

Committee: Rules
Date: 3/15/2022 Committee Date: 3/31/2022

Author: Chuck Hoskin, Jr.
Sponsor: Mike Shambaugh, Victoria Vazquez

RESOLUTION NO. 16-22

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION ESTABLISHING THE SECOND ARPA SPENDING FRAMEWORK
UNDER THE CHEROKEE NATION COVID-19 RESPOND RECOVER AND REBUILD
PLAN AND AMENDING RESOLUTION 26-21**

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, businesses, citizens and communities;

WHEREAS, through the Cherokee Nation COVID-19 Respond, Recover and Rebuild (RRR) Plan the Principal Chief, Deputy 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) and the American Recover Plan Act (ARPA) to respond to, and recover from, the impacts of the COVID-19 pandemic;

WHEREAS, by Resolution 26-21 of May 27, 2021, the Principal Chief, Deputy Principal Chief and the Council of the Cherokee Nation worked together to craft a framework for utilizing the first allocation of ARPA funds, referred to herein as the “First Traunch of ARPA,” totaling \$1,822,018,562, said referred to herein as the “First ARPA Spending Framework,”;

WHEREAS, since the approval of Resolution 26-21, Cherokee Nation has taken various legislative and executive actions within the resolution’s framework to implement programs, services and investments in support of Cherokee citizens and the communities where they live;

WHEREAS, Cherokee Nation has received additional ARPA funds, in the amount of \$174,006,917, referred to herein as the “Second Traunch of ARPA”;

WHEREAS, Cherokee Nation’s experience with spending priorities under the First ARPA Spending Framework and the receipt of the Second Traunch of ARPA funds, necessitates a rebalancing of the priorities reflected in Resolution 26-21 to create a Second ARPA Spending Framework;

WHEREAS, the Council of the Cherokee Nation approves of the Second ARPA Spending Framework as an extension of the Cherokee Nation RRR Plan, as set forth in **Exhibit A** attached to this resolution;

WHEREAS, the Council of the Cherokee Nation repeals Resolution 26-21 only to the extent that it conflicts with this resolution.

WHEREAS, nothing herein substitutes for, or precludes, the Council of the Cherokee Nation 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 requests that the Principal Chief or his executive branch designees provide the Council with periodic updates on the programs and services rendered pursuant to this resolution as well as Resolution 26-21 and that, no later than October 1, 2024, the Principal Chief propose to the Council any changes to the spending framework of this resolution;

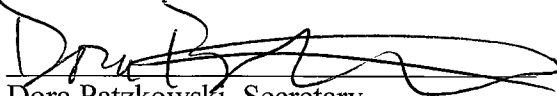
BE IT RESOLVED BY THE CHEROKEE NATION that the Council of the Cherokee Nation approves the Second ARPA Spending Framework herein for further response to and recovery from the impact of the COVID-19 pandemic and that Resolution 26-21 is repealed only insofar as it conflicts with this resolution.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 31st day of March, 2022, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.


Mike Shambaugh, Speaker
Council of the Cherokee Nation

ATTEST:

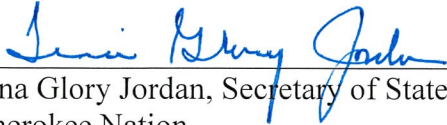

Dora Patzkowski, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 5th day of April, 2022.



Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:



Tina Glory Jordan, Secretary of State
Cherokee Nation

Exhibit A

American Rescue Plan Revised Spending Allocations					
Program / Category	Amount (Res. 26-21)	Percent age of Total (Res. 26-21)	Increase/ Decrease	REVISED Percent of Total	REVISED Amount
COVID Impact Payment	\$785,018,562	43.09%	\$6,917	39.33%	\$785,025,479
Anti-Poverty (a-sv-div-I)	\$80,000,000	4.39%	\$0	4.01%	\$80,000,000
Government Revenue Replacement	\$175,000,000	9.60%	\$0	8.77%	\$175,000,000
Cherokee Nation Payroll & Premium Pay	\$50,000,000	2.74%	\$0	2.50%	\$50,000,000
COVID Vaccine Education & Outreach	\$5,000,000	0.27%	\$0	0.25%	\$5,000,000
Cherokee Nation Workplace Health & Safety Improvement	\$80,000,000	4.39%	\$15,000,000	4.76%	\$95,000,000
Food Security	\$15,000,000	0.82%	\$0	0.75%	\$15,000,000
Housing/Quarantine	\$120,000,000	6.59%	\$80,000,000	10.02%	\$200,000,000
PPE	\$4,000,000	0.22%	\$0	0.20%	\$4,000,000
Community Partners/CCO	\$20,000,000	1.10%	\$7,000,000	1.35%	\$27,000,000
Job Training/Small Business/Economic Impact	\$100,000,000	5.49%	\$0	5.01%	\$100,000,000
Education/Language/Higher Education Relief & Assistance	\$120,000,000	6.59%	\$0	5.01%	\$120,000,000
Health/Behavioral Health/Wellness Programs*	\$130,000,000	7.13%	\$0	6.51%	\$130,000,000
Transportation & Infrastructure	\$58,000,000	3.18%	\$42,000,000	5.01%	\$100,000,000
Broadband Infrastructure	\$65,000,000	3.57%	\$0	3.26%	\$65,000,000
Financial Administration of ARPA funds	\$15,000,000	0.82%	\$0	0.75%	\$15,000,000
Public Safety*	N/A	N/A	\$30,000,000	1.50%	\$30,000,000
			Total:		
				100%	\$1,996,025,479

Total Allocated Res. 26-21: \$1,822,018,562

Total Available from "Second Traunch" of ARPA: \$174,006,917

* Originally Health Infrastructure/Behavioral Health/Wellness Programs

* Public Safety is a new category

**ADMINISTRATIVE
CLEARANCE**

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:

11/30/21

Signature/Initial Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

Signature/Initial Date

Standing Committee & Date:

Chairperson:

Signature/Initial Date

**Cherokee Nation
Act/Resolution Proposal Form**

Act Resolution

**A RESOLUTION ESTABLISHING THE SECOND ARPA
SPENDING FRAMEWORK UNDER THE CHEROKEE
NATION COVID-19 RESPOND RECOVER AND REBUILD
PLAN AND AMENDING RESOLUTION 26-21**

DEPARTMENT CONTACT: Chief Chuck Hoskin Jr.

RESOLUTION PRESENTER: Camerin Fite James

COUNCIL SPONSOR: Mike Shambaugh and Victoria Vazquez

NARRATIVE:

The Council of the Cherokee Nation approves the Second ARPA Spending Framework herein for further response to and recovery from the impact of the COVID-19 pandemic and that Resolution 26-21 is repealed only insofar as it conflicts with this resolution.

MAR 15 '22 PM 2:28