

TLINGIT & HAIDA



CONSTITUTION

Revised April 18, 2025

TABLE OF CONTENTS

| | |
|--------------------------------------------------------|----|
| Preamble | 3 |
| Article I. Territory and Jurisdiction | 3 |
| Article II. Sovereign Powers and Recognition | 5 |
| Article III. Tribal Citizenship..... | 5 |
| Article IV. Governing Body | 5 |
| Article V. Powers of the Governing Body | 8 |
| Article VI. Governing Body Elections..... | 10 |
| Article VII. Tribal Courts | 13 |
| Article VIII. Bill of Rights..... | 13 |
| Article IX. Reservation of Rights and Privileges | 15 |
| Article X. Purpose and Principles of Government..... | 15 |
| Article XI. Rule of Law..... | 16 |
| Article XII. Foreign Relations..... | 16 |
| Article XIII. Adoption and Amendment | 17 |

PREAMBLE

We, the Tlingit and Haida Indian Tribes, have self-governed since time immemorial through sovereign acts, recently made in the context of the colonial forces acting upon us. In order to form a single regional tribal government, we establish the Central Council of the Tlingit & Haida Indian Tribes of Alaska as our tribal government. We recognize the tribal government's roots stem from our traditional clans and villages and honor the Alaska Native Brotherhood and Sisterhood in organizing the Tribe.

In order to preserve our culture and way of life, known as "Haa Kusti" among the Tlingit and "Tlagw íitl' xíinangaa Gíidang" among the Haida, to protect and exercise our inherent sovereignty and jurisdiction through self-government and self-determination, to defend the property, equality and liberty of our citizens, and in so doing promote the dignity and welfare of the tribal citizens, do ordain and establish this Constitution of the Central Council of Tlingit & Haida Indian Tribes of Alaska.

ARTICLE I. TERRITORY AND JURISDICTION

Section 1. Council of Tlingit & Haida Indian Tribes of Alaska ("Tlingit & Haida") Constitution shall be the Supreme law for Tlingit & Haida over all Territory, as defined in section 2(a), and individuals, persons, entities and their ecological systems within the jurisdiction of Tlingit & Haida.

Section 2. In conformance with Tribal law and applicable federal law, the territory and jurisdiction of Tlingit & Haida shall include:

- a. **Territory.** Territory shall mean all Tlingit & Haida lands and interests in aboriginal lands and Indian title east of the 141st meridian, the archipelago of present day southeast Alaska, including, without limitation, all lands, waterfronts, bays, rivers, streams, air, airspace, with further interests in islands, inland areas, and headwaters abutting Territory boundaries; all as affirmed in Tlingit and Haida clan histories and asserted by Tlingit & Haida in the Act of June 19, 1935 (as amended), Tlingit and Haida Indians of Alaska v. United States (1959) and Tlingit and Haida Indians of Alaska v. United States (1968) including those lands:
 1. conveyed under the Alaska Native Claims Settlement Act (as amended);
 2. within the boundaries of any reservation which may be established for Tlingit & Haida, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;
 3. within the boundaries of the dependent Indian communities of Tlingit & Haida, including those Communities established pursuant to Article IV and the Rules of Election, as amended, within the Territory; and
 4. now or hereafter held by the United States in trust for Tlingit & Haida, or for any enrolled tribal citizen thereof, or held by the Tribe or its citizens subject to a federal law restriction against alienation or taxation.

- b. **Jurisdiction.** The jurisdiction of Tlingit & Haida includes all Territory, all Communities established pursuant to Article IV and the Rules of Election, as amended, and all individuals enrolled or eligible for enrollment pursuant to Article III.

1. Within the Territory, jurisdiction shall extend and not be limited to:
 - i. all individuals enrolled or eligible for enrollment, all individuals, persons, and entities subject to or consenting to Tlingit & Haida jurisdiction, including without limitation the property, activities, and conduct of the individuals, persons, and entities subject to or consenting to Tlingit & Haida jurisdiction within the Territory;
 - ii. all flora, fauna, and funga of the biota;
 - iii. all waters, waterways, bodies of water, and wetlands;
 - iv. all materials, elements, and their resources and related activities;
 - v. all air and air space;
 - vi. the totality described by subsections b(1)(i-v) above, which sections are collectively the Tlingit & Haida indigenous ecology, and such indigenous ecology provides for the general welfare and is essential to the preservation and protection of “our way of life”, known as “Haa Kusti” among the Tlingit and “Tlagw íitl’ xíinangaa Gíidang” among the Haida, and further includes traditional and customary practices of fishing, hunting, and gathering, and cultural practices, customs, traditions, and ceremonies.
2. Outside of the Territory, jurisdiction shall extend and not be limited to (1) individuals enrolled or eligible for enrollment, (2) individuals, persons, and entities subject to or consenting to Tlingit & Haida jurisdiction, when either (1) or (2) are within the Communities listed in the Rules of Election, as amended, and outside of the Territory.
3. Activities outside the Territory when such activities affect the rights and laws of Tlingit & Haida.

Section 3. Nothing in this Article shall be construed to limit or impair the ability of Tlingit & Haida to exercise its jurisdiction within or without its Territory based upon its inherent sovereign authority.

ARTICLE II. SOVEREIGN POWERS AND RECOGNITION

Tlingit & Haida is established pursuant to the inherent sovereign authority of the Tlingit and Haida Indian Tribes of Alaska. Tlingit & Haida is recognized by the United States of America as a federally recognized tribal government pursuant to Section 8 of the Act of June 19, 1935 (49 Stat. 388), as amended by the Act of August 19, 1965 (79 Stat. 543), and the Tlingit and Haida Status Clarification Act (Public Law 103-454, Title II, 108 Stat. 4792). The governing body of Tlingit & Haida shall be comprised of the Tribal Assembly, and, consistent with the terms of this Constitution, the Executive Council. The functions of the governing body are to secure, preserve and exercise the inherent sovereign rights, powers, authorities, privileges, and immunities of Tlingit & Haida and all such other rights, powers, authorities, privileges, and immunities as Tlingit & Haida shall possess or be granted.

ARTICLE III. TRIBAL CITIZENSHIP

Section 1. The citizens of Tlingit & Haida shall be:

- a. All living persons included on the roll prepared by the Secretary of the Interior pursuant to Section 8 of the Act of June 19, 1935 (49 Stat. 388), as amended by the Act of August 19, 1965 (79 Stat. 543); and
- b. All other living persons of Tlingit or Haida blood:
 1. Who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto, or who are descendants of such persons, and
 2. Who duly apply for citizenship in Tlingit & Haida and show to the satisfaction of Tlingit & Haida that they are eligible therefor.

Section 2. Tlingit & Haida shall have power to disenroll a person who is determined not to meet the qualifications for enrollment; provided, that any person who believes they have been incorrectly removed from the tribal roll shall be entitled to a hearing before Tlingit & Haida's Supreme Court, shall be given reasonable notice of the hearing, and shall have the opportunity to testify and present evidence on their own behalf. The decisions of the Supreme Court as to citizenship shall be considered final.

ARTICLE IV. GOVERNING BODY

Section 1. The governing body of Tlingit & Haida shall be comprised of the Tribal Assembly, and, consistent with the terms of this Constitution, the Executive Council.

- a. **Tribal Assembly.** The Tribal Assembly shall be composed of delegates from the Communities listed in the Rules of Election adopted and approved as provided in Section 7 of the Act of June 19, 1935, as amended, who shall be elected in accordance with the Rules of Election and Article III of this Constitution.

1. The delegates of the Tribal Assembly shall regularly assemble each year commencing on the third Wednesday in April, unless for a particular year Tlingit & Haida shall designate another day for the commencement of the Tribal Assembly.
2. The Tribal Assembly shall be held in Juneau each year that delegate elections are held and may be held in another Community in a non-election year upon invitation by that other Community through resolution at the preceding election year Tribal Assembly.
3. Special assemblies of the Tribal Assembly may be called by the President, or by the Executive Council, or by notice supported by not less than one-fourth of the delegates. Calls and notices for a special assembly shall set forth the purpose for such assembly but at such special assembly Tlingit & Haida may transact any other business or take any other actions within its powers.
4. At all assemblies of the Tribal Assembly a quorum shall consist of a majority of those holding the office of delegate and no business shall be transacted unless a quorum is present. All assemblies shall be conducted in conformance with this Constitution, Standing Rules of Order, and Robert's Rules of Order. Any conflict among the preceding authorities shall be resolved in the order of precedence set forth in the preceding sentence.

b. Executive Council. Except as provided in subsection (c) below, in even numbered year the Tribal Assembly shall elect from among the delegates the following executive officers: President, First Vice President, and five Vice Presidents, which executive officers shall comprise the Executive Council and serve until their successors are elected and qualified.

1. Executive Council Authority & Procedures

- i. When the Tribal Assembly of Tlingit & Haida is not in session the Executive Council whether assembled or not shall possess all of the powers of Tlingit & Haida and shall be able to do all things and take all actions which the Tribal Assembly of Tlingit & Haida could without limitation, except that the Executive Council shall not have the power to take any action which would constitute a repudiation or negation of specific action taken by the Tribal Assembly of Tlingit & Haida at its last assembly nor to exercise the powers of the Tribal Assembly to amend the Constitution, Rules of Election or Standing Rules of Order.
- ii. The Executive Council shall act by affirmative majority vote of its members. A quorum shall consist of a majority of those holding the office of Executive Council and no business shall be transacted unless a quorum is present. All assemblies shall be conducted in conformance with this Constitution, Standing Rules of Order, and Robert's Rules of Order. Any conflict among the

preceding authorities shall be resolved in the order of precedence set forth in the preceding sentence. The President may vote only to break a tie or when it is clear the vote of the President will affect the outcome of the issue.

- iii. The Executive Council shall take reasonable steps to hold its meetings in several of the recognized Communities.

2. Executive Officer Functions

- i. The President of Tlingit & Haida shall be its chief executive officer. The President shall preside over all assemblies of the governing body and, subject to its direction, the President shall conduct and manage the business of Tlingit & Haida, execute documents and otherwise act for and on behalf of Tlingit & Haida, be a member *ex officio* of all committees, and exercise such other powers as may be delegated to the President. The President may delegate authority to others to perform functions and exercise powers of their office, and appoint committees to assist the governing body or the President in the performance of their functions.
 - 1. In the absence of the President from Tribal Assembly, the First Vice President shall preside, or any Vice President at the discretion of the Executive Council.
 - 2. In the event of a temporary absence by the President, the First Vice President may be designated as acting President. Should the First Vice President be temporarily unable to act as President in the event of a temporary absence or inability to fulfill the duties of office of the President, the Vice Presidents would elect from among themselves an acting President for such time as is necessary.
- ii. The Vice Presidents of Tlingit & Haida shall assist the President as called upon to do so. Any of the Vice Presidents may attest the acts of the President. The First Vice President shall succeed to the office of the President upon the death, resignation or removal of the President and shall serve until the next election of executive officers. In the event of a vacancy in the office of the First Vice President, the Vice Presidents would elect from among themselves a First Vice President until the next Tribal Assembly. If the next Tribal Assembly is not an election year, an election to fill the remainder of the term shall be held.

- iii. It shall be the responsibility of the Vice President serving as Secretary at the time to see that an accurate record is kept of all actions taken and of business conducted by the governing body. Governance records of the governing body shall be available for inspection at the governmental headquarters of Tlingit & Haida during business hours.

Section 2. Except for the President, delegates and executive officers shall receive such compensation and allowances, if any, as shall be prescribed by the governing body, subject to the availability of funds. The President's compensation is set by the Executive Council.

ARTICLE V. POWERS OF THE GOVERNING BODY

Section 1. The governing body of Tlingit & Haida shall possess plenary power and all of the sovereign rights and powers of the Tribe which are not inconsistent with applicable federal law, including without limitation the powers to:

- a. Enact and enforce laws and ordinances governing and regulating the territory of the Tribe and all persons and activities within the territory of the Tribe, including promoting the peace, health, and safety of the Tribe, its wildlife and natural resources and providing for the general welfare of the Tribe and its citizens;
- b. Establish courts and other tribunals to exercise the judicial powers of Tlingit & Haida;
- c. Determine all internal tribal matters including without limitation the establishment and form of tribal government, citizenship and privileges of citizenship in the Tribe, use or disposition of tribal property and assets, and the right to enter, use, condemn through eminent domain, protect and preserve or occupy the territory of the Tribe;
- d. Represent the will of Tlingit & Haida, including to engage in relations, negotiations, agreements, and consultations with other tribal, local, state, national and international government;
- e. Impose and collect taxes, raise and expend other revenue, and pledge the credit of Tlingit & Haida;
- f. Do any act and transact any affairs which a legal person may do, including without limitation the powers to contract and to own, lease, lend, borrow, invest, or otherwise utilize in any way and in capacity for any purpose property, real or personal, of all types;
- g. Authorize and approve constitutions for Community Councils and to delegate to Community Councils governmental functions, subject to limitations and conditions as Tlingit & Haida shall prescribe;

- h. Exercise every other sovereign and governmental right and power belonging to the Tribe;
- 1. Except that the sale, disposition or alienation of trust property owned on behalf of the Tribe or restricted property owned by the Tribe would be subject to a two-thirds affirmative, super majority vote.

Section 2. The governing body shall possess such powers as are incident and necessary to the execution of the powers set forth above, and such further powers as it may from time to time be granted or affirmed to possess.

Section 3. The governing body may authorize and operate governmental activities, including cultural, educational, environmental, proprietary or revenue-raising enterprise functions. The governing body may authorize subordinate groups or entities to perform governmental activities, including cultural, educational, environmental, proprietary or revenue-raising enterprise functions for the Tribe and its citizens, and to delegate to such subordinate groups or entities appropriate powers, subject to such limitations and conditions as it shall prescribe.

Section 4. Sovereign Immunity

a. Sovereign Immunity of Tlingit & Haida

- 1. Tlingit & Haida, including when exercising the governmental activities authorized in Section 3 above, possess sovereign immunity.
- 2. The sovereign immunity of the Central Council of Tlingit & Haida Indian Tribes of Alaska may be waived only by express legislative action of the governing body after consultation with the tribal attorneys. All waivers of sovereign immunity must be preserved with the acts and resolutions of Tlingit & Haida of continuing force and effect. Waivers of sovereign immunity are disfavored and shall be granted only when necessary to secure a substantial advantage or benefit to Tlingit & Haida. Waivers of sovereign immunity shall not be general but shall be specific and limited as to duration, grantee, transaction, property or funds, if any, court and applicable law.

b. Sovereign Immunity of Subordinate Groups or Entities

- 1. Subordinate groups or entities of Tlingit & Haida, including their subsidiaries, created pursuant to Section 3 of this Article carry out governmental activities of Tlingit & Haida and shall have the same sovereign immunity as the Central Council of Tlingit & Haida Indian Tribes of Alaska. The sovereign immunity of any such subordinate group or entity may be waived only by express resolution and consistent with this Article of the Constitution.

2. Waivers of sovereign immunity of subordinate groups or entities of Tlingit & Haida are disfavored and shall be granted only when necessary to secure a substantial advantage or benefit to the subordinate group or entity. Waivers of sovereign immunity shall not be general but shall be specific and limited as to duration, grantee, transaction, and property or funds, if any, of the subordinate group or entity, court and applicable law. No subordinate group or entity may waive the sovereign immunity of the Central Council of Tlingit & Haida Indian Tribes of Alaska, nor may any action of a subordinate group or entity impair or affect the credit or assets of Tlingit & Haida in any manner.

c. Sovereign Immunity of Community Councils.

The sovereign immunity of a Community Council may be waived only by express legislative action of the Community Council after consultation with the Community attorneys. All waivers of sovereign immunity must be preserved with the acts and resolutions of the Community Council of continuing force and effect. Waivers of sovereign immunity of a Community Council are disfavored and shall be granted only when necessary to secure a substantial advantage or benefit to the Community. Waivers of sovereign immunity shall not be general but shall be specific and limited as to duration, grantee, transaction, and property or funds, if any, of the Community subject thereto, court having jurisdiction thereof and law applicable thereunder. No Community Council may waive the sovereign immunity of the Central Council of Tlingit & Haida Indian Tribes of Alaska, nor may any action of a Community Council impair or affect the credit or assets of Tlingit & Haida in any manner.

ARTICLE VI. GOVERNING BODY ELECTIONS

Section 1. Delegate Elections. General elections of delegates to the Tribal Assembly of Tlingit & Haida shall be held every even-numbered year on the third Thursday in March.

- a. Except as provided in the Rules of Election, a vacancy occurring during the term of office of a delegate to the Tribal Assembly shall be filled by the local Community Council.
- b. The Rules of Election, in conformity with this Constitution, shall govern general and special elections, petitions for recall, initiative, and referendum. The Rules of Election shall provide for all aspects of general and special elections, including secret ballot, absentee voting, temporary absence from the community, notice of election, notice of nomination of candidates, election appeal, and certification of elections.

Section 2. Executive Council Elections. Except as provided in subsection (c) below, in even numbered year the Tribal Assembly shall elect from among the delegates the following executive officers: President, First Vice President, and five Vice Presidents, which executive officers shall comprise the Executive Council and serve until their successors are elected and qualified.

- a. In even numbered years in which the President's term would expire upon completion during the Tribal Assembly, or in any year the office of President is vacant for any reason, or the President is incapable of serving for any reason, the Tribal Assembly shall elect its President, who shall serve a term of two years, except in the case of a President elected to fill a vacancy, that President shall serve the remainder of the term of their predecessor.
- b. Candidates for executive office must announce their candidacy by submission of a Declaration of Intent to Serve no later than ten calendar days prior to the first day of Tribal Assembly at which an election of officers shall be held.
- c. An incumbent President need not be a delegate to be re-elected as President.
- d. The President may vote only to break a tie or when it is clear the vote of the President will affect the outcome of the issue.
- e. Immediately upon their election and before entering upon the duties of their offices each executive officer shall take the following oath:

“I, [name of person] , do solemnly swear that I will bear true faith and allegiance to the Central Council of Tlingit & Haida Tribes of Alaska and its tribal citizens, that I will support the Constitution of Tlingit & Haida, and that I will faithfully discharge the duties of the office upon which I am about to enter, so help me God.
- f. Upon the death, resignation, removal or succession to the Presidency of a Vice President, the governing body shall appoint a Vice President from among the other regular delegates to serve until the next election of executive officers.

Section 3. Removal

- a. A delegate may be removed from such office for any of the following reasons:
 - 1. Conviction of a felony offense or an offense involving an act of moral turpitude while in office with removal upon an affirmative, majority vote of four Vice-Presidents of the Executive Council or an affirmative, majority vote of two-thirds of the Tribal Assembly authorized delegates;
 - 2. Removal from such office by affirmative, majority vote of two-thirds of the seated Tribal Assembly delegates for any of the following reasons:
 - i. Malfeasance, misfeasance or misconduct that constitutes gross misconduct while in office or a violation of oath of office;
 - ii. Incapacity to perform or failure to perform official duties, including:

- iii. Failure of the delegate to satisfy the requirements for holding office as provided in the Rules of Election;
 1. Absence of the delegate from two consecutive days of any Tribal Assembly annual meeting without prior notice of good reason with such absence approved by affirmative majority vote or unanimous consent of the Tribal Assembly delegates;
 2. Gross misconduct in office or neglect of duty by the delegate after their election to the office of delegate;
 3. Physical or mental incapacity of the delegate to perform the duties of the office of delegate.
 3. Except for removal pursuant to Article IV(2)(b)(2)(ii), a delegate shall be given notice and a fair opportunity to be heard before a vote is taken regarding a potential removal. A delegate shall be provided a written statement of the reasons for the potential removal at least ten days before the meeting at which the vote may be taken.
 4. The Supreme Court is empowered to hear complaints from a removed delegate regarding their removal only to ensure the faithful administration of the removal process required by this Article. The Supreme Court shall provide notice and a fair opportunity to be heard, including the right to testify and present evidence. The decisions of the Supreme Court shall be considered final.
 - b. An executive officer may be removed from such office for inability to fulfill the duties of office, neglect of duty or gross misconduct. An executive officer shall be given notice and a fair opportunity to be heard before a vote is taken regarding a potential removal. An executive officer shall be provided a written statement of the reasons for the potential removal, which writing shall be subscribed by not less than two-fifths of the authorized delegates to the Tribal Assembly, at least ten days before the meeting at which the vote may be taken. Removal from executive office would constitute removal as a delegate.
 1. The Supreme Court is empowered to hear complaints from a removed executive officer regarding their removal only to ensure the faithful administration of the removal process required by this Article. The Supreme Court shall provide notice and a fair opportunity to be heard, including the right to testify and present evidence. The decisions of the Supreme Court shall be considered final.

ARTICLE VII. TRIBAL COURTS

Section 1. Tlingit & Haida shall by statute establish and prescribe the functions of the Courts of the Tribe. The statutes shall establish qualifications for the Justices and Judges of the Tribal Courts and provide for the election of the Supreme Court, provide for the employment of Court employees, and provide for rules of civil and criminal procedure and Court administration.

Section 2. The Tribal Courts shall be empowered to exercise all judicial authority of the Tribe but shall have only such jurisdiction as is delegated to the Tribal Courts by the governing body.

Section 3. The Tribal Courts shall consist of a Supreme Court and a Trial Court and such other courts as may from time to time be established by Tlingit & Haida.

Section 4. The Supreme Court shall consist of a Chief Justice, two Associate Justices, and such number of Justices as from time to time may be deemed necessary by Tlingit & Haida in consultation with the Chief Justice and the Judiciary Committee. The Chief Justice and two Associate Justices shall be elected at the annual Tribal Assembly and shall serve for terms of not fewer than four years and two years respectively, where Associate Justices serve staggered terms.

Section 5. The Trial Court shall consist of such number of Judges as from time to time may be deemed necessary by the governing body and the Judiciary Committee.

Section 6. A Justice or Judge of the Tribal Courts may be suspended or dismissed by the Judiciary Committee under standards and procedures provided in the Tribal Rules of Judicial Conduct, and for conviction while holding office of a felony or a crime that harms the integrity of the judiciary.

ARTICLE VIII. BILL OF RIGHTS

Section 1. Individual Rights. Tlingit & Haida, in exercising powers of self-government, shall not:

- a. Deprive any person of life, liberty, or property without due process of law;
- b. Deprive any person within its jurisdiction of the equal protection of its laws;
- c. Make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;
- d. Violate the right of the people to be secure in their persons, houses, papers and effects against unreasonable search and seizures, nor issue warrants but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;
- e. Subject any person for the same offense to be twice put in jeopardy;

- f. Compel any person in any criminal case to be a witness against themselves;
- g. Take any private property for public use without just compensation;
- h. Deny to the accused in a criminal proceeding the right to a speedy and public trial; deny the accused of an offense punishable by imprisonment the right, upon request, to a trial by an impartial jury of not less than six persons of their peers;
 - 1. Provided that the accused shall be informed of the nature and cause of the accusation, have the ability to confront the witnesses against them, have compulsory process for obtaining witnesses in favor of the accused, and at the expense of the accused to have the assistance of counsel in defense, except where statute provides for appointed defense counsel;
- i. Presume otherwise but that every person is innocent until proven guilty by law;
- j. Deny any writ of *habeas corpus*, which shall be granted without delay and free of cost; the privilege of habeas corpus shall not be suspended;
- k. Imprison for debt, except in cases of fraud;
- l. Require excessive bail, that shall be set by judicial authorities and shall be available to all defendants except where the granting of bail would constitute a danger to the community, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than permitted by applicable law;
- m. Pass any bill of attainder or *ex post facto* law; or
- n. Pass any law impairing the obligation of contracts.

Section 2. Collective Rights. Tlingit & Haida, in exercising powers of self-government, shall endeavor to:

- a. Honor our ancestors through best efforts to maintain, protect, and repatriate funerary and cultural objects, to protect sacred places, to maintain and enhance our indigenous languages, and to preserve traditional knowledge;
- b. Protect, preserve and enhance Tlingit “Haa Aani” and Haida “łitl’ tlagáay”, our way of life, its ecosystems and resources, including the right to clean water and access to native foods and traditional practices through our inherent rights to traditional and customary hunting, fishing and gathering;
- c. Maintain, control, protect, and develop intellectual property over cultural heritage, traditional knowledge, and traditional cultural expressions;

- d. Protect the rights of tribal citizens' families, custodial parents and children, especially those separated from their birth families, to their identity and to basic nutrition, shelter, health care services, social services, and education, including protection from maltreatment, neglect, abuse, or degradation.

ARTICLE IX. RESERVATION OF RIGHTS AND PRIVILEGES

Section 1. All rights, privileges, and powers not articulated in or pursuant to this Constitution shall be reserved in common to Tlingit & Haida and its citizens.

Section 2. Tlingit & Haida possesses the inherent power to establish the requirements for citizenship. Tlingit & Haida reserves the right to modify or change citizenship requirements solely through a constitutional amendment.

Section 3. Any benefits accorded to the citizens, by virtue of their status as citizens of the United States, shall not be diminished or impaired by the provisions of this Constitution or the laws of Tlingit & Haida.

Section 4. The rights of beneficiaries of private and other trusts, programs, or services shall not be diminished or impaired by the provisions of this Constitution or the laws of Tlingit & Haida.

Section 5. The rights of beneficiaries of Section 8 of the Act of June 19, 1935 (49 Stat. 388), as amended by the Act of August 19, 1965 (79 Stat. 543), and the Act of November 2, 1994 (Public Law 103-454, 108 Stat. 4792), shall not be diminished or impaired by the provisions of this Constitution or the laws of Tlingit & Haida. Tlingit & Haida's responsibility and obligation toward these beneficiaries is affirmed.

ARTICLE X. PURPOSE AND PRINCIPLES OF GOVERNMENT

Section 1. Tlingit & Haida, in exercising powers of self-government, shall adhere to the following purposes and principles:

- a. Assess and respond to the needs and priorities of its citizens, and defend their rights and liberties;
- b. Support reasonable access to housing, healthcare, native foods, water, and education;
- c. Emphasize as priorities culture, history, language, traditions, customs, knowledge, and ancestral wisdom;

- d. Endeavor to recover aboriginal lands within the aboriginal territory to be conveyed to and under jurisdiction of Tlingit & Haida, including for allottees, together with all rights, resources, and appurtenances associated with or appertaining to those lands;
- e. Shall enact no law impairing the obligations of contracts entered into in furtherance of Tlingit & Haida's enterprises or of subdivisions or subsidiaries of Tlingit & Haida; no committee, agency, board or other official body, and no officer or official of Tlingit & Haida shall act to impair the obligations of contracts entered into by Tlingit & Haida, its subdivisions or subsidiaries, or any agency of Tlingit & Haida, or any group or body acting under the authority of Tlingit & Haida or other parties in furtherance of the development, construction, operation and promotion of any enterprises of Tlingit & Haida;
- f. Shall promote the equality, safety and security of all tribal citizens.

ARTICLE XI. RULE OF LAW

Tlingit & Haida shall be bound by its Constitution, laws, and the rule of law.

ARTICLE XII. FOREIGN RELATIONS

Section 1. The President shall have the power to conduct negotiations and enter into treaties, compacts, and other agreements with other sovereigns, political subdivisions of such sovereigns, or other organizations and entities for the benefit of Tlingit & Haida;

Section 2. Treaties shall be subject to approval by the governing body;

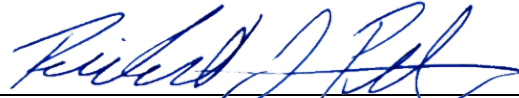
Section 3. The President shall have the power to appoint ambassadors to establish and maintain relations with other sovereigns and organizations or associations of sovereigns.

ARTICLE XIII. ADOPTION AND AMENDMENT

This Constitution shall be in force and effect from the time of its adoption by vote of a majority of the delegates elected to the Tribal Assembly of Tlingit & Haida. It may be amended by vote of two-thirds of the delegates present at any assembly of Tlingit & Haida, or by unanimous consent, provided that proposed amendments must be distributed to the Delegates 90 days before an assembly.

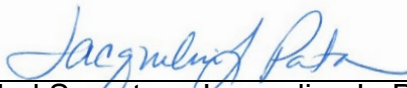
ADOPTED this 18th day of April 2025, by the Tribal Assembly of the Central Council of Tlingit & Haida Indian Tribes of Alaska.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Jacqueline L. Pata

TRIBAL ASSEMBLY ADOPTED CHANGES

April 14, 2004
April 19, 2007
April 19, 2008
April 20, 2013
April 12, 2014
April 20, 2017
April 21, 2017
April 20, 2018