



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
Office of the President • Edward K. Thomas Building
9097 Glacier Highway • Juneau, Alaska 99801

Executive Council of the Central Council
TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

Resolution EC 22-73

Title: Authorization for a Limited Waiver of Sovereign Immunity to Enter into a License Agreement for Access to Federal Communications Commission Broadband Data

WHEREAS, the Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is a federally recognized tribe with more than 34,000 citizens; and

WHEREAS, under Article X of 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 has received a grant through the National Telecommunications and Information Administration (NTIA) for the purpose of developing and implementing digital equity to provide broadband access and deployment to Tribal citizens; and

WHEREAS, to provide broadband access Tlingit & Haida will need government level access to the Federal Communications Commission's (FCC) new Broadband Data Collection; and

WHEREAS, tribal governments are required to create accounts with the FCC's contractor, CostQuest, by accepting a data and use agreement with CostQuest; and

WHEREAS, Tlingit & Haida has determined the execution of a license agreement with CostQuest, which includes a limited waiver of sovereign immunity, is necessary to secure the substantial advantage and benefit to Tlingit & Haida of being able access government level data from FCC's new Broadband Data Collection; and

WHEREAS, the waiver of sovereign immunity is expressly limited to the sole and exclusive purpose of consenting to dispute resolution with CostQuest, and

WHEREAS, the limited waiver of sovereign immunity shall be further limited only to a dispute being brought by CostQuest, and not by any third party; and

NOW THEREFORE BE IT RESOLVED, that the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska hereby expressly and irrevocably waives its sovereign immunity only as to dispute resolution with CostQuest and only in effect during the term of the agreement, and any period of time required to complete dispute resolution in the event that it should need to be addressed.

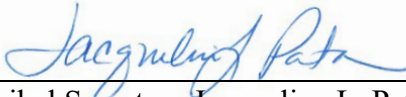
ADOPTED this 16th day of December 2022, by the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absences.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Jacqueline L. Pata