

An Act

LEGISLATIVE ACT 21-14

AN ACT AMENDING LEGISLATIVE ACT #21-13 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2014 – Mod. 11a; 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 #21-13 Authorizing the Comprehensive Operating Budget for FY 2014 – Mod. 11a**”.

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 2014” or subsequent amendment. The cumulative total of the budget is increased by **\$ 4,680,216** for a total budget authority of **\$ 618,411,772**. The following items are identified as components of such change:

Grants Received & Authorized per LA-21-13 (detail attached)	\$ 2,924,622
Modification Request (see Section 4 below)	<u>1,755,594</u>
Cumulative change in budget authority	<u>\$ 4,680,216</u>

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #21-13 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 **\$ 1,755,594** to wit:

- A. An increase in the **DOI Self Governance** budget authority of **\$ 120,031**.
- B. An increase in the **IHS-Self Governance Health** budget authority of **\$ 1,485,563**.
- C. An increase in the **NAHASDA** budget authority of **\$ 150,000**.

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.

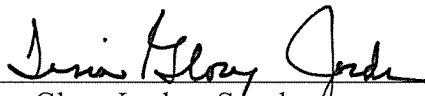
SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

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

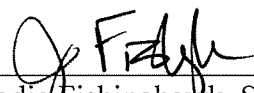
To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 11th day of August, 2014



Tina Glory Jordan, Speaker
Council of the Cherokee Nation

ATTEST:



Jodie Fishinghawk, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 20th day of August, 2014



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State
Cherokee Nation

(for)

YEAS AND NAYS AS RECORDED:

Tina Glory-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>	Cara Cowan Watts	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Lee Keener	<u>Yea</u>
Janelle Fullbright	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Jack Baker	<u>Yea</u>
Jodie Fishinghawk	<u>Absent</u>	Julia Coates	<u>Yea</u>
Curtis Snell	<u>Yea</u>		

CHEROKEE NATION
PROPOSED FY 2014 AMENDMENT
Sorted by Funding Source

Funding Source	Ref # by FS	Program/Purpose	FY 2014 Prior LA	Data		
				Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010315 Cash Match for Grants	June Grants	-	-	\$ -
01-Cherokee Nation Total				\$ -	\$ -	\$ -
20-DOI - General	2	3200140 Title VI CC State Assmts	New	18,615	18,615	\$ -
	3	3200150 SHS CC Enhancement Funds	New	75,200	75,200	\$ -
20-DOI - General Total				\$ 93,815	\$ 93,815	\$ -
40-DHHS-General	4	3401010 Head Start Centers	LA 21-13	442,544	442,544	\$ -
	5	3402010 Early Head Start All Centers	LA 21-13	144,378	144,378	\$ -
	6	3402500 Substance Abuse	LA 21-13	75,953	75,953	\$ -
	7	3402600 Diabetes Grant	LA 21-13	661,573	661,573	\$ -
	8	3402610 Diabetes Grant Health Ed	Nov. Grants	110,626	110,626	\$ -
	9	3402630 Diabetes Program Stilwell	LA 21-13	53,000	53,000	\$ -
	10	3402640 Diabetes Program Sallisaw	LA 21-13	53,000	53,000	\$ -
	11	3402650 Diabetes Program Jay	LA 21-13	45,000	45,000	\$ -
	12	3402660 Diabetes Program Salina	LA 21-13	70,000	70,000	\$ -
	13	3402670 Diabetes Program Nowata	LA 21-13	67,000	67,000	\$ -
	14	3402680 Diabetes Program Muskogee	LA 21-13	69,000	69,000	\$ -
	15	3402685 Diabetes Program Vinita	LA 21-13	40,000	40,000	\$ -
	16	3404800 Strengthening Public Health	Dec. Grants	310,443	310,443	\$ -
	17	3404900 AIDS Education Training Center	New	50,000	50,000	\$ -
18	3406700 Tribal Tobacco Control Program	March Grant	28,719	28,719	\$ -	
19	3408890 Emergency Preparedness	New	8,900	8,900	\$ -	
40-DHHS-General Total				\$ 2,230,136	\$ 2,230,136	\$ -
45-USDA	20	3453451 Food Distribution Other	LA 21-13	56,892	56,892	\$ -
	21	3453454 Food Warehouse	LA 21-13	72,097	72,097	\$ -
	22	3454000 TERO USDA Forestry	Jan. Grants	50,088	50,088	\$ -
45-USDA Total				\$ 179,077	\$ 179,077	\$ -
70-US Department of Labor	23	3701900 Job Driven NEG LTU	New	421,594	421,594	\$ -
70-US Department of Labor Total				\$ 421,594	\$ 421,594	\$ -
Grand Total				\$ 2,924,622	\$ 2,924,622	\$ -

Operating Grants - Reporting Only

CHEROKEE NATION
 PROPOSED FY 2014 AMENDMENT
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2014 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010042 Charitable Contributions	LA 14-14	-	-	\$ -
	2	1010219 Tribal Nursing Program	LA 21-13	-	(100,000)	\$ 100,000
	3	1010315 Cash Match for Grants	July Grants	-	(329,500)	\$ 329,500
	4	1010360 Tribal Election Fund	LA 09-14	-	184,500	\$ (184,500)
	5	1010533 Tribal Summer Youth	LA 10-14	-	(100,000)	\$ 100,000
	6	1010555 Cherokee Day Training Program	LA 10-14	-	345,000	\$ (345,000)
01-Cherokee Nation Total				\$ -	\$ -	\$ -
22-DOI - Self Governance	7	3223070 CN Water Plan	June Mod 10	(21,178)	(21,178)	\$ -
	8	3225000 Water Planning Grant	New	141,209	141,209	\$ -
22-DOI - Self Governance Total				\$ 120,031	\$ 120,031	\$ -
32-IHS - Self Governance Health	9	3324050 SANE	LA 21-13	256,596	256,596	\$ -
	10	3324200 Contract Helath Service	LA 14-14	1,228,967	1,228,967	\$ -
32-IHS - Self Governance Health Total				\$ 1,485,563	\$ 1,485,563	\$ -
56-NAHASDA	11	3566060 Transitional Emergency Housing	LA 21-13	150,000	150,000	\$ -
56-NAHASDA Total				\$ 150,000	\$ 150,000	\$ -
Grand Total				\$ 1,755,594	\$ 1,755,594	\$ -

Operating Mod #11a Request

COMPREHENSIVE BUDGET FOR FISCAL YEAR 2014

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	91,581,515	1,791,757	93,373,272	81,196,117	4,597,234	7,579,921	93,373,272	0
Motor Fuels Tax Funding Srce	10,822,938	15,196,108	26,019,046	15,901,006	171,764	9,946,276	26,019,046	0
Motor Vehicle Tax Funding Srce	20,457,224	450,000	20,907,224	19,168,539	460,260	1,278,425	20,907,224	0
Permanent Fund Funding Source	10,530	0	10,530	10,530	0	0	10,530	0
DOI General Funding Source	12,830,540	0	12,830,540	12,035,464	795,076	0	12,830,540	0
DOI Self Gov Funding Source	14,578,666	79,600	14,658,266	13,380,553	1,266,913	10,800	14,658,266	0
DOI Self Gov Roads Funding Src	23,844,432	0	23,844,432	23,616,471	141,088	86,873	23,844,432	0
Dept of Transportation Fnd Src	47,825,387	0	47,825,387	47,566,718	158,826	99,843	47,825,387	0
DOI PL102-477 Funding Source	16,989,155	521,902	17,511,057	16,335,214	1,175,843	0	17,511,057	0
IHS Self Gov Health Funding Sr	257,862,322	28,140	257,890,462	237,740,309	17,500,153	2,650,000	257,890,462	0
IHS Self Gov TEH Funding Src	8,342,737	0	8,342,737	7,966,189	376,548	0	8,342,737	0
IHS Self Gov Offic Funding Src	322,788	0	322,788	284,719	38,069	0	322,788	0
IHS Discretionary Funding Srce	68,400	0	68,400	30,000	0	38,400	68,400	0
DHHS General Funding Source	37,832,446	516,894	38,349,340	34,569,529	3,179,811	600,000	38,349,340	0
USDA Funding Source	17,613,133	775,440	18,388,573	17,611,934	776,639	0	18,388,573	0
Dept of Education Funding Srce	1,258,838	80,307	1,339,145	1,220,995	118,150	0	1,339,145	0
HUD Funding Source	47,830,510	247,211	48,077,721	45,745,805	1,881,916	450,000	48,077,721	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	1,900,581	0	1,900,581	1,697,756	202,825	0	1,900,581	0
Dept of Labor Funding Source	6,926,722	0	6,926,722	6,255,505	671,217	0	6,926,722	0
Federal Other Funding Source	2,775,748	33,834	2,809,582	2,679,854	129,728	0	2,809,582	0
State of Oklahoma Funding Srce	1,140,306	0	1,140,306	1,032,315	107,991	0	1,140,306	0
Private Funding Source	441,113	183,222	624,335	563,142	61,193	0	624,335	0
Indirect Cost Pool Funding Src	40,912,737	69,165	40,981,902	40,712,895	0	0	40,712,895	269,007
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	4,202,608	0	4,202,608	4,202,608	0	0	4,202,608	0
Enterprise Funding Source	1,247,473	450,000	1,697,473	1,237,276	0	0	1,237,276	460,197
Other Funding Source	199,471	17,000	216,471	204,836	11,635	0	216,471	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	20,269,441	3,900,000	24,169,441	19,919,399	0	4,250,042	24,169,441	0
Total	\$ 690,087,761	\$ 26,990,580	\$ 717,078,341	\$ 655,535,678	\$ 33,822,879	\$ 26,990,580	\$ 716,349,137	\$ 729,204

Non Grant Requests

Mod-10 Oper Req	3,697,580	07/14 Council
Mod-7 Cap Req	49,646	07/14 Council
Mod-11 Oper Req	1,605,594	07/31 E&F

Total after pending Mod's

\$ 721,701,957

CAPITAL RECONCILIATION

LA-22-13 CAP	\$ 92,360,612
Mod-1 Capital	5,000,000
Mod-2 Capital	1,554,468
Mod-3 Capital	521,902
Mod-4b Capital	150,000
Mod-5a Capital	3,300,000
Mod-6 Capital	167,130
Mod-7 Capital	382,739
Mod-8 Capital	3,334
Total Capital	\$ 103,440,185

Operating (LA21-13)	\$ 618,261,772	Cumulative Oper
Capital (LA-22-13)	103,440,185	Cumulative Cap
Grand Total	\$ 721,701,957	



CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

M e m o

To: Jodie Fishinghawk, Chair, Executive & Finance Committee &
 Janees Taylor, Co-Chair, Executive & Finance Committee

From: Jody S. Reece

CC: Executive & Finance Committee

Date: 07/30/2014

Re: Review of Operating Budget Modification #11a – **Total \$ 4,680,216**

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</u>	<u>Amount</u>
DOI-General	2 – new award s	\$ 93,815
DHHS-General	16 – carryover reconciliations with 2 new awards	2,230,136
USDA	3 – carryover reconciliations and revised awards	179,077
US DOL	1 – New award - Job Driven Nat’l Emergency Grant	421,594
	TOTAL GRANTS	<u>\$ 2,924,622</u>

General Fund Cash Match for Grants (1010315) – In the original budget of \$2,300,072, there was \$1,550,072 in Cash Out: Grant Required and \$750,000 in Appropriated for Cash Match for future grants.

Original Appropriated for Cash Match	\$ 750,000	
Used: ICDBG Retail Incubator (3552600)	(208,101)	October reporting
Vocational Rehab Service (3507000)	(13,153)	May Reporting
Federal Transit Program (3753300)	(30,000)	June Reporting
Food Distribution Other (3453451)	(14,222)	July Reporting
Food Warehouse (3453454)	(18,026)	July Reporting
Federal Transit Program (3753300)	(3,334)	July Reporting
Reduction for Elect Comm & Day Training	<u>(329,500)</u>	July Request
Balance Available	<u>\$ 133,664</u>	

B. MOD #11a Request - (11 budgets) Increase in budget authority - \$ 1,755,594

1. Charitable Donations – 1010042 – General Fund: Modification requesting no change in expenditure authorization. The request is only a project name change for Council District 3.

2. ****Added after original mailing**** Tribal Nursing Program – 1010219 – General Fund: Modification requesting a decrease in expenditure authorization of \$100,000 to help fund the Cherokee Day Training Program in item 6.
3. ****Revised after original mailing**** Cash Match for Grants – 1010315 – General Fund: Modification requesting a decrease in expenditure authorization of \$329,500 to fund the Election Commission for \$184,500 and Cherokee Day Training Program for \$145,000. Note the reduction is reported in the Appropriated For Cash Match reconciliation above in the Grant Reporting section. The revised total budget is now \$1,970,572.
4. Tribal Election Commission – 1010360 – General Fund: Modification requesting an increase in expenditure authorization of \$184,500 for capital purchases of equipment. The funds are made available by the reduction in Cash Match for Grants. The total in this budget is now of \$954,955.
5. ****Added after original mailing**** Tribal Summer Youth – 1010533 – General Fund: Modification requesting a decrease in expenditure authorization of \$100,000 to help fund the increase in Cherokee Day Training Program.
6. ****Added after original mailing**** Cherokee Day Training Program – 1010555 – General Fund: Modification requesting an increase in expenditure authorization of \$345,000. Funding is provided by decreases in items 2, 3, and 5.
7. Cherokee Nation Water Plan – 3223070 – DOI Self Governance: Modification requesting a decrease in expenditure authorization of \$21,178 that should have been budgeted in the Water Planning Grant in item 5. The remaining \$310,000 in this budget is from general DOI SG carryover.
8. Water Planning Grant – 3225000 – DOI Self Governance: New budget requesting expenditure authorization of \$141,209 for additional funding and the \$21,178 from item 4. This budget is for non-recurring funding awarded to us specifically for water planning.
9. SANE – 3324050 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$256,596 from carryover reconciliation. The total for this budget is now \$493,084. [Domestic Violence SANE (Sexual Assault Nurse Examiner)]
10. Contract Health Service – 3324200 – IHS Self Governance Health: Modification requesting an increase in expenditure authorization of \$1,228,667 from an increase in funds awarded related to compacting Claremore CHS effective June 1, 2014. New budget total is \$23,093,891.
11. ****Added after original mailing**** Transitional Emergency Housing – 3566060 – NAHASDA: Modification requesting an increase in expenditure authorization of \$150,000 for additional client services from available NAHASDA funds. New budget total is \$1,338,522.

Summary:

After reviewing the submission of Mod #11a by administration, I find no technical issues surrounding these requests, nor do I have any concerns related to their respective carryover estimates. If I can provide any further information, please do not hesitate to contact me.

Respectfully,



Attachments