

An Act

LEGISLATIVE ACT 17-23

AN ACT AMENDING LEGISLATIVE ACT #30-22 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2023 – Mod. 10 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. 10**”.

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 **\$ 2,736,250** for a total budget authority of **\$ 3,218,934,734**. The following items are identified as components of such change:

Grants Received & Authorized per LA 30-22 (detail attached)	\$ 2,586,695
Modification Request (see Section 4 below)	<u>149,555</u>
Cumulative change in budget authority	\$ <u>2,736,250</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 **\$ 149,555** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 66,000**.
- B. An increase in the **Indirect Cost Pool** budget authority of **\$ 83,555**.

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.

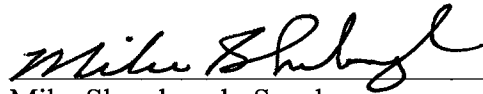
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

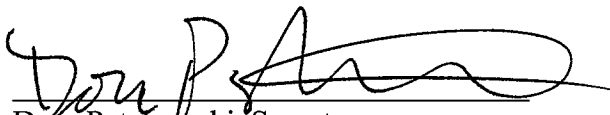
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 10th day of July, 2023



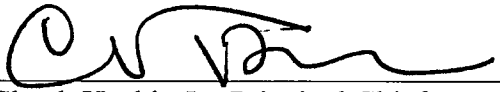
Mike Shambaugh, Speaker
Council of the Cherokee Nation

ATTEST:



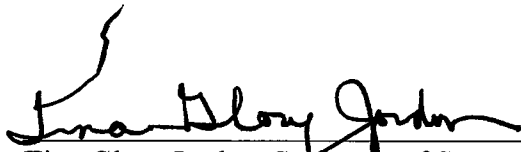
Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 13th day of July, 2023



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>Absent</u>
Wes Nofire	<u>Yes</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Absent</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>Absent</u>
Mike Shambaugh	<u>Yea</u>		

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
01-Cherokee Nation	1	1010315 Cash Match For Grants	Jun. Grants	-	-	\$ -
01-Cherokee Nation Total				\$ -	\$ -	\$ -
40-DHHS-General	2	3401730 Public Health School Wellness	New	390,000	390,000	\$ -
	3	3402120 CCC Supplement	New	25,000	25,000	\$ -
40-DHHS-General Total				\$ 415,000	\$ 415,000	\$ -
45-USDA	4	3457200 WIC FMNP Admin	New	100,287	100,287	\$ -
	5	3457201 WIC FMNP Food	New	371,408	371,408	\$ -
	6	3457300 WIC Innovation	New	350,000	350,000	\$ -
	7	3457400 CIAO WIC Innovation Outreach	New	1,000,000	1,000,000	\$ -
	8	3457500 WIC FMNP E-Solution ARPA Grant	New	350,000	350,000	\$ -
45-USDA Total				\$ 2,171,695	\$ 2,171,695	\$ -
Grand Total				\$ 2,586,695	\$ 2,586,695	\$ -

July Operating Grants - Reporting Only

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
01-Cherokee Nation	1	1010203 Citizens Compensation Committee	New	-	5,000	\$ (5,000)
	2	1010296 Unappropriated Reserve	Jun Mod	-	(5,000)	\$ 5,000
	3	1012290 Tribal Leases Realty	LA30-22	66,000	66,000	\$ -
01-Cherokee Nation Total				\$ 66,000	\$ 66,000	\$ -
04-Indirect Cost Pool	4	2041043 CN Fleet Services Center	LA30-22	83,555	83,555	\$ -
04-Indirect Cost Pool Total				\$ 83,555	\$ 83,555	\$ -
Grand Total				\$ 149,555	\$ 149,555	\$ -

Operating Mod #10 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	334,251,180	19,430,519	353,681,699	303,543,370	7,257,703	42,880,626	353,681,699	-
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	41,891,623	1,610,440	43,502,063	42,069,006	916,786	516,271	43,502,063	-
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	-
DOI General Funding Source	22,646,214	0	22,646,214	20,905,357	1,740,857	0	22,646,214	-
DOI Self Gov Funding Source	55,805,809	79,600	55,885,409	53,055,999	2,819,410	10,000	55,885,409	-
DOI Self Gov Roads Funding Srce	0	0	0	0	0	0	0	-
Dept of Transportation Fnd Src	91,416,925	0	91,416,925	91,028,325	288,600	100,000	91,416,925	-
DOI PL102-477 Funding Source	411,877,377	0	411,877,377	344,024,822	2,662,282	65,190,273	411,877,377	-
IHS Self Gov Health Funding Sr	853,094,767	0	853,094,767	787,202,213	47,151,403	18,741,151	853,094,767	-
IHS Self Gov TEH Funding Srce	26,090,941	0	26,090,941	25,746,586	344,355	0	26,090,941	-
IHS Self Gov Offic Funding Srce	386,587	0	386,587	352,292	34,295	0	386,587	-
IHS Discretionary Funding Srce	150,000	0	150,000	100,000	0	50,000	150,000	-
DHHS General Funding Source	103,866,126	678,560	104,544,686	97,556,282	6,988,404	0	104,544,686	-
USDA Funding Source	61,069,650	1,060,288	62,129,938	58,296,638	3,833,300	0	62,129,938	-
Dept of Education Funding Srce	1,782,012	87,222	1,869,234	1,710,059	139,175	20,000	1,869,234	-
HUD Funding Source	71,062,625	1,877,501	72,940,126	69,562,057	300,568	3,077,501	72,940,126	-
Housing Proceeds Funding Srce	0	0	0	0	0	0	0	-
EPA Funding Source	2,933,702	0	2,933,702	2,694,221	239,481	0	2,933,702	-
Dept of Labor Funding Source	29,393,729	0	29,393,729	27,903,048	1,490,681	0	29,393,729	-
Dept of Treasury Funding Source	1,026,700,191	0	1,026,700,191	1,023,303,346	3,146,845	250,000	1,026,700,191	-
Federal Other Funding Source	55,867,130	234,754	56,101,884	55,140,677	957,000	4,207	56,101,884	-
State of Oklahoma Funding Srce	1,046,367	0	1,046,367	987,274	59,093	0	1,046,367	-
Private Funding Source	5,424,914	0	5,424,914	5,381,261	43,653	0	5,424,914	-
Indirect Cost Pool Funding Srce	82,574,764	11,250	82,586,014	82,586,014	0	0	82,586,014	-
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	1,794,891	1,699,807	3,494,698	3,402,056	92,642	0	3,494,698	-
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 Sourc	406,825,804	94,209,742	501,035,546	500,880,521	155,025	0	501,035,546	-
Total	\$ 3,704,694,623	\$ 140,345,029	\$ 3,845,039,652	\$ 3,623,955,684	\$ 80,738,939	\$ 140,345,029	\$ 3,845,039,652	\$ -

CAPITAL RECONCILIATION	
LA 29-22	\$ 569,345,306
Cap Mod #1	13,754,571
Cap Mod #2	1,036,000
Cap Mod #3	18,451,776
Cap Mod #4	8,484,614
Cap Mod #5	8,407,838
Cap Mod #6	11,458,951
Cap Mod #7	2,046,651
Cap Mod #8	3,338,310
Total Capital	\$ 636,324,017

Non Grant Requests	
Oper Mod #8	3,541,761 06/19 Council
Oper Mod #9	1,142,822 06/19 Council
Cap Mod #7	2,046,651 06/19 Council
Oper Mod #10	149,555 07/10 E&F/Council
Cap Mod #8	3,338,310 07/10 E&F/Council
Total after pending Mod's	\$ 3,855,258,751
Operating - cumulative total	\$ 3,218,934,734
Capital - cumulative total	636,324,017
Grand Total	\$ 3,855,258,751

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: 06/29/2023
Re: Review of Operating Budget Mod #10 – Total \$ 2,736,250

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	\$ 415,000
USDA	5	2,171,695
Total Grant Reporting		<u>\$ 2,586,695</u>

Cash Match for Grants (1010315) – Start of Year

Cash Out: Grant Required	\$ 829,939
Appropriated for Cash Match (future grants)	1,886,576
Original Total Budget	<u>\$ 2,716,515</u>

Original Appropriated for Cash Match – for future grants	\$ 829,939	
Used: 3759790 – BRIC Tsa La Gi (storm shelters)	(87,167)	Mod # 6
3453451 – Food Distribution – Other	(1,097)	Mod # 9
3457100 – Nutrition Education Plan	(20,333)	Mod # 9
3457200 – WIC FMNP Admin	(13,167)	Mod #10
Balance Available for Future Grant Matching	<u>\$ 708,175</u>	

B. MOD #10 Request - Increase in budget authority - \$ 149,555

1. Citizens Compensation Committee – 1010203 – Tribally Funded: New budget requesting expenditure authorization of \$5,000. There was a budget in fiscal year 2022; however, the members were never paid. Therefore, the need for a new budget this year. There will be a budget in fiscal year 2024 for the new committee per LA-50-21. Funded by general fund carryover released from the unappropriated reserve in item 2.

2. Unappropriated Reserve – 1010296 – Tribally Funded: Modification requesting a decrease in expenditure authorization of \$(5,000) to provide funding for the Citizens Compensation Committee in item 1. The new budgeted reserved by appropriation total is \$2,522,955.
3. Tribal Leases Realty – 1012290 – Tribally Funded: Modification requesting an increase in expenditure authorization \$66,000. Among general supply and other small increases, there is a \$25,000 capital acquisition budget for a new ATV for property inspections. Funding provided by projected additional oil/gas revenues. The new budgeted expenditure total is \$310,660.
4. CN Fleet Services Center – 2041043 – Indirect Cost Pool: Modification requesting an increase in expenditure authorization of \$83,555 for increased services. Funding provided by charges for goods and services. The net budgeted expenditure total remains at \$210,080.

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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