

An Act

LEGISLATIVE ACT 23-23

AN ACT AMENDING LEGISLATIVE ACT #22-23 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2024 – Mod. 1 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 #22-23 Authorizing the Comprehensive Operating Budget for FY 2024 – Mod. 1**”.

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 2024” or subsequent amendment. The cumulative total of the budget is increased by **\$ 2,204,748** for a total budget authority of **\$ 3,036,733,114**. The following items are identified as components of such change:

Grants Received & Authorized per LA 22-23 (detail attached)	\$ 1,800,750
Modification Request (see Section 4 below)	<u>403,998</u>
Cumulative change in budget authority	\$ <u>2,204,748</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #22-23 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 **\$ 403,998** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 15,000**.
- B. An increase in the **Indirect Cost Pool** budget authority of **\$ 182,143**.
- C. An increase in the **IHS Self Governance Health** budget authority of **\$ 206,855**.

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.

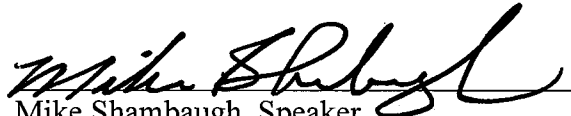
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

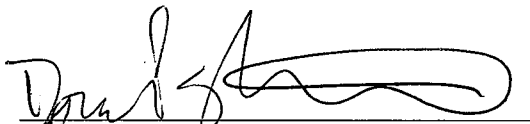
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

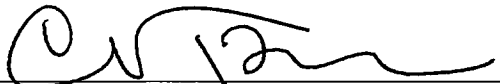
Enacted by the Council of the Cherokee Nation on the 6th day of November, 2023


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 20th day of November, 2023



Chuck Hoskin Jr., Principal Chief
Cherokee Nation

ATTEST:



Shella Bowlin, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Sasha Blackfox-Qualls	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Lisa Hall	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Absent</u>	Joe Deere	<u>Yea</u>
E.O. "Jr" Smith	<u>Yea</u>	Kevin Easley, Jr.	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Danny Callison	<u>Yea</u>
Josh Sam	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Codey Poindexter	<u>Yea</u>	Julia Coates	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

CHEROKEE NATION
 PROPOSED FY 2024 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2024- Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
40-DHHS-General	1	3401750 Harvard POC HCV Ag Dx	New	89,826	89,826	\$ -
	2	3409500 Medicare Outreach Asst. Prog.	LA 22-23	4,976	4,976	\$ -
40-DHHS-General Total				\$ 94,802	\$ 94,802	\$ -
45-USDA	3	3457600 Self Determination Grant	New	1,499,978	1,499,978	\$ -
45-USDA Total				\$ 1,499,978	\$ 1,499,978	\$ -
62-EPA	4	3622470 ATTAINS Mentorship Exchange	New	125,000	125,000	\$ -
	5	3622540 CNEP Air Sensor Studies	New	30,970	30,970	\$ -
62-EPA Total				\$ 155,970	\$ 155,970	\$ -
85-Private	6	3857200 Connected Learning Center	New	50,000	50,000	\$ -
85-Private Total				\$ 50,000	\$ 50,000	\$ -
Grand Total				\$ 1,800,750	\$ 1,800,750	\$ -

October Operating Grants - Reporting Only

CHEROKEE NATION
 PROPOSED FY 2024 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2024- Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010296 Unappropriated Reserve	LA 22-23	-	(279,166)	\$ 279,166
	2	1012349 Cherokee Nation Recycling	New	15,000	294,166	\$ (279,166)
01-Cherokee Nation Total				\$ 15,000	\$ 15,000	\$ -
04-Indirect Cost Pool	3	2040000 Indirect Cost Pool Recovery	LA 22-23	182,143	-	\$ 182,143
	4	2041041 MRG Planning and Development	LA 22-23	-	(79,800)	\$ 79,800
	5	2041044 Space Management	New	-	261,943	\$ (261,943)
04-Indirect Cost Pool Total				\$ 182,143	\$ 182,143	\$ -
32-IHS - Self Governance Health	6	3326300 HIV Elimination Program	New	206,855	206,855	\$ -
32-IHS - Self Governance Health Total				\$ 206,855	\$ 206,855	\$ -
Grand Total				\$ 403,998	\$ 403,998	\$ -

Operating Mod #1 Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2024

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	351,708,731	31,018,104	382,726,835	341,002,111	6,995,919	34,728,805	382,726,835	-
Motor Fuels Tax Funding Srce	11,605,384	23,516,884	35,122,268	24,898,770	98,498	10,125,000	35,122,268	-
Motor Vehicle Tax Funding Srce	42,406,756	289,960	42,696,716	41,258,309	915,276	523,131	42,696,716	-
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	-
DOI General Funding Source	20,652,069	0	20,652,069	19,020,783	1,631,286	0	20,652,069	-
DOI Self Gov Funding Source	59,210,064	79,600	59,289,664	56,278,421	2,986,243	25,000	59,289,664	-
DOI Self Gov Roads Funding Src	0	0	0	0	0	0	0	-
Dept of Transportation Fnd Src	104,572,358	0	104,572,358	104,180,239	292,119	100,000	104,572,358	-
DOI PL102-477 Funding Source	454,343,046	0	454,343,046	399,790,311	3,716,235	50,836,500	454,343,046	-
IHS Self Gov Health Funding Sr	913,921,509	0	913,921,509	775,147,809	49,071,754	89,701,946	913,921,509	-
IHS Self Gov TEH Funding Src	25,862,200	0	25,862,200	25,460,091	402,109	0	25,862,200	-
IHS Self Gov Offic Funding Src	386,587	0	386,587	349,472	37,115	0	386,587	-
IHS Discretionary Funding Src	2,500,000	0	2,500,000	150,000	0	2,350,000	2,500,000	-
DHHS General Funding Source	85,221,055	692,099	85,913,154	79,958,500	5,954,654	0	85,913,154	-
USDA Funding Source	45,796,853	940,170	46,737,023	44,167,485	2,569,538	0	46,737,023	-
Dept of Education Funding Srce	1,715,003	87,222	1,802,225	1,693,563	88,662	20,000	1,802,225	-
HUD Funding Source	69,600,667	1,877,501	71,478,168	68,077,647	323,020	3,077,501	71,478,168	-
Housing Proceeds Funding Src	0	0	0	0	0	0	0	-
EPA Funding Source	2,220,793	0	2,220,793	2,012,141	208,652	0	2,220,793	-
Dept of Labor Funding Source	20,517,517	0	20,517,517	19,421,639	1,095,878	0	20,517,517	-
Department of Treasury Fund Sr	823,500,000	0	823,500,000	820,057,924	942,076	2,500,000	823,500,000	-
Federal Other Funding Source	51,779,425	0	51,779,425	50,787,440	847,514	144,471	51,779,425	-
State of Oklahoma Funding Src	1,062,082	0	1,062,082	980,224	81,858	0	1,062,082	-
Private Funding Source	2,051,018	0	2,051,018	2,008,368	42,650	0	2,051,018	-
Indirect Cost Pool Funding Src	87,385,906	11,250	87,397,156	87,397,156	0	0	87,397,156	-
Fringe Pool Funding Source	0	0	0	0	0	0	0	-
Internal Lease Pool Funding Sr	7,400,156	0	7,400,156	7,400,156	0	0	7,400,156	-
Enterprise Funding Source	1,813,061	1,840,071	3,653,132	3,522,381	130,751	0	3,653,132	-
Other Funding Source	288,000	17,000	285,000	279,945	5,055	0	285,000	-
Debt Service Funding Source	0	0	0	0	0	0	0	-
Capital Projects Funding Source	408,269,531	133,762,493	542,032,024	541,912,149	119,875	0	542,032,024	-
Total	\$ 3,595,778,871	\$ 194,132,354	\$ 3,789,911,225	\$ 3,517,222,134	\$ 78,556,737	\$ 194,132,354	\$ 3,789,911,225	\$ -

Non Grant Requests

Oper Mod #1	403,998
	<small>10/26 E&F</small>

CAPITAL RECONCILIATION

LA 21-23	\$ 753,582,109
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Total Capital	\$ 753,582,109
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Total after pending Mod's	\$ 3,790,315,223
Operating - cumulative total	\$ 3,036,733,114
Capital - cumulative total	753,582,109
Grand Total	\$ 3,790,315,223

CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight



M e m o

To: Josh Sam, Chairman - Executive & Finance Committee
From: Jody S. Reece
CC: Executive & Finance Committee
Date: 10/12/2023
Re: Review of Operating Budget Mod #1 – Total \$ 2,204,748

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>
DHHS General	2	\$ 94,802
USDA	1	1,499,978
EPA	2	155,970
Private	1	50,000
Total Grant Reporting		<u>\$ 1,800,750</u>

Cash Match for Grants (10103150) – Start of Year

Cash Out: Grant Required	\$ 1,667,007
Appropriated for Cash Match (future grants)	<u>1,832,993</u>
Original Total Budget	<u>\$ 3,500,000</u>
Original Appropriated for Cash Match – for future grants	\$1,832,993
Used: none	-
Balance Available for Future Grant Matching	<u>\$1,832,993</u>

B. MOD #1 Request - Increase in budget authority - \$ 403,998

1. Unappropriated Reserve – 10102960 – Tribally Funded: Modification requesting a decrease in expenditure authorization of \$279,166 to provide funding for the Recycling budget in budget 2. The new budgeted reserved by appropriation total is \$12,757,096.
2. Cherokee Nation Recycling – 10123490 – Tribally Funded: New budget requesting expenditure authorization \$182,143 and \$15,000 other income. Funding provided by a reduction of unappropriated reserve in budget 1. This adds three new maintenance worker positions. See the budget narrative for additional details.

3. Indirect Cost Pool Recovery – 20400000 – Indirect Cost Pool: Modification requesting an increase in IDC Recovery authorization of \$182,143 to provide the funding for Space Management in budget 5. The new budgeted IDC Recovery is \$73,097,707.
4. MGR Planning and Development – 20410410 – Indirect Cost Pool: Modification requesting a decrease in expenditure authorization of \$(79,800) that is due to moving one FTE to the new Space Management budget. The new budgeted expenditure total is \$1,484,802.
5. Space Management – 20410440 – Indirect DOI Self Governance: New budget requesting expenditure authorization of \$261,943. This adds two new FTES and moves over one FTE from budget 4. See the budget narrative for additional details.
6. HIV Elimination Program – 3326300 – IHS Self Governance Health: New budget requesting expenditure authorization of \$206,855. Funding provided by earmarked carryover funds.

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,



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