

# An Act

## LEGISLATIVE ACT 41-24

### AN ACT AMENDING LEGISLATIVE ACT #34-24 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2025 – 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 #34-24 Authorizing the Comprehensive Operating Budget for FY 2025 – 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 2025” or subsequent amendment. The cumulative total of the budget is increased by **\$ 55,382,483** for a total budget authority of **\$3,029,484,483**. The following items are identified as components of such change:

Grants Received & Authorized per LA 34-24 (detail attached)	\$	0
Modification Request (see Section 4 below)		<u>55,382,835</u>
<b>Cumulative change in budget authority</b>	<b>\$</b>	<b><u>55,382,835</u></b>

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #34-24 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 **\$ 55,382,835** to wit:

- A. An increase in the **Tribally Funded** budget authority of **\$ 75,848**.
- B. An increase in the **Enterprise** budget authority of **\$ 23,588,225**.
- C. An increase in the **DOI Self Governance** budget authority of **\$ 250,758**.
- D. An increase in the **NAHASDA** budget authority of **\$ 6,860,021**.
- E. An increase in the **US Department of Treasury** budget authority of **\$ 24,607,983**.

**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.

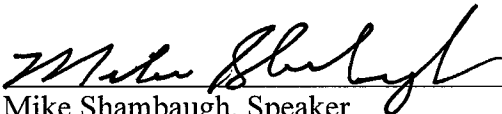
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

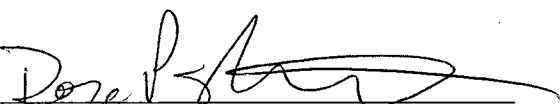
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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.

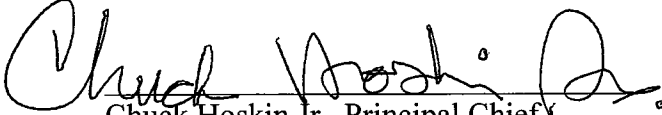
Enacted by the Council of the Cherokee Nation on the 15<sup>th</sup> day of October, 2024

  
\_\_\_\_\_  
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 28<sup>th</sup> day of October, 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>	Kendra McGeady	<u>Yea</u>
Lisa Hall	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Yea</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 2025 AMENDMENT  
 Sorted by Funding Source

			Data		
Funding Source	Ref # by FS	Program/Purpose	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-TRIBE FUNDED	1	10123490 Cherokee Nation Recycling	75,848	75,848	\$ -
<b>01-TRIBE FUNDED Total</b>			<b>\$ 75,848</b>	<b>\$ 75,848</b>	<b>\$ -</b>
10-ENTERPRISE	2	41090310 SSBCI Loan Fund	23,588,225	23,588,225	\$ -
<b>10-ENTERPRISE Total</b>			<b>\$ 23,588,225</b>	<b>\$ 23,588,225</b>	<b>\$ -</b>
22-DOI SELF GOV	3	32211050 BIA Preparedness	250,758	250,758	\$ -
<b>22-DOI SELF GOV Total</b>			<b>\$ 250,758</b>	<b>\$ 250,758</b>	<b>\$ -</b>
56-HUD	4	35621000 IHBG Competitive 22 IC OK	5,615,854	5,615,854	\$ -
	5	35660990 NAHASDA Revenue 60	1,244,167	1,244,167	\$ -
<b>56-HUD Total</b>			<b>\$ 6,860,021</b>	<b>\$ 6,860,021</b>	<b>\$ -</b>
75-Department of Treasury	6	37599500 SSBCI ARPA Admin	757,643	757,643	\$ -
	7	37599600 SSBCI Capital Operations	23,850,340	23,850,340	\$ -
<b>75-Department of Treasury Total</b>			<b>\$ 24,607,983</b>	<b>\$ 24,607,983</b>	<b>\$ -</b>
<b>Grand Total</b>			<b>\$ 55,382,835</b>	<b>\$ 55,382,835</b>	<b>\$ -</b>

## Operating Mod #2 Request

# COMPREHENSIVE BUDGET FOR FISCAL YEAR 2025

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Capital Projects	417,826,632	71,725,746	489,552,378	489,403,298	149,080	0	489,552,378	-
Department of Education	1,843,429	87,222	1,930,651	1,748,023	162,628	20,000	1,930,651	-
Department of Labor	0	0	0	0	0	0	0	-
Dept of Transportation Compact	94,803,150	0	94,803,150	94,331,109	372,041	100,000	94,803,150	-
DHHS General	92,195,438	0	92,195,438	84,352,257	7,843,181	0	92,195,438	-
DOI General	22,324,209	0	22,324,209	20,536,722	1,787,487	0	22,324,209	-
DOI PL 102-477	449,973,061	0	449,973,061	396,489,696	4,957,619	48,525,746	449,973,061	-
DOI Self Governance	58,823,311	79,600	58,902,911	53,766,469	4,786,442	350,000	58,902,911	-
Enterprise	6,495,056	2,387,871	8,882,927	8,608,574	274,353	0	8,882,927	-
EPA	2,182,686	0	2,182,686	1,916,565	266,121	0	2,182,686	-
Federal Other	653,617,971	0	653,617,971	644,332,148	1,641,352	7,644,471	653,617,971	-
HUD	67,339,960	633,334	67,973,294	65,743,525	396,435	1,833,334	67,973,294	-
Indirect Cost	94,176,367	0	94,176,367	94,176,367	0	0	94,176,367	-
IHS Discretionary	10,000,000	0	10,000,000	150,000	0	9,850,000	10,000,000	-
IHS Self Governance Health	884,802,689	0	884,802,689	794,552,717	65,156,205	25,093,767	884,802,689	-
IHS Self Governance Office	516,648	0	516,648	470,810	45,838	0	516,648	-
IHS Self Governance TEH	39,246,754	0	39,246,754	38,758,667	488,087	0	39,246,754	-
Internal Lease Pool	7,550,915	0	7,550,915	7,550,915	0	0	7,550,915	-
Motor Fuel Tax	11,680,384	26,668,134	38,348,518	28,027,831	120,687	10,200,000	38,348,518	-
Motor Vehicle Tax	40,924,088	975,064	41,899,152	40,681,238	1,217,914	0	41,899,152	-
Other	268,000	17,000	285,000	277,963	7,037	0	285,000	-
Permanent Funds	9,100	0	9,100	9,100	0	0	9,100	-
Private	1,762,395	0	1,762,395	1,714,980	47,415	0	1,762,395	-
State of Oklahoma	987,313	0	987,313	881,200	106,113	0	987,313	-
Tribe Funded	406,154,965	44,077,641	450,232,606	395,426,657	10,508,472	44,297,477	450,232,606	-
USDA	82,762,038	1,263,183	84,025,221	77,208,742	6,816,479	0	84,025,221	-
<b>Total</b>	<b>\$ 3,448,266,559</b>	<b>\$ 147,914,795</b>	<b>\$ 3,596,181,354</b>	<b>\$ 3,341,115,573</b>	<b>\$ 107,150,986</b>	<b>\$ 147,914,795</b>	<b>\$ 3,596,181,354</b>	<b>\$ -</b>

### Non Grant Requests

Oper Mod #1	\$ 20,000	10/16 Council
Cap Mod #1	32,908,963	10/16 Council
<b>Oper Mod #2</b>	<b>55,382,835</b>	<b>10/16 E&amp;F</b>
<b>Cap Mod #2</b>	<b>1,741,362</b>	<b>10/16 E&amp;F</b>

### CAPITAL RECONCILIATION

LA 33-24	\$ 622,099,706
Cap Mod #1	32,908,963
Cap Mod #2	1,741,362

<b>Total Capital</b>	<b>\$ 656,750,031</b>
<b>Total after pending Mod's</b>	<b>\$ 3,686,234,514</b>
Operating - cumulative total	\$ 3,029,484,483
Capital - cumulative total	656,750,031
<b>Grand Total</b>	<b>\$ 3,686,234,514</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:** 10/01/2024  
**Re:** Review of 2025 Operating Budget Mod #2 – Total \$ 55,382,835

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>
None	0	\$ 0
	0	0
<b>Total Grant Reporting</b>		<b>\$ 0</b>

**Cash Match for Grants (10103150) – Start of Year**

Cash Out: Grant Required	\$ 1,297,921
Appropriated for Cash Match (future grants)	2,202,079
Original Total Budget	<u>\$ 3,500,000</u>

Original Appropriated for Cash Match – for future grants	\$2,202,079
Used: xx	0
xx	0
Balance Available for Future Grant Matching	<u>\$2,202,079</u>

**B. MOD #2 Request - Increase in budget authority - \$ 55,382,835**

- Cherokee Nation Recycling – 10123490 – Tribally Funded: Modification requesting an increase in expenditure authorization of \$75,848 for carryover of one-time funding for the final payment on a larger shredder scheduled to be delivered in October. The new net expenditure total is \$270,306.
- BIA Preparedness – 32211050 – DOI Self Governance: Modification requesting an increase in expenditure authorization of \$250,758 for carryover special funding related to the wildland fire program. The new expenditure total is \$576,859.

3. IHBG Competitive 22 IC OK – 35621000 – NAHASDA: New budget requesting expenditure authorization of \$5,615,854 for carryover funds. This was budgeted in fiscal year 2024 and was expected to be spent; therefore, was not budgeted in 2025 with the comprehensive budget process.
4. NAHASDA Revenue 60 – 35660990 – NAHASDA: Modification requesting an increase in transfer authorization of \$1,244,167 to the budget in item 3. The new transfer total is \$1,877,501.
5. SSBCI ARPA Admin – 37599500 – Dept of Treasury: New budget requesting expenditure authorization of \$757,643 to provide administrative staffing for the Cherokee Nation State Small Business Credit Initiative (SSBCI) program and provide technical assistance to eligible clients.
6. SSBCI Capital Operations – 37599600 – Dept of Treasury: New budget requesting expenditure authorization of \$262,115 for administrative operations and transfer out of \$23,588,225 to the loan fund in budget 7.
7. SSBCI Loan Fund – 41090310 – Enterprise Fund: New budget requesting expenditure authorization of \$23,588,225 and transfer in of \$23,588,225 from the grant budget in item 6. This budget is for the loan activity of the State Small Business Credit Initiative (SSBCI).

**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,



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)