

An Act

LEGISLATIVE ACT 22-11

AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 – 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 #20-11 Authorizing the Comprehensive Operating Budget for FY 2012 – 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 2012” or subsequent amendment. The cumulative total of the budget is increased by \$1,000,000 for a total budget authority of \$474,533,398. The following items are identified as selective General Fund sources in excess of appropriated uses to wit:

	Previous Balance	Estimated Sources	Estimated <Uses>	Adjusted Balance
A. Tribally Funded	\$0	\$0	\$0	\$0
B. Motor Fuels Tax	\$0	\$0	\$0	\$0
Grants Received & Authorized per LA-20-11 (detail attached)				\$0
Modification Request #1 (see Section 4 below)				<u>\$1,000,000</u>
Cumulative change in budget authority				<u>\$1,000,000</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #20-11 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 \$1,000,000 to wit:

- A. An increase in the **DOI-Self Governance Fund** budget authority of \$1,000,000 related to Realty’s Trust Asset Accounting Management System (TAAMS) multi-year funding award.

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

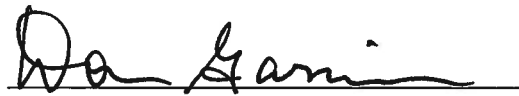
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Passed by the Cherokee Council on the 10th day of October, 2011



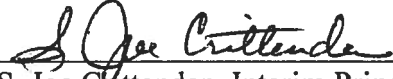
Cara Cowan Watts, Acting Speaker
Council of the Cherokee Nation

ATTEST:

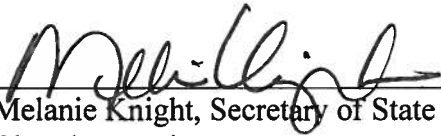


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 14th day of OCTOBER, 2011


S. Joe Crittenden, Interim Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Bill John Baker	<u>YEA</u>	Dick Lay	<u>YEA</u>
Tina Glory Jordan	<u>YEA</u>	Meredith A. Frailey	<u>n/a</u> (Interim Deputy Chief)
David Walkingstick	<u>YEA</u>	Cara Cowan Watts	<u>YEA</u>
Jodie Fishinghawk	<u>YEA</u>	Buel Anglen	<u>YEA</u>
David W. Thornton, Sr.	<u>YEA</u>	Lee Keener	<u>YEA</u>
Janelle Lattimore Fullbright	<u>YEA</u>	Chuck Hoskin, Jr.	<u>YEA</u>
Don Garvin	<u>YEA</u>	Julia Coates	<u>YEA</u>
Curtis Snell	<u>YEA</u>	Jack Baker	<u>YEA</u>
Vacant Seat (District 2)	<u>n/a</u>		

CHEROKEE NATION
 PROPOSED FY 2011 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2012 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
22-DOI - Self Governance	5	3221180 - Trust Asset Acctng Mgmt System	New	1,000,000	1,000,000	\$ -
22-DOI - Self Governance Total				\$ 1,000,000	\$ 1,000,000	\$ -
Grand Total				\$ 1,000,000	\$ 1,000,000	\$ -

**COMPREHENSIVE BUDGET
FOR FISCAL YEAR 2012
Including Mod-1 Request**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	57,551,979	2,036,431	59,588,410	47,832,851	3,801,717	7,953,842	59,588,410	0
Motor Fuels Tax Funding Srce	8,270,520	16,337,036	24,607,556	13,843,816	193,485	10,570,255	24,607,556	0
Motor Vehicle Tax Funding Srce	10,435,005	0	10,435,005	9,533,971	359,510	541,524	10,435,005	0
Permanent Fund Funding Source	10,000	0	10,000	10,000	0	0	10,000	0
DOI General Funding Source	11,002,139	0	11,002,139	10,194,461	807,678	0	11,002,139	0
DOI Self Gov Funding Source	12,974,891	79,600	13,054,491	11,923,896	1,115,595	15,000	13,054,491	0
DOI Self Gov Roads Funding Src	37,653,994	0	37,653,994	37,385,163	131,463	137,368	37,653,994	0
Dept of Transportation Fnd Src	31,953,350	0	31,953,350	31,722,245	131,262	99,843	31,953,350	0
DOI PL102-477 Funding Source	18,479,904	0	18,479,904	17,651,439	828,465	0	18,479,904	0
IHS Self Gov Health Funding Sr	216,337,611	0	216,337,611	199,089,650	14,397,961	2,850,000	216,337,611	0
IHS Self Gov TEH Funding Src	5,798,778	0	5,798,778	5,401,986	396,792	0	5,798,778	0
IHS Self Gov Office Funding Src	411,031	0	411,031	363,944	47,087	0	411,031	0
IHS Discretionary Funding Srce	800,000	0	800,000	30,000	0	770,000	800,000	0
DHHS General Funding Source	33,932,548	530,977	34,463,525	31,760,571	2,702,954	0	34,463,525	0
USDA Funding Source	15,880,426	743,192	16,623,618	16,078,765	544,853	0	16,623,618	0
Dept of Education Funding Srce	1,255,708	65,875	1,321,583	1,212,032	109,551	0	1,321,583	0
HUD Funding Source	38,547,664	323,185	38,870,849	35,338,717	2,487,132	1,045,000	38,870,849	0
Housing Proceeds Funding Src	4,150,000	0	4,150,000	3,867,582	282,418	0	4,150,000	0
EPA Funding Source	2,296,906	0	2,296,906	2,097,846	199,060	0	2,296,906	0
Dept of Labor Funding Source	7,801,169	0	7,801,169	7,025,330	775,839	0	7,801,169	0
Federal Other Funding Source	3,224,148	0	3,224,148	3,136,790	87,358	0	3,224,148	0
State of Oklahoma Funding Srce	696,859	0	696,859	621,538	75,321	0	696,859	0
Private Funding Source	202,762	159,536	362,298	318,560	43,738	0	362,298	0
Indirect Cost Pool Funding Src	146,975	0	146,975	32,467,655	(29,532,042)	0	2,935,613	(2,788,638)
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	86,000	0	86,000	86,000	0	0	86,000	0
Enterprise Funding Source	1,019,202	1,045,000	2,064,202	1,238,871	0	0	1,238,871	825,331
Other Funding Source	172,532	12,000	184,532	175,413	9,119	0	184,532	0
Debt Service Funding Source	0	2,650,000	2,650,000	2,650,000	0	0	2,650,000	0
Capital Projects Funding Sourc	32,122,937	0	32,122,937	32,122,937	0	0	32,122,937	0
Total	\$ 553,215,038	\$ 23,982,832	\$ 577,197,870	\$ 555,182,029	\$ (3,684)	\$ 23,982,832	\$ 579,161,177	\$ (1,963,307)

Mod-1 Request	\$ 1,000,000	DOI-TAAMS award
Total after Mod-1	\$ 580,161,177	
Operating (LA20-11)	\$ 474,533,398	
Capital (LA-21-11)	\$ 105,627,779	
Recap	\$ 580,161,177	

Global Plus Sum of Unapproved ATBs Report

Company : 1-Cherokee Nation **Global Plan :** FY2012_MOD **Report Data updated as of:** 10/06/2011 11:26:45 AM
Accounting Unit : 3221180-Trust Asset Acctg Mgmt System **Currency :** USD-US Dollars **Reporting Server Time zone is set to:** (GMT -6:00) Central Standard Time
As of Period : Period 12-2012 **Scale :** Single
Display Accounts : Posting Accounts Only

	Global	ATB	TOTAL
1 - Cherokee Nation	0	0	0
DOI_SG_EARMARK - DOI SG Earmarked	0	0	0
DOI_SG_EMK_SUM - DOI SG Earmarked Summary	0	0	0
3221180 - Trust Asset Acctg Mgmt System	0	0	0
400000-0 - Grants / contracts revenue	0	-1,000,000	-1,000,000
600000-0 - Salaries & wages	0	262,428	262,428
610000-0 - Fringe benefits	0	76,891	76,891
680000-0 - Supplies	0	68,000	68,000
650000-0 - Contract services >=\$5K	0	503,000	503,000
700080-0 - Direct billed: space cost	0	29,681	29,681
970000-0 - Indirect cost(IDC): allocation	0	60,000	60,000

YTD Workforce Budgets Per Accounting Unit Report

Company : 1-Cherokee Nation **Global Plan :** FY2012_WF **Report Data updated as of:** 10/10/2011 08:29:26 AM
Accounting Unit : 3221180-Trust Asset Actcing Mgmt System **Currency :** USD-US Dollars
To Period : Period 12-2012 **Scale :** Single **Reporting Server Time zone is set to:** (GMT -6:00) Central Standard Time

	<u>YTD</u> <u>Headcount</u>	<u>YTD FTE</u>	<u>YTD Hours</u>	<u>YTD Amount</u>
1-Cherokee Nation	8.00	9.00	18,720.00	339,319
DOI_SG_EARMARK-DOI SG Earmarked	8.00	9.00	18,720.00	339,319
DOI_SG_EMK_SUM-DOI SG Earmarked Summary	8.00	9.00	18,720.00	339,319
3221180-Trust Asset Actcing Mgmt System	8.00	9.00	18,720.00	339,319
34303001602-REALTY SPEC I	7.00	7.88	16,380.00	309,720
NEW_3430-NEW Realty Specialist I	7.00	7.88	16,380.00	309,720
REG-REGULAR	0.00	7.00	14,560.00	201,714
OT-OVERTIME	0.00	0.88	1,820.00	37,821
FRN1-FRINGE CALC REG FULLTIME	0.00	0.00	0.00	70,184
34305000600-ADMIN ASST	1.00	1.13	2,340.00	29,599
NEW_3430_01-NEW Admin Assist	1.00	1.13	2,340.00	29,599
REG-REGULAR	0.00	1.00	2,080.00	19,277
OT-OVERTIME	0.00	0.13	260.00	3,615
FRN1-FRINGE CALC REG FULLTIME	0.00	0.00	0.00	6,707

REQUEST NO.: OSG1496

DEPARTMENT OF THE INTERIOR
 SELF-GOVERNANCE COMPACT/FUNDING AGREEMENT AND AMENDMENTS
 AUTHORITY TO OBLIGATE

DATE: Monday, September 12, 2011

COMPACT NO.: GT-OSGT905-11

DOC REQUEST NO.: 16

COMPACT TRIBE/TRIBAL CONSORTIUM: CHEROKEE NATION

COMPACT PERIOD: Fiscal Year 2011

ACCT Line	BFY	Program	Description	Current Authority	Increase Decrease	Total Authority
1	11-12	T9240	S/G OIP (2 Year)	\$11,081,305	\$422	\$11,081,727
2	11-12	T9A40	S/G OIP - UTB (2 Year)	\$67,310	\$2,088,662	\$2,155,972
6	2011	95400	S/G HHS-CHILDCARE DEVELOP	\$7,671,387	\$0	\$7,671,387
8	11-12	95700	S/G LABOR-JTPA IV-A, II-B	\$1,858,107	\$0	\$1,858,107
9	2011	95800	S/G HHS-CHILDCARE BLOCK	\$4,580,767	\$0	\$4,580,767
10	2011	92900	S/G BLM-FIRE MANAGEMENT	\$56,865	\$0	\$56,865
14	2011	94120	S/G DAMAGE ASSESSMENT	\$50,000	\$0	\$50,000
Total:				\$25,365,741	\$2,089,084	\$27,454,825

Authority to Obligate: All conditions and restrictions contained in 42 BIAM Supplement 4 apply to this agreement. You may not exceed this limitation without additional authority signed by the allottee of these funds.


 Signature of Authorizing Official
 Director, Office of Self-Governance

SEP 12 2011
 Date

This Funding Agreement/Amendment is offered under authority of Title IV, P.L. 100-472, P.L. 102-184, and P.L. 93-638 as amended, the Indian Self-Determination and Education Assistance Act.

Listing of Increases/Decreases

Cost Code	Description	Amount
H9130 TPA/Tribal	Welfare Assistance FY11 Additional distribution of funds per final WAG reconciliation. One time reprogramming only. WAG-RECON	\$422
	ROLLUP T9240 Total:	\$422
R5B10 NON TPA	Land Records Improvement-Central (UTB) Funds are distributed as one-time funding to provide 80% of the funding requested for the Tribal portion of the Eastern Oklahoma Joint Tribe/BIA TAAMS Title Project per Amendment 1. One time reprogramming only. UTB-032.	\$2,088,662
	ROLLUP T9A40 Total:	\$2,088,662
	COMPACT TOTAL:	\$2,089,084

14:24:50 Wed Sep 14, 2011

ACTION: S SCREEN: RQPM USERID: VFOK

P638 REQUEST FOR PAYMENT FORM

LAST DATE: 09 14 2011
VENDOR CODE: OSGT905 C/G: G AGREEMENT NUMBER: 11
VENDOR NAME: CHEROKEE NATION
BANK NAME: BANK IV TAHLEQUAH, OK
LAST ACT:

* REQUEST NO: 21 *
* PAGE 1 OF 2 *
* NO. AGREEMENTS *
* TOTAL 2,089,084 *

A-L	BUDCT	FYS	PRGRM	JOB NO	DESCRIPTION	AWARDS + MODS	PAYMENTS TO DATE	OUTSTAND OBLIG	PAYMENT REQUEST
001	2011	2012	T9240		SELF-GOVERNA	11081727	11081305	422	
002	2011	2012	T9A40		SELF GOVERN	2155972	67310	2088662	
006	2011		95400		SG-CCDF	7671387	7671387	0	CLOSED
008	2011	2012	95700		SG	1858107	1858107	0	CLOSED
009	2011		95800		SG-CCBC	4580767	4580767	0	CLOSED

S. Joe Citterio 9/15/2011
VENDOR DATE VENDOR DATE

* AGREEMENT TOTAL *
* 2,089,084 *
* PAGE 01 OF 02 *

BIA APPROVING OFFICIAL DATE

ENTER <PRT SCR> TO PRINT, ACTION E TO RETURN, ACTION R FOR NEXT PAGE
ENTER ACTION S AND LAST ACT = Y TO SEE LAST ACTION

14:24:55 Wed Sep 14, 2011

ACTION: R SCREEN: RQPM USERID: VF0K

P638 REQUEST FOR PAYMENT FORM

LAST DATE: 09 14 2011
VENDOR CODE: OSGT905 C/G: G AGREEMENT NUMBER: 11
VENDOR NAME: CHEROKEE NATION
BANK NAME: BANK IV TAHLEQUAH, OK
LAST ACT:

* REQUEST NO: 21 *
* PAGE 2 OF 2 *
* NO. AGREEMENTS *
* TOTAL 2,089,084 *

A-L	BUDGT	FYS	PRGRM	JOB NO	DESCRIPTION	AWARDS + MODS	PAYMENTS TO DATE	OUTSTAND OBLIG	PAYMENT REQUEST
010	2011		92900		SELF GOVER	56865	56865	0	CLOSED
014	2011		94120		SELF GOV	50000	50000	0	CLOSED

A Joe Crittender

9/15/2011

VENDOR DATE VENDOR DATE

* AGREEMENT TOTAL *
* 0 *
* PAGE 02 OF 02 *

BIA APPROVING OFFICIAL DATE

ENTER <PRT SCR> TO PRINT, ACTION E TO RETURN, ACTION R FOR NEXT PAGE
ENTER ACTION 3 AND LAST ACT = Y TO SEE LAST ACTION
01-L008E END OF FILE

OFFICE OF SELF-GOVERNANCE
1951 CONSTITUTION AVENUE, NW
WASHINGTON, D.C. 20240
TELEPHONE 202-219-0245
FAX 202-219-4246

FACSIMILE TRANSMITTAL SHEET

From

TO:	Vickie Harvey	FROM:	OSG Finance
COMPANY:	Cherokee Nation	DATE:	9/14/2011
FAX NUMBER:	918-458-6157	TOTAL NO. OF PAGES INCLUDING COVER:	4
PHONE NUMBER:	918-453-5391	SENDER'S REFERENCE NUMBER:	
RE:	Drawdown - 2011	YOUR REFERENCE NUMBER:	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Please sign the attached P638 drawdown request and return **ONLY** the drawdown request for processing. Any questions, do not hesitate to contact either Dan Santiago at the number above or Fina Villicaña @ 202.208.5073.