

Committee: Executive and Finance

Date: 05/06/21

Committee Date: 05/27/21

Author: Taralee Montgomery

Sponsor Canaan Duncan, Janees Taylor, Victoria Vazquez, Keith Austin, Rex Jordan, Dora Patzkowski, EO Smith, Daryl Legg, Shawn Crittenden, Joe Deere, Julia Coates, Mike Shambaugh, Mike Dobbins, Joe Byrd, Harley Buzzard

RESOLUTION NO. 26-21

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION EXPRESSLY DETAILING THE CHEROKEE NATION'S PLAN TO EXECUTE FUNDING UNDER THE U.S. TREASURY'S GUIDANCE FOR THE AMERICAN RESCUE PLAN ACT

WHEREAS, the Cherokee Nation ("Nation") since time immemorial has exercised the sovereign rights of self-government on behalf of the Cherokee people;

WHEREAS, the Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America

WHEREAS, the COVID-19 pandemic is the worst public health crisis in generations and has had measurable and immeasurable negative impacts on Cherokee Nation's government, business, citizens and communities;

WHEREAS, through the Cherokee Nation Respond, Recover and Rebuild Plan the Principal Chief and The Council of the Cherokee Nation worked together to utilize federal funds under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to respond to, and recover from, the impacts of the COVID-19 pandemic;

WHEREAS, under the guidance of the Cherokee Nation Office of Treasurer, Cherokee Nation received a clean independent audit of its Fiscal Year 2020 financial statements, which included CARES Act spending under the Respond, Recover and Rebuild plan;

WHEREAS, The Cherokee Nation expects to receive additional federal dollars under the American Rescue Plan Act (ARPA) in the coming weeks to further respond to, and recover from, the impacts of the COVID-19 pandemic, in an amount to be determined under ARPA by relevant federal agencies and to be obligated by December 31, 2024;

WHEREAS, the United States Treasury has distributed an amount of funds under ARPA to Cherokee Nation set forth in Exhibit A.

WHEREAS, the Cherokee Nation, through the Office of the Treasurer and the Office of the Principal Chief, must develop spending plans in compliance with ARPA statutory, regulatory and agency guidance parameters, subject to constitutionally and the statutorily prescribed action by The Council of the Cherokee Nation;

WHEREAS the Council and the Principal Chief have a responsibility to work together in the interest of the Cherokee people to best utilize ARPA funds for effective COVID-19 response and recovery and to do so without delay;

WHEREAS, the Council of the Cherokee Nation approves of the ARPA preliminary spending outline as an extension of the Cherokee Nation Respond Recover and Rebuild Plan, as set forth in Exhibit A attached to this resolution;

WHEREAS, the “Individual Assistance” set forth in Exhibit A should, pursuant to a program developed by administration, provide COVID impact relief of a total of \$2,000 to every Cherokee Citizen, irrespective of age, income or residency, within ARPA and relevant United States Treasury policies, regulation and guidance.

WHEREAS, nothing herein substitutes for, or precludes, the Council from engaging in its Constitutional and statutorily defined role of appropriating funds, providing oversight on spending, or using any other constitutionally or statutorily defined authority;

WHEREAS, nothing herein cedes any authority of The Council of the Cherokee Nation, including but not limited to the authority to revise this resolution, from time to time, in cooperation with the Principal Chief as circumstances warrant;

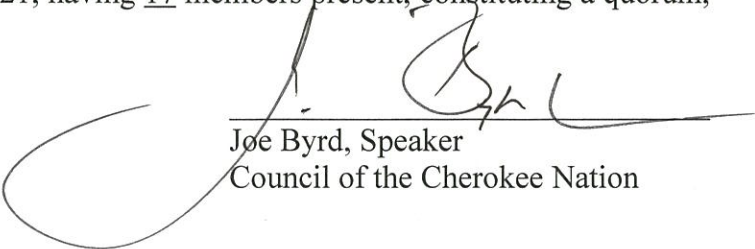
WHEREAS, the Council recognizes that this plan is a basic framework for utilizing ARPA funds, that further work will be necessary to develop specific programs and initiatives within this framework, that the Principal Chief should continue to seek input from the Council on said development and that the Principal Chief or his designees should report progress on said development from time to time;

WHEREAS, the Council requests that the Principal Chief update the attached **Exhibit A** based on actual allocation of ARPA funds as soon as possible upon his receipt of relevant agency communication of said allocation, but no later than the Executive & Finance Committee following receipt of said agency communication;

BE IT RESOLVED BY THE CHEROKEE NATION that the Council of the Cherokee Nation approves of the ARPA preliminary spending outline referenced herein for further response to and recovery from the impact of the COVID-19 pandemic.


CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 27th day of May, 2021, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.



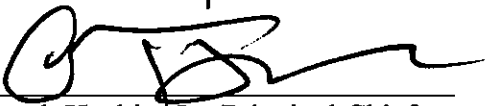
Joe Byrd, Speaker
Council of the Cherokee Nation

ATTEST:



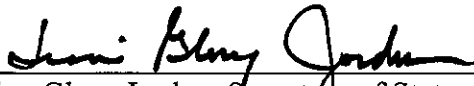
James Taylor, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 27th day of May, 2021.



Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



Tina Glory Jordan, Secretary of State
Cherokee Nation

American Rescue Plan Proposed Spending Allocations

Program	Percent of Total	Estimated Spending based on Actuals on 05/19/2021
Individual Assistance	43.09%	\$785,018,562
DRPT Bridge (a-sv-dlv-i) (Anti-Poverty Program)	4.39%	\$80,000,000
Government Revenue Replacement	9.60%	\$175,000,000
Payroll & Hazard Pay	2.74%	\$50,000,000
Vaccine Education & Outreach	0.27%	\$5,000,000
Workplace Health and Safety Improvements	4.39%	\$80,000,000
Food Security	0.82%	\$15,000,000
Housing/Quarantine/Domestic Violence	6.59%	\$120,000,000
PPE	0.22%	\$4,000,000
Community Partners/CCO	1.10%	\$20,000,000
Job Training/Small Business/Economic Impact	5.49%	\$100,000,000
Education/Language/Higher Education Relief & Assistance	6.59%	\$120,000,000
Health Infrastructure/Behavioral Health Operations/Wellness*	7.13%	\$130,000,000
Transportation and Infrastructure (Roads, Water & Sanitation)	3.18%	\$58,000,000
Broadband Infrastructure	3.57%	\$65,000,000
Financial Admin and support staff of CSRF	0.82%	\$15,000,000
Estimated Allocation	100%	\$1,822,018,562

***Health Infrastructure / Behavioral Health Operations / Wellness:**

In addition to the ARPA funding reflected in this line, Health rec'd \$274m / ARPA + \$33m CARES Act Additional Funds which Administration, some of which Administration will propose for Health capital projects. This includes a new inpatient facility or facilities, new outpatient facility or facilities and new / remodeled facilities for behavioral health and physical wellness facilities

Cherokee Nation Act/Resolution Proposal Form

Act Resolution

<u>ADMINISTRATIVE CLEARANCE</u>	
Dept/Program:	
Signature/Initial	Date
Executive Director:	
Signature/Initial	Date
Treasurer (Required: Grants/Contracts/Budgets):	
Signature/Initial	Date
Government Relations:	
Signature/Initial	Date
Administration Approval:	
 Signature/Initial	5/2/2021 Date
<u>LEGISLATIVE CLEARANCE:</u>	
Legal & Legislative Coordinator:	
 Signature/Initial	5/12/21 Date
Standing Committee & Date:	
Executive Finance	
 Chairperson: Signature/Initial	5/27/21 Date

TITLE:

**A RESOLUTION EXPRESSLY DETAILING THE
CHEROKEE NATION'S PLAN TO EXECUTE
FUNDING UNDER THE U.S. TREASURY'S
GUIDANCE FOR THE AMERICAN RESCUE PLAN
ACT**

DEPARTMENT CONTACT: Chuck Hoskin Jr.

RESOLUTION PRESENTER: Taralee Montgomery

COUNCIL SPONSOR: Canaan Duncan, Janees Taylor

NARRATIVE:

The Cherokee Nation expects to receive additional federal dollars under the American Rescue Plan Act (ARPA) in the coming months to further respond to, and recover from, the impacts of the COVID-19 pandemic, the amount is to be determined under ARPA.

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