020

Of Counsel, Regulatory and Government Affairs and Tribal Affairs and Gaming Practice Groups

- Provide strategic legal advice to Indian tribes, tribal utilities, tribal housing authorities and tribal enterprises on tribal energy policy and planning, renewable energy project development and finance, and federal and state energy regulatory, programs, and policy efforts.
- Provide legal representation and advice to Indian Tribes, tribal enterprises, and non-Indian companies in matters related to economic, energy, and natural resource development on tribal lands, including governance, jurisdiction, leasing, regulatory, permitting, and finance.
- Provide legal representation and advice to Indian Tribes and Tribal Gaming Enterprises in matters related to Indian gaming, including gaming regulations, contract negotiations, land into trust and project development.
- Provide day-to-day general counsel support to tribal government and enterprise clients on matters related to contract review and negotiations, employment issues, legislative and regulatory drafting support, and corporate formation.

United States Department of Energy, Washington, DC
Office of Indian Energy Policy and Programs
January 2011 to December 2014

Deputy Director

- Provided day to day leadership and program direction of the Office, including direct supervision of a staff of 5, managed a budget of \$16 million, and developed programs and initiatives to support the Office's statutory goals.
- Developed and implemented financial and technical assistance, education and capacity building programs for tribal councils, tribal executives and staff, tribal enterprises, tribal utilities, and Alaska Native villages and corporations to support the deployment of clean energy and energy efficiency projects on tribal lands and in Alaska Native villages.
- Served as principal advisor and point of contact with the Secretary, Deputy Secretary, Congressional staff, the White House Domestic Policy Council, and other federal agencies on all matters relating to the Office.
- Developed, managed and implemented the annual budget proposal to the White House Office of Management and Budget and Congress; managed the execution of approved program budgets consistent with federal appropriations law.
- Developed DOE positions on issues related to tribal energy development and coordinated these positions with Departmental offices and other federal agencies.
- In coordination with the Office of Tribal and Intergovernmental Affairs and consistent with the Department's policy on working with tribal governments, consulted and collaborated with American Indian and Alaska Native tribes to meet Administration, Department and Office policy goals.
- Represented the Office in key meetings and discussions interfacing with the White House, other Federal agencies, and Congress.
- Coordinated work with other Federal agencies through the White House Council on Native American Affairs to develop best practices and optimum processes and program operations, program evaluations, and policy development to achieve the Administration's Indian energy policy and program goals.

United States Department of the Interior, Washington, DC
Office of the Solicitor
September 2009 to January 2011

Deputy Solicitor – Indian Affairs

- Principal advisor to the Solicitor for issues that arise under Indian and tribal issues. Acted for the Solicitor in a consulting and advisory capacity as counsel to the Secretary, Secretariat offices, Bureau and Office heads, and other Departmental officials relying on extensive knowledge, experience, and expertise in Indian law.
- Participated with the Solicitor and other Deputy Solicitors in developing, applying, and setting overall legal policies, strategies, program objectives and initiatives for the Office of the Solicitor that were in harmony with the Secretary's and Solicitor's views and consistent with the Department's organizational needs and responsibilities.
- Provided guidance and advised as needed by Departmental officials in policy and program formulation strategy, and program appraisal. Interpreted existing laws, statutes, rules, regulations or other legal authority affecting actions, proposed or taken under Departmental programs and operations.
- Spoke and acted for the Department or the Solicitor before Indian tribes, White House officials, other federal agencies, and State, local or other government officials.
- Collaborated with the Attorney General, other officials of the Department of Justice, and other governmental officials involved in litigation affecting or arising from the programs and operations of the Department. Reviewed and analyzed facts, legal principles, briefs, pleadings, and court strategy for unique and precedent setting litigation.

- Reviewed proposed controversial, complex and precedent-setting opinions, rules, regulations and decisions to assure that they reflect the underlying legal issues, effectiveness of legal strategies and principles, and possible consequences of legal positions on major Administration and Secretarial policy. Acted as final arbiter for the Solicitor on substantive legal differences or matters crossing organizational lines. Developed, coordinated, and recommended approval of alternative approaches to difficult legal questions when exercising final authority for acceptance or rejection and made determinations requiring substantial knowledge in practically all fields of law.
- Through the Associate and Regional Solicitors, managed the work-product development and direction of over 300 attorneys headquartered in Washington DC, and in various regional and field offices throughout the country. Directed and provided leadership to the Associate Solicitors and Regional Solicitors and other attorneys in the management of litigation involving the interests of the Department.
- A representative sample of the legal matters handled include:
 - Indian economic development and renewable energy
 - Indian gaming
 - Law enforcement
 - Land into trust and leasing regulations on Indian lands
 - Cultural protection
 - Tribal consultation
 - Self-governance
 - Federal legislation, including the HEARTH Act and Tribal Law and Order Act
 - United Nations Declaration on the Rights of Indigenous Peoples
- Interacted with, and provided legal advice to, other government agencies on matters related to Indian issues, including the Environmental Protection Agency and the Department of State.

Lewis and Roca LLP, Phoenix, AZ

October 2007 to September 2009

Of Counsel, Tribal Affairs and Gaming Practice Group

- Provide legal representation and advice to Indian Tribes and Tribal Gaming Enterprises in matters related to Indian gaming, including gaming regulations, contract negotiation, land into trust and project development:
 - Drafted tribal gaming regulations related to minimum internal control standards, Class II gaming, Bank Secrecy Act.
 - Drafted state legislation authorizing limited and well-regulated tribal gaming for a tribe located in Texas.
 - Advised national bank on bond restructuring for Tribal Gaming Enterprise.
 - Negotiated agreements worth over \$120 million between tribal client and three other tribes for transferring gaming device.
 - Assist Tribal Gaming Enterprise in development of new casino project.
- Provide legal representation and advice to Indian Tribes and non-Indian companies in matters related to economic development in Indian Country, including project development, renewable energy development and public finance.
 - Assisted tribal client with legal and regulatory issues for solar project.
 - Represent client working with tribe to develop cement plant on reservation.
 - Represent client working with tribes under SBA 8(a) program.
 - Assisted client with development of hotel project on reservation.
 - Assist tribal client with legal and financing issues for community development projects, including broadband infrastructure and education center.

Pascua Yaqui Tribe, Tucson, AZ

April 2005 to August 2007

Chief of Staff, Office of the Chairwoman – February 2007 to August 2007

- Directly manage the support staff in the Office of the Chairwoman.
- Provide policy and strategy advice to Chairwoman.
- Assist in the day to day management of twenty-two government divisions, departments and offices.
- Work to ensure successful implementation of government programs and priorities established by the Chairwoman and Tribal Council.
- Represent the Tribe in negotiations and legislative efforts with federal and state governments.

Deputy Attorney General/Interim Attorney General – April 2005 to February 2007

- Provide legal advice and representation for the Tribe, Tribal Council, Divisions, Departments, Commissions, and Enterprises on extensive legal issues, including employment law, gaming law, health law, environmental law, federal grant programs, and internal policies.
- Responsible for the management and operation of Office of the Attorney General, directly supervising 6 attorneys, 4 legal assistants, and 7 outside counsel.
- Draft legislation and resolutions to support Tribal Government and Enterprise activities and programs
- Negotiate, draft and monitor business contracts, government contracts, intergovernmental agreements, and other transactional legal items.
- Represent the Tribe on external intergovernmental issues, including federal and state legislation and administrative actions.

United States Department of Justice, Washington DC

Environment and Natural Resources Division, Indian Resources Section

October 2002 to April 2005

Trial Attorney

- Practice focused on Indian water rights and treaty rights litigation, and environmental law.
- Participated in, and provided recommendations on, negotiations for settlement of water rights claims in California and New Mexico.
- Lead trial attorney on Indian treaty rights case in Michigan.
- Conducted civil litigation in federal district courts in Washington, New Mexico, Michigan, New York, and Texas.
- Successfully defended the Secretary of the Interior on several cases, including Class III gaming regulations and land into trust actions.
- Assisted trial attorneys in environmental enforcement and appellate cases, including a United States Supreme Court case.

Household Finance Corporation, Chicago, IL

August 1985 – November 1999

Marketing Director – 1995 – 1999

Operations Manager – 1993-1995

Marketing Manager – 1992-1993

Underwriting Supervisor – 1991-1992

Collections Supervisor/Manager – 1989-1991

Branch Representative/Manager – 1985-1989

EDUCATION

University of New Mexico School of Law, Albuquerque, NM

J.D., May 2002, *magna cum laude*

Order of the Coif

Indian Law Certificate

University of Arizona College of Law, Tucson, AZ

Fall 2001

Stanford University, Stanford, CA

B.A. Economics, June 1983

BAR ADMISSIONS

Supreme Court of Arizona

United States District Court of Arizona

United States District Court for the District of Columbia

United States Court of Federal Claims

United States Fourth Circuit Court of Appeals

United States Ninth Circuit Court of Appeals

United States District of Columbia Court of Appeals

TEACHING POSITIONS

January 2019 – Present

Professor of Practice, University of Arizona School of Law

Indian Energy Law

Tribal Law and Tribal Courts

August 2017 – Present

Faculty Associate, Arizona State University, Ira Fulton School of Engineering

Tribal Environmental and Natural Resource Management

August 2015 - Present

Faculty Associate, Arizona State University Sandra Day O'Connor School of Law

Indian Energy Law

PROFESSIONAL MEMBERSHIPS

Federal Bar Association

American Bar Association

Energy Bar Association

Rocky Mountain Mineral Law Foundation

National Native American Bar Association

Native American Bar Association – AZ

Native American Bar Association - DC

OTHER RELEVANT EXPERIENCE

July 2019 - Present

Trustee at Large, Rocky Mountain Mineral Law Foundation

September 2018 - Present

Board Member, GRID Alternatives

June 2017 – Present

ABA Section on Energy Environment and Resources, Native American Resources Committee

August 2016 – Present

Board Member, Native American Bar Association of Arizona

REPRESENTATIVE SAMPLES OF CONFERENCE SPEAKING ENGAGEMENTS

Rocky Mountain Mineral Law Foundation

February 2019, “Natural Resources Development and the Administrative State: We’re Off to See the Wizard – How Do Agencies Reach Decisions? Administrative Law, Agency Decision-making” Special Institute on Administrative Law

September 2017, “Indian Law and Natural Resources: Outlook for the Trump Administration”, Special Institute on Indian Law and Natural Resources: The Basics and Beyond

Energy Bar Association

October 2017, Energy and Environmental Justice, MidYear Energy Conference

Federal Bar Association

April 2016, "Get Your Hands Off My Trust Responsibility? Debating the Federal Government's Role in the Trust Responsibility", Indian Law Conference

April 2014, “Energy Sovereignty: Governance and Jurisdiction” Indian Law Conference

November 2010, “Carcieri Fix: A View from Inside the Agency” DC Indian Law Conference

April 2009, “Red is Green: Renewable Energy in Indian Country” Indian Law Conference

American Bar Association

October 2018, “Faster, Cheaper, Better: The Modern Approach to Environmental Reviews and Permitting” Section on Environment and Energy Resources Fall Conference

August 2011, “10 Myths of Energy Development in Indian Country” Section on Environment and Energy Resources Conference

National Tribal Lands Staff Conference

March 2019, “Tribal Land Development: Legal and Regulatory Prepositioning”

Tribal In House Counsel Association
October 2017, Energy Sovereignty, MSU Indigenous Law Conference

REPRESENTATIVE SAMPLES OF PUBLICATIONS / ARTICLES

"2020 Will Be Bullish For Tribal Clean Energy Development" Law360, January 2020

"Tribal Utility Development: Tribal Control and Authority Over Energy Development and Energy Services on Tribal Lands" Arizona Attorney Magazine, April 2019

"Federal Agency Decision-Making: The Three Bumper Guards" *Special Institute on Administrative Law, Rocky Mountain Mineral Law Foundation*, February 2019

"Expedited Permitting on Tribal Lands", American Bar Association, Section on Environment and Energy Resources Newsletter, October 2018

"Policy and Market Context and Considerations for Indian Country Renewable Energy Development" *Special Institute on Energy Development in Indian Country, Rocky Mountain Mineral Law Foundation*, November 2014

"Governance and Jurisdiction Over Energy Development on Tribal Lands" American Bar Association, Section on Environment and Energy Resources Newsletter, January 2012