

An Act

LEGISLATIVE ACT 25-24

AN ACT AMENDING LEGISLATIVE ACT #22-23 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2024 – Mod. 9 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. 9**”.

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 **\$ 16,008,779** for a total budget authority of **\$ 3,128,843,626**. The following items are identified as components of such change:

| | |
|---|-----------------------------|
| Grants Received & Authorized per LA 22-23 (detail attached) | \$ 13,033,342 |
| Modification Request (see Section 4 below) | <u>2,975,437</u> |
| Cumulative change in budget authority | <u>\$ 16,008,779</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 a decrease of **\$ 2,975,437** to wit:

- A. An increase in the **Indirect Cost Pool** budget authority of **\$ 1,775,000**.
- B. An increase in the **Enterprise** budget authority of **\$ 500,000**.
- C. An increase in the **DOI Self Governance** budget authority of **\$ 245,037**.
- D. An increase in the **USDA** budget authority of **\$ 455,400**.

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.

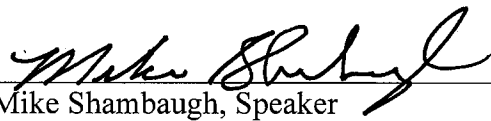
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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.

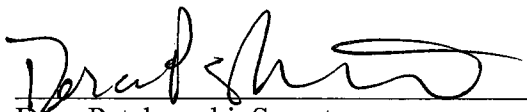
SECTION 8. SELF-HELP CONTRIBUTIONS

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.

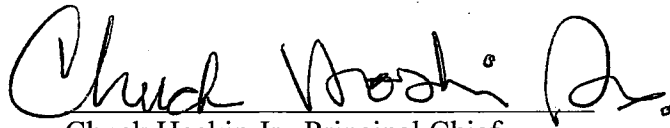
Enacted by the Council of the Cherokee Nation on the 15th day of July, 2024


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 17 day of July, 2024



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 | 34014800 Good Health and Wellness | LA 22-23 | 451,271 | 451,271 | \$ - |
| 40-DHHS GENERAL Total | | | | \$ 451,271 | \$ 451,271 | \$ - |
| 45-USDA | 2 | 34580000 WIC Modernization | New | 776,228 | 776,228 | \$ - |
| | 3 | 34581000 Local Food Purchase Assistance Grant | New | 9,104,790 | 9,104,790 | \$ - |
| 45-USDA Total | | | | \$ 9,881,018 | \$ 9,881,018 | \$ - |
| 70-DEPT LABOR | 4 | 37025000 TLJC Operations | April Grants | 2,459,048 | 2,459,048 | \$ - |
| | 5 | 37025100 TLJC Capital Projects | Jan Grants | 30,670 | 30,670 | \$ - |
| 70-DEPT LABOR Total | | | | \$ 2,489,718 | \$ 2,489,718 | \$ - |
| 85-PRIVATE | 6 | 38569000 SCIBAR Sub Award CN JHU | LA 22-23 | 453 | 453 | \$ - |
| | 7 | 38570000 Digital Navigator Pgm Launch | New | 194,882 | 194,882 | \$ - |
| | 8 | 38571250 Solutions Journalism Grant | New | 13,500 | 13,500 | \$ - |
| | 9 | 38571255 RTR Adventure Cycling | New | 2,500 | 2,500 | \$ - |
| 85-PRIVATE Total | | | | \$ 211,335 | \$ 211,335 | \$ - |
| Grand Total | | | | \$ 13,033,342 | \$ 13,033,342 | \$ - |

June 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 |
| 04-IDC | 1 | 20411600 Office Services Reimbursement | LA 22-23 | 1,775,000 | 1,775,000 | \$ - |
| 04-IDC Total | | | | \$ 1,775,000 | \$ 1,775,000 | \$ - |
| 10-ENTERPRISE | 2 | 41090550 RBDG Loan Fund | LA 22-23 | 500,000 | 500,000 | \$ - |
| 10-ENTERPRISE Total | | | | \$ 500,000 | \$ 500,000 | \$ - |
| 22-DOI SELF GOV | 3 | 32214000 Tribal Climate Resilience | New | 245,037 | 245,037 | \$ - |
| 22-DOI SELF GOV Total | | | | \$ 245,037 | \$ 245,037 | \$ - |
| 45-USDA | 4 | 34568000 USDA RBDG Revolving Loan Fund | LA 22-23 | 455,400 | 455,400 | \$ - |
| 45-USDA Total | | | | \$ 455,400 | \$ 455,400 | \$ - |
| 56-HUD | 5 | 35660100 Vinita Single Family Units | LA 22-23 | (1,000,000) | (1,000,000) | \$ - |
| | 6 | 35660240 Housing Development | LA 22-23 | 1,000,000 | 1,000,000 | \$ - |
| 56-HUD Total | | | | \$ - | \$ - | \$ - |
| Grand Total | | | | \$ 2,975,437 | \$ 2,975,437 | \$ - |

Operating Mod #9 Request

COMPREHENSIVE BUDGET
FOR FISCAL YEAR 2024

| Funding Source | Revenues | Transfers In | Total | Direct Exp. | Indir. Exp. | Transfers Out | Total | NET |
|--------------------------------|------------------|----------------|------------------|------------------|---------------|----------------|------------------|------|
| Capital Projects | 378,532,508 | 187,869,292 | 566,401,800 | 566,280,225 | 121,575 | 0 | 566,401,800 | - |
| Department of Education | 2,132,517 | 87,222 | 2,219,739 | 2,068,392 | 131,347 | 20,000 | 2,219,739 | - |
| Department of Labor | 21,499,676 | 0 | 21,499,676 | 20,340,846 | 1,158,830 | 0 | 21,499,676 | - |
| Dept of Transportation Compact | 104,572,358 | 0 | 104,572,358 | 104,180,666 | 291,692 | 100,000 | 104,572,358 | - |
| DHHS General | 98,137,383 | 692,099 | 98,829,482 | 92,248,602 | 6,580,880 | 0 | 98,829,482 | - |
| DOI General | 22,119,195 | 0 | 22,119,195 | 20,472,297 | 1,646,898 | 0 | 22,119,195 | - |
| DOI PL 102-477 | 454,643,046 | 0 | 454,643,046 | 393,745,170 | 3,954,577 | 56,943,299 | 454,643,046 | - |
| DOI Self Governance | 60,887,247 | 79,600 | 60,966,847 | 57,232,823 | 3,709,024 | 25,000 | 60,966,847 | - |
| Enterprise | 1,813,061 | 6,840,071 | 8,653,132 | 8,522,381 | 130,751 | 0 | 8,653,132 | - |
| EPA | 3,334,720 | 0 | 3,334,720 | 3,098,989 | 235,731 | 0 | 3,334,720 | - |
| Federal Other | 883,888,693 | 0 | 883,888,693 | 879,091,011 | 2,153,211 | 2,644,471 | 883,888,693 | - |
| HUD | 67,566,167 | 1,877,501 | 69,443,668 | 66,062,479 | 303,688 | 3,077,501 | 69,443,668 | - |
| Indirect Cost | 87,568,049 | 11,250 | 87,579,299 | 87,579,299 | 0 | 0 | 87,579,299 | - |
| IHS Discretionary | 2,500,000 | 0 | 2,500,000 | 150,000 | 0 | 2,350,000 | 2,500,000 | - |
| IHS Self Governance Health | 981,655,721 | 0 | 981,655,721 | 800,615,227 | 51,338,548 | 129,701,946 | 981,655,721 | - |
| IHS Self Governance Office | 386,587 | 0 | 386,587 | 349,472 | 37,115 | 0 | 386,587 | - |
| IHS Self Governance TEH | 30,009,029 | 0 | 30,009,029 | 29,603,855 | 405,174 | 0 | 30,009,029 | - |
| Internal Lease Pool | 7,415,228 | 0 | 7,415,228 | 7,415,228 | 0 | 0 | 7,415,228 | - |
| Motor Fuel Tax | 11,605,384 | 23,516,884 | 35,122,268 | 24,897,702 | 99,566 | 10,125,000 | 35,122,268 | - |
| Motor Vehicle Tax | 41,559,994 | 779,342 | 42,339,336 | 40,892,188 | 924,017 | 523,131 | 42,339,336 | - |
| Other | 288,000 | 17,000 | 285,000 | 279,945 | 5,055 | 0 | 285,000 | - |
| Permanent Funds | 9,100 | 0 | 9,100 | 9,100 | 0 | 0 | 9,100 | - |
| Private | 3,983,413 | 0 | 3,983,413 | 3,929,013 | 54,400 | 0 | 3,983,413 | - |
| State of Oklahoma | 1,062,082 | 0 | 1,062,082 | 980,224 | 81,858 | 0 | 1,062,082 | - |
| Tribe Funded | 361,723,163 | 31,718,104 | 393,441,267 | 337,025,231 | 7,312,063 | 49,103,973 | 393,441,267 | - |
| USDA | 59,213,356 | 1,125,956 | 60,339,312 | 57,677,294 | 2,662,018 | 0 | 60,339,312 | - |
| Total | \$ 3,688,085,677 | \$ 254,614,321 | \$ 3,942,699,998 | \$ 3,604,747,659 | \$ 83,338,018 | \$ 254,614,321 | \$ 3,942,699,998 | \$ - |

Non Grant Requests

| | | |
|-------------|------------|---------------|
| Oper Mod #8 | 874,062 | 06/10 Council |
| Cap Mod #4 | 62,000,000 | 06/27 E&F |
| Oper Mod #9 | 2,975,437 | 06/27 E&F |

| | |
|------------------------------|------------------|
| Total after pending Mod's | \$ 4,008,549,497 |
| Operating - cumulative total | \$ 3,128,843,626 |
| Capital - cumulative total | 879,705,871 |
| Grand Total | \$ 4,008,549,497 |

CAPITAL RECONCILIATION

| | |
|------------|----------------|
| LA 21-23 | \$ 753,582,109 |
| Cap Mod #1 | 120,038 |
| Cap Mod #2 | 8,282,980 |
| Cap Mod #3 | 55,720,744 |
| Cap Mod #4 | 62,000,000 |

| | |
|---------------|----------------|
| Total Capital | \$ 879,705,871 |
|---------------|----------------|

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: 06/12/2024
Re: Review of Operating Budget Mod #9 – Total \$ 16,008,779

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 | 1 | \$ 451,271 |
| U.S.D.A. | 2 | 9,881,018 |
| US Dept of Labor | 2 | 2,489,718 |
| Private | 4 | 211,335 |

Total Grant Reporting **\$ 13,033,342**

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: WIC FMNP Admin | (35,786) | Mod 2 |
| USDA RUS Distance Learning Tech. | (150,000) | Mod 7 |
| Balance Available for Future Grant Matching | <u>\$1,647,207</u> | |

B. MOD #9 Request - Increase in budget authority - \$ 2,975,437

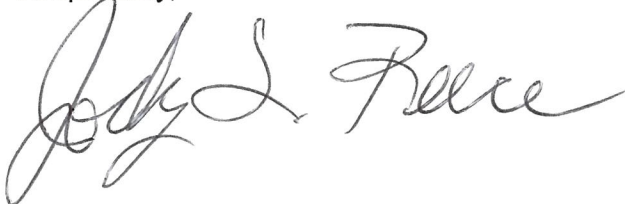
1. Office Services Reimbursement – 20411600 – Indirect Cost Pool: Modification requesting an increase in expenditure authorization of \$1,775,000 for increased costs that include internet, telephone, cell phone, mailing cost, printing/copying and other office services. The increased costs are billed out the various department for a self-balancing budget. The new budgeted expenditure total is \$5,600,000.

2. RBDG Loan Fund – 41090550 – Enterprise: Modification requesting an increase in expenditure authorization of \$500,000 for Rural Business Development Grant loans. The funding is provided by a transfer in of grant funding shown in budget 4. The new budgeted expenditure total is \$545,300.
3. Tribal Climate Resilience – 32214000 – DOI Self Governance: New budget requesting expenditure authorization of \$245,037 for one-time special funding. See the budget narrative for the spending plan.
4. USDA RBDG Revolving Loan Fund – 34568000 – USDA: Modification requesting a \$500,000 transfer out to the Enterprise loan fund in budget 2 above and a reduction of expenditure total of \$44,600. Funding provided by grant revenue. The new budgeted expenditure/transfer total is \$670,188.
5. Vinita Single Family Units – 35660100 – NAHASDA: Modification requesting a decrease in expenditure authorization of \$(1,000,000) to reprogram the funds to the Housing Development budget in item 6. The new budgeted expenditure total is \$0.
6. Housing Development – 35660240 – NAHASDA: Modification requesting an increase in expenditure authorization of \$1,000,000 to build Autumn Height Phase I. The new budgeted expenditure total is \$1,300,000.

Summary:

After reviewing the submission of the operating modification by the 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 black ink, reading "Jody S. Reece". The signature is fluid and cursive, with the first name "Jody" and last name "Reece" clearly legible.

Jody S. Reece CPA, CIA, CMA
Executive Director of Financial Oversight
Office: 918-453-5573
Cell: 918-525-2017
Email: jody-reece@cherokee.org