



EXECUTIVE COUNCIL OF THE
CENTRAL COUNCIL OF THE TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

Resolution EC 26-49

Title: Authorization for a Limited Waiver Sovereign Immunity to Enter into a Grant Agreement to Receive State of Alaska Native Family Assistance Program Funds

WHEREAS, the Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is a federally recognized tribe with more than 38,000 citizens; and

WHEREAS, pursuant to the Tlingit & Haida Constitution, the Executive Council is the governing body of Tlingit & Haida when the Tribal Assembly is not in session; and

WHEREAS, the Tribal Assembly is not in session; and

WHEREAS, Tlingit & Haida provides essential services to address the needs of its citizens in need of financial assistance and related supports; and

WHEREAS, Tlingit & Haida, a state and federally recognized tribe, wishes to receive grant funds under the State of Alaska, Department of Health and Social Services program for Native Family Assistance Program in the State Fiscal Year 2027; and

WHEREAS, the State of Alaska requires under 7 AAC 78.030 (e), a resolution approved by the Executive Council that waives the Tribe's sovereign immunity from suit with respect to claims by the state arising out of the activities related to the grant; and

WHEREAS, Article V, Section 4(a)(2) of Tlingit & Haida's constitution states that waivers of sovereign immunity are "disfavored" and are only to be granted when it is "necessary to secure a substantial advantage or benefit to Tlingit & Haida"; and

WHEREAS, Tlingit & Haida intends to apply for up to \$2,157,509 in funds from the State of Alaska Native Family Assistance Program for a 1-year project, and such funding includes the full amount of Tlingit & Haida's federally approved indirect rate; and



WHEREAS, these funds are intended to supplement and bolster federal Tribal Temporary Assistance to Needy Families funds to assist families to become self-sufficient;

NOW THEREFORE BE IT RESOLVED, in the event that a Native Family Assistance Grant is awarded in State Fiscal Year 2027, Tlingit & Haida hereby waives its sovereign immunity and consents to suit in Alaska State Courts or in a state administrative agency proceeding for any cause of action (including any allowable interest, costs and attorneys' fees) or claim filed by the state arising out of or related to the grant, to enforcement of any court or agency order entered in such action or agency proceeding and to levy and execution of any judgment entered in any such lawsuit or agency proceeding against the Tribe; and suits relating to this agreement shall be governed by State law, and allowed solely in State courts or State administrative proceedings unless otherwise required by law, subject to the following limitations;

1. The Waiver is solely in favor of the State of Alaska and its agencies and does not extend to any person, company, or entity;
2. The Waiver is not to be construed as a waiver of or consent to attachment, execution, levy, encumbrance, or other judicial process upon:
 - a. Any real property, or interest in real property, of Tlingit & Haida or its sub-entities, whether held in fee, in trust for the benefit of Tlingit & Haida or any tribal citizens by the United States, or as restricted fee simple land; or
 - b. Any federal grant funds held, or to be received by, Tlingit & Haida, in trust or otherwise; or
 - c. Any assets used primarily in connection with the provision of customary governmental services, such as those related to health, safety and welfare, by Tlingit & Haida or any of its sub-entities; or
 - d. Any other property against which recourse is prohibited by applicable federal law; and

BE IT FURTHER RESOLVED, that the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska hereby authorizes the Tlingit & Haida President, or designee, to submit, negotiate, execute, and administer any and all documents, including any subsequent amendments, that are required by State of Alaska, Department of Health and Social Services, Native Family Assistance Program for granting funds to Tlingit & Haida.

ADOPTED this 17th day of April 2026, by the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska, by a vote of 5 yeas, 0 nays, 0 abstentions and 1 absences.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Jacqueline L. Pata