**SPECIAL TERMS AND CONDITIONS FOR CALIFORNIA NATIVE AMERICAN TRIBES AND TRIBAL ORGANIZATIONS WITH SOVEREIGN IMMUNITY**

1. **Limited Waiver of Sovereign Immunity**

The [Insert name of Tribe AND Tribal Organization, if applicable] has [have] waived its [their] sovereign immunity, to the extent that any such sovereign immunity exists, for any and all claims by the California Energy Commission that may arise relating to this Agreement and any remedies therefore under the laws of the state of California and the laws of the United States of America; and

1. **Consent to Jurisdiction**

The [Insert name of Tribe AND Tribal Organization, if applicable] has [have] consented to personal jurisdiction and venue in any court of the State of California and any federal court sitting in the State of California; and has [have] waived any and all claim that it [they] may have, including without limitation that such court is an inconvenient forum, for the purposes of any proceeding related to this Agreement; and, with respect to a proceeding in a court of the State of California or a federal court sitting in the State of California, any requirement that tribal remedies must be exhausted.

1. **Authority**

The [Insert name of Tribe AND Tribal Organization, if applicable] has [have] authorized this Agreement, including Limited Waiver of Sovereign Immunity and Consent to Jurisdiction, and has [have] adopted [a] resolution or other authorizing document stating so.

<<INSTRUCTIONS TO CAO AND ATTORNEY: ATTACH RESOLUTION(S) AS EXHIBIT. DELETE THIS INSTRUCTION ONCE COMPLETE.>>