

**WAIVER OF SOVEREIGN IMMUNITY FOR TRIBAL ENTITIES**

**RESOLUTION NO. \_\_\_\_\_**

WHEREAS, the \_\_\_\_\_ (Name of Native village council) wishes to receive payment under the Department of Commerce, Community, and Economic Development Community Assistance Payment Program in State Fiscal Year 2025; and

WHEREAS, AS 29.60.865(a) and 3 AAC 180.130 requires the entity's governing body to waive the entity's sovereign immunity from legal prosecution by the state with respect to claims arising out of activities related to the payment;

THEREFORE, BE IT RESOLVED THAT, the \_\_\_\_\_, (Name of Native village council) hereby irrevocably waives its sovereign immunity and consents to suit in Alaska State Courts or in a state administrative agency proceeding for any cause of action or claim (including any claim for allowable pre-judgment or post-judgment interest, costs and attorney fees) filed by the state arising out of or related to the payment, to enforcement of any court or agency order or judgment entered in such action or agency proceeding, and to levy and execution of any judgment entered in any such lawsuit or agency proceeding against all property and funds of the \_\_\_\_\_, (Name of Native village council) however held and wherever located, provided that such execution of judgment not exceed the program payment.

BE IT FURTHER RESOLVED THAT: \_\_\_\_\_ (Chief Administrative Officer, Chief, President) is hereby authorized to negotiate, execute, and administer any and all documents and contracts required for granting funds to the \_\_\_\_\_ (Name of Native village council) and managing funds on behalf of this entity, including any subsequent amendments to the payment agreement.

BE IT FURTHER RESOLVED THAT: This resolution shall remain in effect until the expiration of the statute of limitations on any cause of action or claim arising out of or related to the payment, including, but not limited to, any cause of action or claim related to a demand for reimbursement of program funds. Issues related to the statute of limitations shall be determined under the laws of the State of Alaska.

This resolution was adopted at a duly convened meeting of the \_\_\_\_\_ (Name of Native village council) on \_\_\_\_\_, 20\_\_\_\_ and complies with all current requirements necessary for the \_\_\_\_\_ (Name of Native village council) to validly and irrevocably waive its sovereign immunity.

IN WITNESS THERETO:

By: \_\_\_\_\_  
Signature Chief Administrative Officer Title

Attest: \_\_\_\_\_  
Signature Clerk or Secretary of Organization Title