



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

Resolution EC 26-30

Title: Limited Waiver of Sovereign Immunity for the U.S. Economic Development Administration Equipment Program Subaward Agreement with Southeast Conference

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, the U.S. Economic Development Administration Alaska Mariculture Cluster grant, administered by Southeast Conference, provides funding through the Equipment & Technology Round II component to support mariculture operations (the "AMC Grant"); and

WHEREAS, Tlingit & Haida, through Executive Council Resolution 25-49, supported Alaska Seaplanes' application for the AMC Grant for the acquisition of a refrigerated unit in Klawock, Alaska to support the Prince of Wales mariculture industry; and

WHEREAS, Tlingit & Haida was selected as an awardee of the AMC Grant by Southeast Conference and will receive \$49,684 to purchase and manage a refrigerated unit in Klawock, Alaska in partnership with Alaska Seaplanes to support the Prince of Wales mariculture industry; and

WHEREAS, the AMC Grant requires that Tlingit & Haida enter into an Equipment Program Subaward Agreement (the "Agreement") with Southeast Conference that requires a limited waiver of sovereign immunity; 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";



NOW THEREFORE BE IT RESOLVED, that the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska hereby finds that granting a limited waiver of sovereign immunity is necessary to secure a substantial benefit to Tlingit & Haida and the tribes and communities of Prince of Wales through the acquisition of a refrigerated unit to support the Prince of Wales mariculture industry; and

BE IT FURTHER RESOLVED, that Tlingit & Haida expressly, unequivocally, and irrevocably waives its sovereign immunity from suit ("Waiver") and will not raise sovereign immunity as a defense in a judicial action brought therein by Southeast Conference, subject to the following limitations:

1. Notwithstanding any applicable statute of limitations or other law, the Waiver shall be enforceable while the Agreement is in effect; the Waiver shall expire when the term of the Agreement expires or the Agreement is otherwise terminated; however, the Waiver shall remain in effect for any proceeding then pending in arbitration or a court action at the time of termination or expiration, as well as all appeals therefrom, until such matters have been finally determined;
2. The Waiver applies solely with respect to claims or causes of action arising out of the Agreement that are brought in accordance with the laws of the State of Alaska, as applicable;
3. The Waiver is solely in favor of Southeast Conference and does not extend to any other person, company, or entity;
4. The Waiver does not waive the immunity of Tlingit & Haida's employees, officers, agents, and members;
5. This 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 citizen by the United States, or as restricted fee simple land; or
 - b. Any federal, state, or 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 state or federal law.

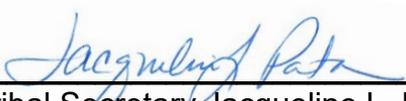
ADOPTED this 20th day of February 2026, by the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absences.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Jacqueline L. Pata