

An Act

LEGISLATIVE ACT 37-22

AN ACT AMENDING LEGISLATIVE ACT #30-22 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2023 – Mod. 2; AND DECLARING AN EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

SECTION 1. TITLE AND CODIFICATION

This legislative act shall be titled and codified as “**An Act Amending Legislative Act #30-22 Authorizing the Comprehensive Operating Budget for FY 2023 – Mod. 2**”.

SECTION 2. PURPOSE

The purpose of this amendment is to authorize and approve the use of funds, subject to the availability of such funds, in accordance with Section 4, changing the amounts of certain cost centers approved in the “Comprehensive Budget Act for Fiscal Year 2023” or subsequent amendment. The cumulative total of the budget is increased by **\$ 3,637,483** for a total budget authority of **\$ 3,026,756,779**. The following items are identified as components of such change:

Grants Received & Authorized per LA 30-22 (detail attached)	\$ 2,454,389
Modification Request (see Section 4 below)	<u>1,183,094</u>
Cumulative change in budget authority	\$ <u>3,637,483</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #30-22 are applicable to this amendment.

SECTION 4. FUNDING AUTHORIZATIONS

The changes reflect increases to cost centers set forth in the program budget justifications incorporated herein. This modification request changes the total amount of the comprehensive budget authorization by an increase of **\$ 1,183,094** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 110,000**.
- B. An increase in the **DOI – Self Governance** budget authority of **\$ 65,181**.
- C. An increase in the **IHS – Self Governance Health** budget authority of **\$ 1,007,913**.

SECTION 5. PROVISIONS AS CUMULATIVE

The provisions of this Act shall be cumulative to existing law.

SECTION 6. SEVERABILITY

The provisions of this Act are severable and if any part or provision hereof shall be held void, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

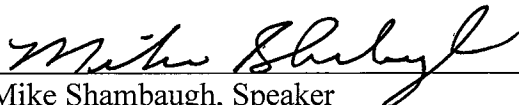
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.

SECTION 8. SELF-HELP CONTRIBUTIONS

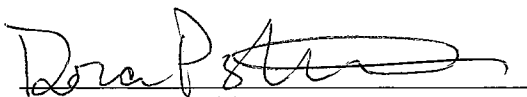
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 14th day of November, 2022



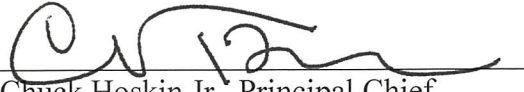
Mike Shambaugh, Speaker
Council of the Cherokee Nation

ATTEST:



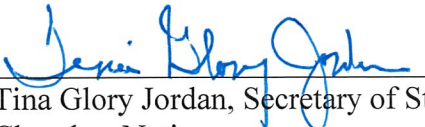
Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 18th day of November, 2022



Chuck Hoskin Jr., Principal Chief
Cherokee Nation

ATTEST:



Tina Glory Jordan, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Rex Jordan	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Wes Nofire	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Yea</u>
E.O. "Jr" Smith	<u>Yea</u>	Keith Austin	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Danny Callison	<u>Yea</u>
Josh Sam	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Julia Coates	<u>Yea</u>
Mike Shambaugh	_____		

CHEROKEE NATION
PROPOSED FY 2023 AMENDMENT
Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2023- Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
20-DOI - General	1	3205180 Inter Tribal Buffalo Council	LA 30-22	(3,730)	(3,730)	\$ -
20-DOI - General Total				\$ (3,730)	\$ (3,730)	\$ -
40-DHHS-General	2	3401331 Opioid Overdose Prevntion Proj	LA 30-22	200,000	200,000	\$ -
	3	3401510 RAD X Cherokee PROTECT	LA 30-22	182,683	182,683	\$ -
	4	3401540 NARCH 11 Machine Learning	LA 30-22	254	254	\$ -
	5	3401541 NARCH11 Admin-Core	LA 30-22	(254)	(254)	\$ -
	6	3401560 SDOH	New	54,231	54,231	\$ -
	7	3409700 P 20 Admin Core	LA 30-22	(2,595)	(2,595)	\$ -
	8	3409740 P 20 Tobacco Cessation	LA 30-22	(1,117)	(1,117)	\$ -
	9	3409750 P 20 CREP	LA 30-22	(1,117)	(1,117)	\$ -
10	3409760 P 20 Ecig Use in Pregnancy	LA 30-22	15	15	\$ -	
40-DHHS-General Total				\$ 432,100	\$ 432,100	\$ -
55-HUD	11	3551100 Congregate Housing	LA 30-22	3,272	3,272	\$ -
55-HUD Total				\$ 3,272	\$ 3,272	\$ -
75-Federal Other	12	3754100 AmeriCorps Head Start	New	577,947	577,947	\$ -
	13	3759750 THSG 2022	New	1,190,000	1,190,000	\$ -
	14	3759930 Spec DV Crim Jurisdict OVV	New	250,000	250,000	\$ -
75-Federal Other Total				\$ 2,017,947	\$ 2,017,947	\$ -
85-Private	15	3854300 Buffalo Processing	New	4,800	4,800	\$ -
85-Private Total				\$ 4,800	\$ 4,800	\$ -
Grand Total				\$ 2,454,389	\$ 2,454,389	\$ -

November Operating Grants - Reporting Only

CHEROKEE NATION
 PROPOSED FY 2023 AMENDMENT
 Sorted by Funding Source

Funding Source	Ref # by FS	Program/Purpose	FY 2023- Prior LA	Data		
				Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010045 Registration Gen Fund	LA 30-22	-	225,878	\$ (225,878)
	2	1010178 Institutional Aid Scholarship	New	110,000	210,000	\$ (100,000)
	3	1010296 Unappropriated Reserve	Mod 1	-	(1,658,455)	\$ 1,658,455
	4	1010800 Supreme Court	LA 30-22	-	332,577	\$ (332,577)
	5	1010926 HJSCA Lang Svc Spkr Hsng Rehab	New	1,000,000	1,000,000	\$ -
01-Cherokee Nation Total				\$ 1,110,000	\$ 110,000	\$ 1,000,000
22-DOI - Self Governance	6	3222180 SG Registration	LA 30-22	65,181	65,181	\$ -
22-DOI - Self Governance Total				\$ 65,181	\$ 65,181	\$ -
32-IHS - Self Governance Health	7	3324000 Behavioral Health	LA 30-22	549,120	549,120	\$ -
	8	3325400 Health Administration	LA 30-22	458,793	458,793	\$ -
32-IHS - Self Governance Health Total				\$ 1,007,913	\$ 1,007,913	\$ -
Grand Total				\$ 2,183,094	\$ 1,183,094	\$ 1,000,000

Operating Mod #2 Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2023

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	284,330,282	19,425,019	303,755,301	282,021,828	7,274,080	14,459,393	303,755,301	-
Motor Fuels Tax Funding Srce	10,985,384	19,348,346	30,333,730	20,756,283	72,447	9,505,000	30,333,730	-
Motor Vehicle Tax Funding Srce	37,825,564	1,140,440	38,966,004	37,572,428	877,305	516,271	38,966,004	-
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	-
DOI General Funding Source	19,792,566	0	19,792,566	18,152,267	1,640,299	0	19,792,566	-
DOI Self Gov Funding Source	36,607,914	79,600	36,687,514	34,661,149	2,016,365	10,000	36,687,514	-
DOI Self Gov Roads Funding Src	0	0	0	0	0	0	0	-
Dept of Transportation Fnd Src	83,009,087	0	83,009,087	82,653,716	255,371	100,000	83,009,087	-
DOI PL102-477 Funding Source	407,665,453	0	407,665,453	358,978,706	2,547,070	46,139,677	407,665,453	-
IHS Self Gov Health Funding Sr	815,494,675	0	815,494,675	749,850,545	46,902,979	18,741,151	815,494,675	-
IHS Self Gov TEH Funding Src	26,090,941	0	26,090,941	25,746,586	344,355	0	26,090,941	-
IHS Self Gov Offic Funding Src	386,587	0	386,587	351,067	35,520	0	386,587	-
IHS Discretionary Funding Srce	150,000	0	150,000	100,000	0	50,000	150,000	-
DHHS General Funding Source	87,921,657	678,560	88,600,217	82,482,438	6,117,779	0	88,600,217	-
USDA Funding Source	28,199,236	1,025,691	29,224,927	28,391,450	833,477	0	29,224,927	-
Dept of Education Funding Srce	1,248,426	87,222	1,335,648	1,227,226	88,422	20,000	1,335,648	-
HUD Funding Source	69,205,037	1,602,501	70,807,538	67,739,637	265,400	2,802,501	70,807,538	-
Housing Proceeds Funding Src	0	0	0	0	0	0	0	-
EPA Funding Source	2,342,588	0	2,342,588	2,132,906	209,682	0	2,342,588	-
Dept of Labor Funding Source	27,398,701	0	27,398,701	26,040,264	1,358,437	0	27,398,701	-
Dept of Treasury Funding Source	1,023,377,070	0	1,023,377,070	1,019,980,225	3,146,845	250,000	1,023,377,070	-
Federal Other Funding Source	19,181,983	147,587	19,329,570	18,623,484	701,879	4,207	19,329,570	-
State of Oklahoma Funding Src	884,367	0	884,367	825,274	59,093	0	884,367	-
Private Funding Source	6,751,172	0	6,751,172	6,740,501	10,671	0	6,751,172	-
Indirect Cost Pool Funding Src	82,302,528	6,750	82,309,278	82,309,278	0	0	82,309,278	-
Fringe Pool Funding Source	0	0	0	0	0	0	0	-
Internal Lease Pool Funding Sr	5,478,811	0	5,478,811	5,478,811	0	0	5,478,811	-
Enterprise Funding Source	1,166,891	1,699,807	2,866,698	2,733,675	133,023	0	2,866,698	-
Other Funding Source	268,000	17,000	285,000	280,066	4,934	0	285,000	-
Debt Service Funding Source	0	0	0	0	0	0	0	-
Capital Projects Funding Source	406,392,879	47,339,677	453,732,556	453,580,456	152,100	0	453,732,556	-
Total	\$ 3,484,466,899	\$ 92,598,200	\$ 3,577,065,099	\$ 3,409,419,366	\$ 75,047,533	\$ 92,598,200	\$ 3,577,065,099	\$ -

CAPITAL RECONCILIATION		Non Grant Requests	
LA 29-22	\$ 569,345,306	Oper Mod #1	17,853,892
Cap Mod #1	13,754,571	Cap Mod #1	13,754,571
Cap Mod #2	1,036,000	Oper Mod #2	1,183,094
		Cap Mod #2	1,036,000
			11/14 Council
			11/14 Council
			11/14 E&F
			11/14 E&F

Total after pending Mod's	\$ 3,610,892,656
Operating (LA 44-21)	\$ 3,026,756,779
Capital (LA 43-21)	584,135,877
Grand Total	\$ 3,610,892,656

CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight



M e m o

To: Keith Austin, Chairman, Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 11/03/2022
Re: Review of Operating Budget Mod #2 – Total \$ 3,637,483

Per your request, I have reviewed the administration’s budget modification request for this month’s Executive & Finance Committee Meeting. Below is a summary of my review:

A. Grant Reporting:

<u>Funding Source</u>	<u># of Budgets</u>	<u>Amount</u>
DOI General	1	\$ (3,730)
DHHS General	9	432,100
HUD	1	3,272
Federal Other	3	2,017,947
Private	1	<u>4,800</u>
Total Grant Reporting		<u>\$ 2,454,389</u>

General Fund Cash Match for Grants (1010315) – Start of Year

Cash Out: Grant Required	\$ 1,248,361	
Appropriated for Cash Match (future grants)	<u>1,468,154</u>	
Original Total Budget	<u>\$ 2,716,515</u>	
Original Appropriated for Cash Match – for future grants	\$ 1,468,154	
Used: ---	-	
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Balance Available for Future Grant Matching	<u>\$ 1,468,154</u>	

B. MOD #2 Request - Increase in budget authority - \$ 1,183,094

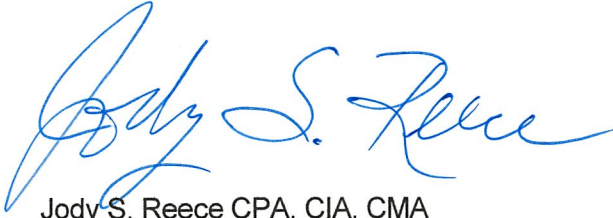
1. Registration Gen Fund – 1010045 – Tribally Funded: Modification requesting an increase in expenditure authorization of \$225,878 to add four new clerk positions and supplies. Funded from General Fund carryover and removed from the reserve by appropriation in budget 3. The new expenditure total is \$1,596,869.

2. Institutional Aid Scholarship – 1010178 – Tribally Funded: New budget requesting expenditure authorization of \$210,000. \$110,000 was funded in fiscal year 2022 and was unused and carried over. The additional \$100,000 is funded from General Fund carryover and removed from the reserve by appropriation in budget 3.
3. Unappropriated Reserve – 1010296 – Tribally Funded: Modification requesting a decrease in expenditure authorization of \$(1,658,455) in the Reserve by Appropriation account, to provide funding for the budgets 1, 2, 4 in this operating mod and the \$1,000,000 for the Real Property Acquisitions in the capital mod. The funding is provided by General Fund carryover.
4. Supreme Court – 1010800 – Tribally Funded: Modification requesting an increase in expenditure authorization of \$332,577 to raise the Justice salaries to match the Tribal Council. Funded from General Fund carryover and removed from the reserve by appropriation in budget 3. The new expenditure total is \$1,612,149.
5. HJSCA Lang Svc Spkr Hsng Rehab – 1010926 – Tribally Funded: New budget requesting expenditure authorization of \$1,000,000 of the \$10,000,000 authorized for fiscal years 2022-2025 per the Housing, Jobs and Sustainable Community Act of 2022 (LA 10-22). Funding is provided by special dividend from CNB.
6. SG Registration – 3222180 – DOI Self Governance: Modification requesting an increase in expenditure authorization of \$65,181 one new staff position. The new budgeted expenditure total is \$1,324,862.
7. Behavioral Health – 3324000 – DOI PL 102-477: Modification requesting and increase in expenditure authorization of \$549,120 for increased contractual expenses to bring on three full time providers to provide telehealth services. Third party collections related to their services will provide the funding. The new budgeted expenditure and transfer total is \$6,280,530.
8. Health Administration – 3325400 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$458,793. Five new positions are added including: Patient Experience Manager and two Patient Services Advocates to serve as patient navigators, one Project Manager and Special Projects Officer to support the Deputy Director of External Operations with various projects. Also replaced one Administrative Assistant with a Health Administrative Coordinator. The new budgeted expenditure total is \$1,509,882.

Summary:

After reviewing the submission of the operating modification by administration, I find no technical issues surrounding these requests, nor do I have any unmentioned concerns related to their respective carryover estimates. If I can provide any additional information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink that reads "Jody S. Reece". The signature is fluid and cursive, with the first name "Jody" being particularly prominent.

Jody S. Reece CPA, CIA, CMA
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