

# An Act

## LEGISLATIVE ACT 06-24

### AN ACT AMENDING LEGISLATIVE ACT #21-23 AUTHORIZING THE COMPREHENSIVE CAPITAL 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 #21-23 Authorizing the Comprehensive Capital Budget for fiscal year 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 Capital Budget Act for Fiscal Year 2024” or subsequent amendment. The cumulative total of the capital budget is increased by **\$ 120,038** for a total capital budget authority of **\$ 753,702,147**. The following items are identified as the components of such change:

Grants Received & Authorized per L.A. 21-23 (detail attached)	\$	0
Modification Request (per Section 4 below)		8,282,980
<b>Cumulative change in budget authority</b>	<b>\$</b>	<b><u>8,282,980</u></b>

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-23 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 capital budget authorization by an increase of **\$ 8,282,980** to wit:

- A. An increase in the **Capital Projects** budget authority of **\$ 8,282,980**.

**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.

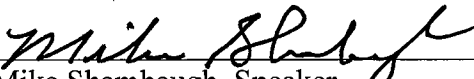
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

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.

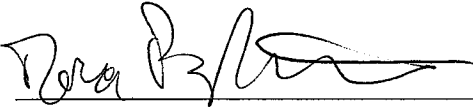
**SECTION 8. SELF-HELP CONTRIBUTIONS**

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.

Passed by the Cherokee Council on the 22<sup>nd</sup> day of January, 2024

  
\_\_\_\_\_  
Mike Shambaugh, Speaker  
Council of the Cherokee Nation

ATTEST:

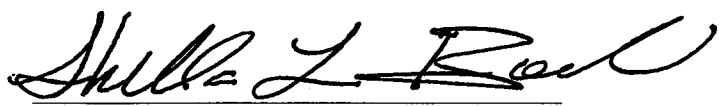
  
\_\_\_\_\_  
Dora Patzkowski, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 23<sup>rd</sup> day of January, 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>	Victoria Vazquez	<u>Absent</u>
Lisa Hall	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Absent</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 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
96-CAPITAL PROJ	1	79648000 Sallisaw CDC Construction	LA 21-23	8,282,980	8,282,980	\$ -
<b>96-CAPITAL PROJ Total</b>				<b>\$ 8,282,980</b>	<b>\$ 8,282,980</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 8,282,980</b>	<b>\$ 8,282,980</b>	<b>\$ -</b>

## Capital 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	2,107,517	87,222	2,194,739	2,046,011	128,728	20,000	2,194,739	-
Department of Labor	18,662,936	0	18,662,936	17,777,504	885,432	0	18,662,936	-
Dept of Transportation Compact	104,572,358	0	104,572,358	104,180,239	292,119	100,000	104,572,358	-
DHHS General	92,559,963	692,099	93,252,062	86,716,268	6,535,794	0	93,252,062	-
DOI General	21,027,069	0	21,027,069	19,395,783	1,631,286	0	21,027,069	-
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	56,641,849	3,453,567	25,000	60,120,416	-
Enterprise	1,813,061	6,840,071	8,653,132	8,522,381	130,751	0	8,653,132	-
EPA	3,243,927	0	3,243,927	3,012,186	231,741	0	3,243,927	-
Federal Other	883,354,077	0	883,354,077	878,587,316	2,122,290	2,644,471	883,354,077	-
HUD	68,068,164	1,877,501	69,945,665	66,545,144	323,020	3,077,501	69,945,665	-
Indirect Cost	87,568,049	11,250	87,579,299	87,579,299	0	0	87,579,299	-
IHS Discretionary	2,500,000	0	2,500,000	150,000	0	2,350,000	2,500,000	-
IHS Self Governance Health	914,128,364	0	914,128,364	775,399,176	49,027,242	89,701,946	914,128,364	-
IHS Self Governance Office	386,587	0	386,587	349,472	37,115	0	386,587	-
IHS Self Governance TEH	30,009,029	0	30,009,029	29,606,920	402,109	0	30,009,029	-
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	351,723,731	31,018,104	382,741,835	335,961,039	7,016,205	39,764,591	382,741,835	-
USDA	47,871,237	975,956	48,847,193	46,212,035	2,635,158	0	48,847,193	-
<b>Total</b>	<b>\$ 3,617,051,958</b>	<b>\$ 199,168,140</b>	<b>\$ 3,816,220,098</b>	<b>\$ 3,537,219,954</b>	<b>\$ 79,832,004</b>	<b>\$ 199,168,140</b>	<b>\$ 3,816,220,098</b>	<b>\$ -</b>

### Non Grant Requests

Cap Mod #2	8,282,980	01/22 E&F
Oper Mod #4	(1,783,066)	01/22 E&F

Cap Mod #1	120,038	01/22 Council
Oper Mod #3	4,870,390	01/22 Council

**Total after pending Mod's** \$ 3,827,710,440

Operating - cumulative total \$ 3,065,725,313  
 Capital - cumulative total 761,985,127  
**Grand Total** \$ 3,827,710,440

### CAPITAL RECONCILIATION

LA 21-23	\$ 753,582,109
Cap Mod #1	120,038
Cap Mod #2	8,282,980

**Total Capital** \$ 761,985,127





**CHEROKEE NATION TRIBAL COUNCIL**

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

# Mem o

**To:** Josh Sam, Chairman, Executive & Finance Committee  
**From:** Jody S. Reece  
**CC:** Executive & Finance Committee  
**Date:** 01/16/2024  
**Re:** Review of Capital Budget Modification #2 – **Total \$ 8,282,980**

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>Reason(s)</u>	<u>Amount</u>
None	-	\$ 0
<b>TOTAL GRANTS</b>		<b>\$ 0</b>

**B. MOD #2 Request - Increase in budget authority - \$ 8,282,980**

1. Sallisaw CDC Construction – 79648000 – Capital Projects: Modification requesting an increase in expenditure authorization of \$8,282,980. Funded by transfer in of PL 102-477 funding from the operating budget mod. The new budgeted expenditure total is \$23,809,917.

**Summary:**

After reviewing the submission of the Capital Mod by administration, I find no technical issues surrounding these requests, nor do I have any unmentioned concerns related to their respective carryover or other estimates. If I can provide any further 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