

# An Act

## LEGISLATIVE ACT 18-15

### AN ACT AMENDING LEGISLATIVE ACT #17-15 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2016 – 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 #17-15 Authorizing the Comprehensive Operating Budget for FY 2016 – 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 2016” or subsequent amendment. The cumulative total of the budget is increased by \$ 4,207,117 for a total budget authority of \$ 651,861,621. The following items are identified as components of such change:

Grants Received & Authorized per LA-17-15 (detail attached)	\$ 4,140,759
Modification Request (see Section 4 below)	<u>66,358</u>
<b>Cumulative change in budget authority</b>	<b><u>\$ 4,207,117</u></b>

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #17-15 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 \$ 66,358 to wit:

- A. An increase in the **DOI – Self Governance** budget authority of \$ 66,358.

**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.

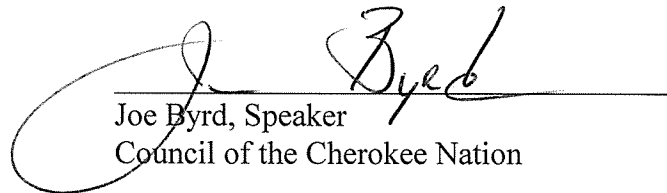
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

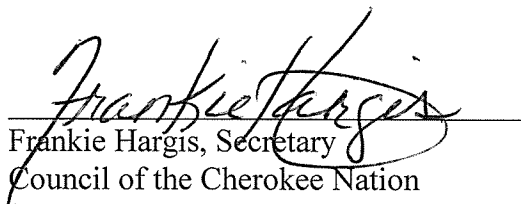
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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.

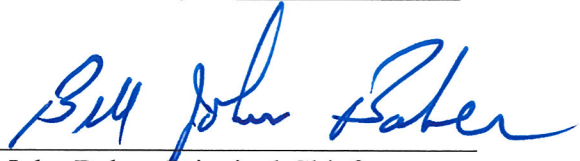
Enacted by the Council of the Cherokee Nation on the 16<sup>th</sup> day of November, 2015

  
Joe Byrd, Speaker  
Council of the Cherokee Nation

ATTEST:

  
Frankie Hargis, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 18<sup>th</sup> day of November, 2015



Bill John Baker, Principal Chief  
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State  
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Rex Jordan	<u>Yea</u>	Harley Buzzard	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Dick Lay	<u>Yea</u>
Don Garvin	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Keith Austin	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Jack D. Baker	<u>Absent</u>
Shawn Crittenden	<u>Yea</u>	Wanda Hatfield	<u>Yea</u>
Curtis Snell	<u>Yea</u>		

CHEROKEE NATION  
 PROPOSED FY 2016 AMENDMENT  
 Sorted by Funding Source

			Data		
Funding Source	Ref # by FS	Program/Purpose	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
22-DOI - Self Governance	1	3222470 SG HIP	66,358	66,358	\$ -
<b>22-DOI - Self Governance Total</b>			<b>\$ 66,358</b>	<b>\$ 66,358</b>	<b>\$ -</b>
<b>Grand Total</b>			<b>\$ 66,358</b>	<b>\$ 66,358</b>	<b>\$ -</b>

## Operating Mod #1 Request

CHEROKEE NATION  
 PROPOSED FY 2016 AMENDMENT  
 Sorted by Funding Source

			Data		
Funding Source	Ref # by FS	Program/Purpose	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
70-US Department of Labor	1	3709100 Sector Partnership NDWG	3,970,759	3,970,759	\$ -
<b>70-US Department of Labor Total</b>			<b>\$ 3,970,759</b>	<b>\$ 3,970,759</b>	<b>\$ -</b>
75-Federal Other	2	3756300 Executive Coaching	100,000	100,000	\$ -
<b>75-Federal Other Total</b>			<b>\$ 100,000</b>	<b>\$ 100,000</b>	<b>\$ -</b>
85-Private	3	3854200 SHS Academic Athletic Athlife	20,000	20,000	\$ -
	4	3854900 Archery Park Grant	50,000	50,000	\$ -
<b>85-Private Total</b>			<b>\$ 70,000</b>	<b>\$ 70,000</b>	<b>\$ -</b>
<b>Grand Total</b>			<b>\$ 4,140,759</b>	<b>\$ 4,140,759</b>	<b>\$ -</b>

## Grants - Reporting Only

**COMPREHENSIVE BUDGET  
FOR FISCAL YEAR 2016**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	98,165,799	1,859,378	100,025,177	77,196,459	4,750,781	18,074,163	100,021,403	3,774
Motor Fuels Tax Funding Srce	8,905,998	17,299,025	26,205,023	18,123,090	140,422	7,941,511	26,205,023	0
Motor Vehicle Tax Funding Srce	21,100,089	975,182	22,075,271	19,660,632	529,884	1,884,755	22,075,271	0
Permanent Fund Funding Source	10,300	0	10,300	10,300	0	0	10,300	0
DOI General Funding Source	12,345,225	850,000	13,195,225	12,474,912	720,313	0	13,195,225	0
DOI Self Gov Funding Source	14,118,911	79,600	14,198,511	12,920,735	1,274,276	3,500	14,198,511	0
DOI Self Gov Roads Funding Src	10,259,512	0	10,259,512	10,107,519	131,792	20,201	10,259,512	0
Dept of Transportation Fnd Src	65,259,966	0	65,259,966	64,952,094	208,029	99,843	65,259,966	0
DOI PL102-477 Funding Source	19,313,281	0	19,313,281	18,502,363	810,918	0	19,313,281	0
IHS Self Gov Health Funding Sr	299,027,159	0	299,027,159	274,608,352	21,768,807	2,650,000	299,027,159	0
IHS Self Gov TEH Funding Src	4,927,641	0	4,927,641	4,629,214	298,427	0	4,927,641	0
IHS Self Gov Office Funding Src	322,788	0	322,788	285,490	37,298	0	322,788	0
IHS Discretionary Funding Srce	40,000	0	40,000	35,000	0	5,000	40,000	0
DHHS General Funding Source	36,380,030	510,739	36,890,769	33,809,855	3,080,914	0	36,890,769	0
USDA Funding Source	18,621,924	781,824	19,403,748	18,651,068	752,680	0	19,403,748	0
Dept of Education Funding Srce	1,046,036	63,957	1,109,993	1,018,785	91,208	0	1,109,993	0
HUD Funding Source	42,173,370	962,757	43,136,127	40,274,381	1,685,592	1,176,154	43,136,127	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	1,871,884	0	1,871,884	1,657,560	214,324	0	1,871,884	0
Dept of Labor Funding Source	11,995,209	0	11,995,209	11,067,925	927,284	0	11,995,209	0
Federal Other Funding Source	3,488,649	0	3,488,649	1,752,294	103,043	1,633,312	3,488,649	0
State of Oklahoma Funding Srce	1,309,932	0	1,309,932	1,201,088	108,844	0	1,309,932	0
Private Funding Source	452,777	206,111	658,888	599,739	59,149	0	658,888	0
Indirect Cost Pool Funding Src	45,868,371	338,400	46,206,771	46,206,771	0	0	46,206,771	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	4,552,390	0	4,552,390	4,552,390	0	0	4,552,390	0
Enterprise Funding Source	1,280,086	2,044,466	3,324,552	3,288,716	35,836	0	3,324,552	0
Other Funding Source	276,592	17,000	293,592	274,101	19,491	0	293,592	0
Debt Service Funding Source	0	2,650,000	2,650,000	2,650,000	0	0	2,650,000	0
Capital Projects Funding Source	10,751,536	8,742,062	19,493,598	15,601,536	0	3,892,062	19,493,598	0
<b>Total</b>	<b>\$ 733,865,455</b>	<b>\$ 37,380,501</b>	<b>\$ 771,245,956</b>	<b>\$ 696,112,369</b>	<b>\$ 37,749,312</b>	<b>\$ 37,380,501</b>	<b>\$ 771,242,182</b>	<b>\$ 3,774</b>

**Non Grant Requests**

Oper Mod #1 Req	66,358	10/29 E&F
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**CAPITAL RECONCILIATION**

LA-16-15	\$ 119,446,919
Capital Mod #1	-

**Total Capital \$ 119,446,919**

**Total after pending Mod's \$ 771,308,540**

Operating (LA17-15) \$ 651,861,621 *Cumulative Oper*  
 Capital (LA-16-15) 119,446,919 *Cumulative Cap*

**Grand Total \$ 771,308,540**



# CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

## M e m o

**To:** Janees Taylor, Chairman, Executive & Finance Committee  
**From:** Jody S. Reece  
**CC:** Executive & Finance Committee  
**Date:** 10/14/2015  
**Re:** Review of Operating Budget Modification #1 – **Total \$ 4,207,117**

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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 - Reason</u>	<u>Amount</u>
70-US Dept of Labor	1-Carryover reconciliation	\$ 3,970,759
75-Federal Other	1-New award	100,000
85-Private	2-New awards	70,000
<b>TOTAL GRANTS</b>		<b><u>\$ 4,140,759</u></b>

General Fund Cash Match for Grants (1010315) – The original budget of \$2,686,072 included \$1,760,388 in Cash Out: Grant Required and \$925,684 in Appropriated for Cash Match (future grants).

Original Appropriated for Cash Match (future grants)	\$ 925,684
Used: None to date	0
Balance Available	<u>\$ 925,684</u>

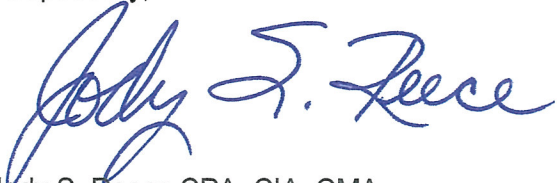
### B. MOD #1 Request - (1 budget) Increase in budget authority - \$ 66,358

1. SG HIP – 3222470 – DOI Self Governance: Modification requesting an increase in the expenditure authorization of \$66,358 for carryover reconciliation and two new Authority to Obligate (ATOs). The new budget total is \$141,358.

#### Summary:

After reviewing the submission of Mod #1 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 further information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink that reads "Jody S. Reece". The signature is written in a cursive style with a large, stylized initial "J".

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



**CHEROKEE NATION - FY2016 BUDGET REQUEST FORM**

**PART-1**

Budget Period:	10/01/2015 - 09/30/2016	Budget Preparer	Phone: 3851
Contract Period:		Name:	Ashley Canoe
Contract Number:		Accounting Unit Director/Manager	Phone: 5646
Accounting Fund:	3-Special Revenue	Name:	David Pruitt
Funding Source:	22-DOI-Self Governance	Executive Director	Phone: 5248
AU Description:	SG HIP	Name:	Ron Qualls
Accounting Unit:	3222470	1st Person Responsible	
	Place IDC Rate in Part 4 Below	Employee #	104010
Date/Time Printed:	29-Sep-15 08:23 AM		

Notes: Budget YF13 funds of \$7,508, FY14 funds of \$63,850 and FY15 funds of \$70,000

**PART-2**

Staffing Summary:	FY 2016 REVISION 1	FY 2016 ORIG REQUEST	Incr \ (Decr)
# of Regular Full-Time Employee Equivalents:			-
# of Regular Part-Time Employee Equivalents:			-
# of Temp. Full-Time Employee Equivalents:			-
# of Temp. Part-Time Employee Equivalents:			-
# of Other Employee Equivalents:			-
<b>TOTAL NUMBER OF EMPLOYEE-EQUIVALENTS</b>			-

**PART-3**

Revenues: (Show as positive #)	Account #			Incr \ (Decr)
Grants / contracts revenue	400000	\$141,358	\$75,000	\$ 66,358
Please enter a valid account number - >>>				\$ -
Please enter a valid account number - >>>				\$ -
Please enter a valid account number - >>>				\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!				\$ -
<b>Total Revenues</b>		\$ 141,358	\$ 75,000	\$ 66,358

**PART-4**

Expenditures:	Account #	Subject to IDC ?		Subject to IDC ?		Incr \ (Decr)
		YES	NO	YES	NO	
DO NOT COPY TO, COPY ABOVE, OR REMOVE THIS LINE!						
Salaries & wages	600000	\$0		\$0		\$ -
Fringe benefits	610000	\$0		\$0		\$ -
Contract services >=\$5K	650000		\$141,358		\$75,000	\$ 66,358
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
Please enter a valid account number - >>>						\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!						\$ -
Expenditures NOT Subject to IDC			\$ 141,358		\$ 75,000	\$ 66,358
Expenditures SUBJECT to IDC		\$ -		\$ -		\$ -
Indirect Cost Rate (If blank or zero, must explain in Notes above)		13.86%		13.86%		\$ -
Indirect Cost Allocation	970000	\$ -		\$ -		\$ -
<b>Total Expenditures</b>			\$ 141,358		\$ 75,000	\$ 66,358

Revenues OVER \ (UNDER) Expenditures		\$ -		\$ -	\$ -
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Transfers In/Out - (Show ALL as Positive Numbers)					
Operating Transfers IN					
Other financing sources	900000				\$ -
Cash in: tribally required	900010				\$ -
Cash in: grant required	900020				\$ -
Cash in: motor fuel tax	900040				\$ -
Cash in: vehicle tax	900050				\$ -
Cash in: interprogram contract	900060				\$ -
Cash in: debt service	900070				\$ -
Operating Transfers OUT					
Other financing uses	900001				\$ -
Cash out: tribally required	900011				\$ -
Cash out: grant required	900021				\$ -
Cash out: motor fuel tax	900041				\$ -
Cash out: vehicle tax	900051				\$ -
Cash out: interprogram contract	900061				\$ -
Cash out: debt service	900071				\$ -
<b>Transfers In/Out - Net</b>			\$ -		\$ -
Take to Narrative ==>		\$ 141,358		\$ 75,000	\$ -
<b>Excess\ (Deficit) of Revenues, Expenditures and Net Transfers</b>		\$ -		\$ -	\$ -

REQUEST NO.: OSG879

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

COMPACT NO.: GT-OSGT905-15

DOC REQUEST NO.: 13

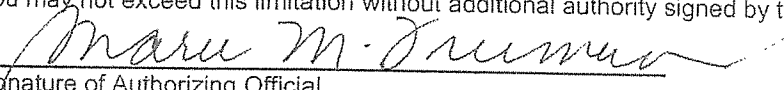
COMPACT TRIBE/TRIBAL CONSORTIUM: CHEROKEE NATION

COMPACT PERIOD: Fiscal Year 2015

DATE: Wednesday, June 17, 2015

ACCT Line	BFY	Program	Description	Current Authority	Increase Decrease	Total Authority
1	15-16	T9240	S/G OIP (2 Year)	\$11,158,732	\$166,554	\$11,325,286
4	2015	95400	S/G HHS-CHILDCARE DEVELOP	\$2,313,984	\$0	\$2,313,984
5	15-16	T9A40	S/G OIP - UTB (2 Year)	\$10,000	\$0	\$10,000
6	2015	94120	S/G DAMAGE ASSESSMENT	\$27,659	\$0	\$27,659
9	2015	95800	S/G HHS-CHILDCARE BLOCK	\$1,486,309	\$0	\$1,486,309
10	2015	92900	S/G BLM-FIRE MANAGEMENT	\$51,881	\$0	\$51,881
Total:				\$15,048,565	\$166,554	\$15,215,119

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.



JUN 17 2015

Signature of Authorizing Official  
 Director, Office of Self-Governance

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
H9220 TPA/Tribal	Indian Child Welfare Act FY 2015 initial distribution of Tiwahe funding under the ICWA (TPA) Line Item. Funds are to be used in accordance with 25 CFR part 23 and to sustain and enhance ICWA services as outlined in 25 CFR 23.22 sections a(1-9), b, c, and/or d. 15OIP074	\$131,554
H9370 TPA/Tribal	Housing Improvement Program FY 2015 Tier I Funding for the Housing Improvement Program [\$35,000 Lucinda Olivares]. This is a one-time distribution of funds. 15NY010	\$35,000
	ROLLUP T9240 Total:	\$166,554
	COMPACT TOTAL:	\$166,554

REQUEST NO.: OSG1737

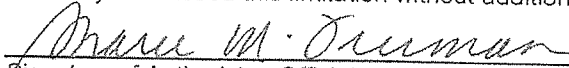
DEPARTMENT OF THE INTERIOR  
 SELF-GOVERNANCE COMPACT/FUNDING AGREEMENT AND AMENDMENTS  
 AUTHORITY TO OBLIGATE

COMPACT NO.: GT-OSGT905-14  
 COMPACT TRIBE/TRIBAL CONSORTIUM: CHEROKEE NATION  
 COMPACT PERIOD: Fiscal Year 2014  
 DATE: Wednesday, June 10, 2015

DOC REQUEST NO.: 27  
 Award NO: A14AV00306  
 DUNS NO.: 077345494

ACCT Line	BFY	Program	Description	Current Authority	Increase Decrease	Total Authority
1	14-15	T9240	S/G OIP (2 Year)	\$11,861,657	\$75,000	\$11,936,657
2	14-15	T9A40	S/G OIP - UTB (2 Year)	\$117,591	\$0	\$117,591
6	2014	95400	S/G HHS-CHILDCARE DEVELOP	\$6,826,061	\$0	\$6,826,061
9	2014	95800	S/G HHS-CHILDCARE BLOCK	\$4,391,113	\$0	\$4,391,113
10	2014	92900	S/G BLM-FIRE MANAGEMENT	\$69,494	\$0	\$69,494
13	2014	90710	S/G OST-TRUST IMPROVEMENT - APPRAISALS	\$3,076	\$0	\$3,076
16	2014	95700	S/G LABOR-JTPA IV-A, II-B	\$1,701,680	\$0	\$1,701,680
Total:				\$24,970,672	\$75,000	\$25,045,672

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

JUN 10 2015  
 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
T9020 TPA/Tribal	Other Aid to Tribal Government FY 2014 reprogramming of funds for the Cherokee Nation of Oklahoma HIP Project [Margaret Scraper - \$35,000]. This is a one-time distribution of funds. 14OIP205.	\$35,000
T9020 TPA/Tribal	Other Aid to Tribal Government FY 2014 reprogramming of funds for the Cherokee Nation of Oklahoma CDIB Project. This is a one-time distribution of funds. 14OIP206.	\$40,000
	ROLLUP T9240 Total:	\$75,000
	COMPACT TOTAL:	\$75,000

Jody

# Cherokee Nation Act/Resolution Proposal Form

## ADMINISTRATIVE CLEARANCE

Dept/Program:

Signature/Initial Date

**Executive Director:**

Signature/Initial Date

**Treasurer:** (Required:  
Grants/Contracts/Budgets)

Signature/Initial Date

**Government Resources:**

Signature/Initial Date

**Administration Approval:**

Signature/Initial Date

## LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Signature/Initial Date

Standing Committee & Date:

Chairperson:

Signature/Initial Date

Returned to Presenter:

Date

Act

Resolution

**TITLE:** AN ACT AMENDING LEGISLATIVE ACT #17-15 AUTHORIZING  
THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2016  
OPERATING - MOD 01 ; AND DECLARING AN EMERGENCY

DEPARTMENT CONTACT: Gaylon Thompson

RESOLUTION PRESENTER: \_\_\_\_\_

COUNCIL SPONSOR: \_\_\_\_\_

## NARRATIVE: