

**CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA**

Date: _____

RESOLUTION NO. _____ (2026)

A resolution granting a limited waiver of sovereign immunity to T-Mobile License, LLC for the purpose of expanding cellular phone service and wireless services on the Qualla Boundary.

WHEREAS, the Federal Communications Commission (FCC) granted a license to the Tribe certain Education Broadband Service Channels (Spectrum Channels) to transmit in the Asheville-Hendersonville, NC area (Market Area); and

WHEREAS, the Spectrum Channels can be made available for commercial use in the Market Area, but if the Tribe does not make use of the Spectrum Channels by October 31, 2026, the license granted by the FCC will expire; and

WHEREAS, the Tribe desires to enter into a lease agreement with T-Mobile License, LLC, (T-Mobile) to expand cellular phone service and other wireless services on the Qualla Boundary, and would do so by leasing Spectrum Channels to T-Mobile; and

WHEREAS, the lease provides for a partial waiver of the Tribe’s sovereign immunity to enforce the express terms of the lease agreement, provides for a venue in the United States District Court for the Western District of North Carolina in Asheville, North Carolina, as well as provides dispute resolution that includes arbitration which can be construed as a waiver of the Tribe’s sovereign immunity; and

WHEREAS, the limited waiver of sovereign immunity excludes money damages; and

WHEREAS, the Office of Attorney General has reviewed the lease and the limited waiver of sovereign immunity with T-Mobile.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present that T-Mobile License, LLC, is hereby granted a limited waiver of sovereign immunity to be used relating to the lease agreement with T-Mobile License, LLC.

BE IT FURTHER RESOLVED that a limited waiver of sovereign immunity attached to this resolution as Exhibit A is granted between the Tribe and T-Mobile License, LLC.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

Submitted by Office of Information Technology