

# An Act

## LEGISLATIVE ACT 26-23

### AN ACT AMENDING LEGISLATIVE ACT #22-23 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2024 – Mod. 2 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. 2**”.

#### 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 **\$ 11,728,880** for a total budget authority of **\$ 3,048,461,994**. The following items are identified as components of such change:

Grants Received & Authorized per LA 22-23 (detail attached)	\$ 2,582,051
Modification Request (see Section 4 below)	<u>9,146,829</u>
<b>Cumulative change in budget authority</b>	<b><u>\$ 11,728,880</u></b>

#### 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 **\$ 9,146,829** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 0**.
- B. An increase in the **Enterprise** budget authority of **\$ 5,000,000**.
- C. An increase in the **IHS Self Governance TEH** budget authority of **\$ 4,146,829**.

**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.

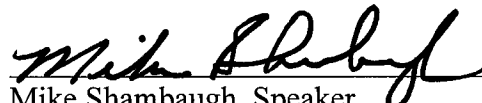
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

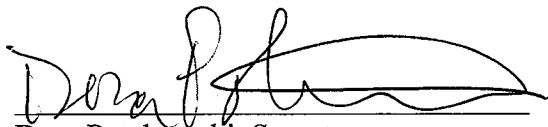
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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 6<sup>th</sup> 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 20<sup>th</sup> day of NOVEMBER, 2023



Chuck Hoskin Jr., Principal Chief  
Cherokee Nation

ATTEST:



~~Tina Glory Jordan, Secretary of State~~  
Cherokee Nation

Shella Bowlin, Secretary of State

**YEAS AND NAYS AS RECORDED:**

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

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-TRIBE FUNDED	1	10103150 Cash Match For Grants	LA 22-23	-	-	\$ -
<b>01-TRIBE FUNDED Total</b>				<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
40-DHHS GENERAL	2	34017300 Public Health School Wellness	New	390,000	390,000	\$ -
	3	34053500 Connecting Kids to Coverage	LA 22-23	41,881	41,881	\$ -
<b>40-DHHS GENERAL Total</b>				<b>\$ 431,881</b>	<b>\$ 431,881</b>	<b>\$ -</b>
45-USDA	4	34572000 WIC FMNP Admin	New	117,560	117,560	\$ -
	5	34572010 WIC FMNP Food	New	360,688	360,688	\$ -
	6	34573000 WIC Innovation	New	350,000	350,000	\$ -
	7	34574000 CIAO WIC Innovation Outreach	New	998,225	998,225	\$ -
8	34575000 WIC FMNP ESolution ARPA Grant	New	283,697	283,697	\$ -	
<b>45-USDA Total</b>				<b>\$ 2,110,170</b>	<b>\$ 2,110,170</b>	<b>\$ -</b>
62-EPA	9	36221950 Clean Air Monitoring	LA 22-23	40,000	40,000	\$ -
<b>62-EPA Total</b>				<b>\$ 40,000</b>	<b>\$ 40,000</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 2,582,051</b>	<b>\$ 2,582,051</b>	<b>\$ -</b>

## November 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-TRIBE FUNDED	1	10102960 Unappropriated Reserve	Oct Mod 1	-	-	\$ -
<b>01-TRIBE FUNDED Total</b>				<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
10-ENTERPRISE	2	41050000 CN Landfill Operations	LA 22-23	5,000,000	5,000,000	\$ -
<b>10-ENTERPRISE Total</b>				<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>	<b>\$ -</b>
33-IHS TEH	3	33320000 EHS Projects	LA 22-23	4,146,829	4,146,829	\$ -
<b>33-IHS TEH Total</b>				<b>\$ 4,146,829</b>	<b>\$ 4,146,829</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 9,146,829</b>	<b>\$ 9,146,829</b>	<b>\$ -</b>

## Operating Mod #2 Request

# COMPREHENSIVE BUDGET FOR FISCAL YEAR 2024

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Capital Projects	408,269,531	133,762,493	542,032,024	541,912,149	119,875	0	542,032,024	-
Department of Education	1,715,003	87,222	1,802,225	1,693,563	88,662	20,000	1,802,225	-
Department of Labor	20,517,517	0	20,517,517	19,421,639	1,095,878	0	20,517,517	-
Dept of Transportation Compact	104,572,358	0	104,572,358	104,180,239	292,119	100,000	104,572,358	-
DHHS General	85,652,936	692,099	86,345,035	80,348,809	5,996,226	0	86,345,035	-
DOI General	20,652,069	0	20,652,069	19,020,783	1,631,286	0	20,652,069	-
DOI PL 102-477	454,343,046	0	454,343,046	399,790,311	3,716,235	50,836,500	454,343,046	-
DOI Self Governance	60,040,816	79,600	60,120,416	57,087,232	3,008,184	25,000	60,120,416	-
Enterprise	1,813,061	1,840,071	3,653,132	3,522,381	130,751	0	3,653,132	-
EPA	2,260,793	0	2,260,793	2,052,602	208,191	0	2,260,793	-
Federal Other	874,448,673	0	874,448,673	870,036,553	1,767,649	2,644,471	874,448,673	-
HUD	69,600,667	1,877,501	71,478,168	68,077,647	323,020	3,077,501	71,478,168	-
Indirect Cost	87,385,906	11,250	87,397,156	87,397,156	0	0	87,397,156	-
IHS Discretionary	2,500,000	0	2,500,000	150,000	0	2,350,000	2,500,000	-
IHS Self Governance Health	913,921,509	0	913,921,509	775,147,809	49,071,754	89,701,946	913,921,509	-
IHS Self Governance Office	386,587	0	386,587	349,472	37,115	0	386,587	-
IHS Self Governance TEH	25,862,200	0	25,862,200	25,460,091	402,109	0	25,862,200	-
Internal Lease Pool	7,400,156	0	7,400,156	7,400,156	0	0	7,400,156	-
Motor Fuel Tax	11,605,384	23,516,884	35,122,268	24,898,770	98,498	10,125,000	35,122,268	-
Motor Vehicle Tax	42,406,756	289,960	42,696,716	41,258,309	915,276	523,131	42,696,716	-
Other	268,000	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	2,051,018	0	2,051,018	2,008,368	42,650	0	2,051,018	-
State of Oklahoma	1,062,082	0	1,062,082	980,224	81,858	0	1,062,082	-
Tribe Funded	351,708,731	31,018,104	382,726,835	340,966,325	6,995,919	34,764,591	382,726,835	-
USDA	47,871,237	975,956	48,847,193	46,212,035	2,635,158	0	48,847,193	-
<b>Total</b>	<b>\$ 3,598,325,136</b>	<b>\$ 194,168,140</b>	<b>\$ 3,792,493,276</b>	<b>\$ 3,519,661,668</b>	<b>\$ 78,663,468</b>	<b>\$ 194,168,140</b>	<b>\$ 3,792,493,276</b>	<b>\$ -</b>

### Non Grant Requests

Oper Mod #1	403,998	11/06 Council
Oper Mod #2	9,146,829	11/06 E&F

### CAPITAL RECONCILIATION

LA 21-23	\$ 753,582,109
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<b>Total Capital</b>	<b>\$ 753,582,109</b>
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<b>Total after pending Mod's</b>	<b>\$ 3,802,044,103</b>
Operating - cumulative total	\$ 3,048,461,994
Capital - cumulative total	753,582,109
<b>Grand Total</b>	<b>\$ 3,802,044,103</b>

# 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:** 10/24/2023  
**Re:** Review of Operating Budget Mod #2 – Total \$ 11,728,880

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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:

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### A. Grant Reporting:

<u>Funding Source</u>	<u># of Budgets</u>	<u>Amount</u>
Dept of Transportation	2	\$ 431,881
USDA	5	2,110,170
EPA	1	40,000
<b>Total Grant Reporting</b>		<b><u>\$ 2,582,051</u></b>

### **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	<u>( 35,786)</u>	Mod 2
Balance Available for Future Grant Matching	<u>\$1,797,207</u>	

### B. MOD #2 Request - Increase in budget authority - \$ 9,146,829

1. Unappropriated Reserve – 10102960 – Tribally Funded: Modification requesting a \$5,000,000 Transfer out to the Landfill in budget 3 and a \$5,000,000 decrease in Reserve by Appropriation. The new budgeted reserved by appropriation total is \$7,757,096.
2. EHS Projects – 33320000 – IHS Self Governance TEH: Modification requesting an increase in expenditure authorization \$4,146,829 for additional projects funded. The new budgeted expenditure total is \$22,848,088.

3. CN Landfill Operations – 41050000 – Enterprise: Modification requesting an increase in expenditure authorization of \$5,000,000 for new cell construction and debt service for new equipment. The new budgeted expenditure total is \$7,195,600 of which \$6,695,600 is Tribally Funded.

**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,

A handwritten signature in black ink, appearing to read "Jody S. Reece". The signature is fluid and cursive, with the first name "Jody" being particularly prominent.

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