Committee: Executive & Finance
Assigned: 06/07/2021 Committee

<u>06/07/2021</u> Committee: <u>06/24/2021</u>

Sponsor: <u>Janees Taylor</u> Author: <u>Jody S. Reece</u> Mod-9 Request

### An Act

#### **LEGISLATIVE ACT 35-21**

AN ACT AMENDING LEGISLATIVE ACT #17-20 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2021 – Mod. 9; 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 #17-20 Authorizing the Comprehensive Operating Budget for FY 2021 – Mod. 9".

#### **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 2021" or subsequent amendment. The cumulative total of the budget is increased by \$40,026,785 for a total budget authority of \$3,352,042,885. The following items are identified as components of such change:

Cumulative change in budget authority	\$	40,026,785
Modification Request (see Section 4 below)	-	35,374,613
Grants Received & Authorized per LA 17-20 (detail attached)	\$	4,652,172

#### SECTION 3. <u>LEGISLATIVE HISTORY</u>

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #17-20 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 § 35,374,613 to wit:

- A. An increase in the **DOI Self Governance** budget authority of \$\frac{\$107,891}{}\$
- B. An increase in the IHS Self Governance Health budget authority of § 35,266,722.

#### 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 12th day of July, 2021

og Byrd, Speaker

Council of the Cherokee Nation

ATTEST:

Janees Taylor, Secretary

Council of the Cherokee Nation

, 202	Approved and signed by the Principal Chief this	15th d	lay of	uly,	2021
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Chuck Hoskin Jr., Principal Chief

Cherokee Nation

ATTEST:

Tina Glory Jordan, Secretary of State

Cherokee Nation

#### YEAS AND NAYS AS RECORDED:

Rex Jordan	Yea	Harley Buzzard	Yea
Joe Byrd	Yea	Victoria Vazquez	Yea
Wes Nofire	Yea	Dora Smith Patzkowski	Yea
Dr. Mike Dobbins	<u>Yea</u>	Joe Deere	Yea
E.O. "Jr" Smith	Yea	Keith Austin	Yea
Daryl Legg	<u>Yea</u>	Janees Taylor	Yea
Canaan Duncan	<u>Yea</u>	Mary Baker Shaw	Yea
Shawn Crittenden	<u>Yea</u>	Julia Coates	Yea
Mike Shambaugh	Yea		

# CHEROKEE NATION PROPOSED FY 2021 AMENDMENT Sorted by Funding Source

				Data		
	Ref#by			Amand Obcess	Amend.	
Funding Source		Ī	ENCORRA Delevit A		Expenses Total	
20-DOI - General	F3	Program/Purpose	FY 2021- Prior LA	to Sources	Change	Net Chang
		3200240 Enhancement Immersion Program	New	454,000	454,000	\$
20-DOI - General Total				\$ 454,000	<del></del>	\$
40-DHHS-General	2		LA-17-20	(237,297)	·····	
	3	3402605 Diabetes Special Grant	LA-17-20	18,667	18,667	\$
	4	3402630 Diabetes Grant Stilwell	LA-17-20	14,272	14,272	\$
	5	3402640 Diabetes Grant Sallisaw	LA-17-20	122,038	122,038	\$
	6	3402650 Diabetes Grant Jay	LA-17-20	158,031	158,031	\$
	7	3402660 Diabetes Grant Salina	LA-17-20	144,596	144,596	\$
	. 8	3402670 Diabetes Grant Nowata	LA-17-20	14,155	14,155	\$
	9	3402675 Diabetes Progr Contract Health	LA-17-20	250,000	250,000	\$
	10	3402680 Diabetes Grant Muskogee	LA-17-20	(23,505)	(23,505)	
	11	3402685 Diabetes Grant Vinita	LA-17-20	20,060	20,060	\$
	12	3402695 Diabetes Grant Ochelata	LA-17-20	(7,114)	(7,114)	\$
	13	3405310 CN Project Ltsula	LA-17-20	181,896	181,896	\$
	14	3405570 LIHEAP American Rescue Plan	New	484.000	484,000	\$
	15	3405571 LIHEAP ARP Admin	New	48,400		\$
	16	3405580 JOBS Tribal TANF PEAF	New	1,547,699	1,547,699	\$
40-DHHS-General Total				\$ 2,735,898	\$ 2,735,898	S
45-USDA	17	3456500 Supplemental CARES Act Grant	New	1,212,274	1,212,274	\$
45-USDA Total		***************************************		\$ 1,212,274	\$ 1,212,274	\$
85-Private	18	3856800 Maternal Child Health	New	250,000	250,000	\$
85-Private Total				\$ 250,000	\$ 250,000	\$
Grand Total				\$ 4,652,172	\$ 4,652,172	Ś

## June Grants - Reporting Only

# CHEROKEE NATION PROPOSED FY 2021 AMENDMENT Sorted by Funding Source

				Data		
	Ref # by		FY 2021-	Amend. Change to	Amend. Expenses	1
Funding Source	FS	Program/Purpose	Prior LA	Sources	Total Change	Net Change
22-DOI - Self Governance	1	3221105 BIA Preparedness	LA-17-20	107,891	107,891	\$ -
22-DOI - Self Governance Total				\$ 107,891	\$ 107,891	\$ -
32-IHS - Self Governance Health	2	3326400 Communication Health Services	New	101,559	101,559	\$ -
	3	3327200 CARES Act Telehealth	New	5,165,163	5,165,163	\$ -
<u> </u>	4	3327300 COVID 19 ARPA	New	30,000,000	30,000,000	\$ -
32-IHS - Self Governance Health 1	Γotal			\$ 35,266,722	\$ 35,266,722	\$ -
Grand Total				\$ 35,374,613	\$ 35,374,613	\$ -

## Operating Mod #9 Request

# COMPREHENSIVE BUDGET FOR FISCAL YEAR 2021

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	125,532,208	18,890,297	144,422,505	122,045,900	5,003,905	17,372,700	144,422,505	0
Motor Fuels Tax Funding Srce	11,425,464	17,979,396	29,404,860	20,840,503	73,357	8,491,000	29,404,860	0
Motor Vehicle Tax Funding Srce	35,644,485	1,099,686	36,744,171	34,703,287	648,046	1,392,838	36,744,171	0
Permanent Fund Funding Source	9,100	0	9,100	9,100	0	0	9,100	0
DOI General Funding Source	16,100,862	0	16,100,862	14,996,593	1,104,269	0	16,100,862	0
DOI Self Gov Funding Source	22,045,792	29,600	22,125,392	18,399,507	1,215,464	2,510,421	22,125,392	0
DOI Self Gov Roads Funding Src	4,658,360	0	4,658,360	4,621,055	32,305	2,000	4,658,360	0
Dept of Transportation Fnd Src	97,616,429	0	97,616,429	97,272,025	244,404	100,000	97,616,429	0
DOI PL102-477 Funding Source	95,587,677	0	95,587,677	91,565,270	1,929,581	2,092,826	95,587,677	0
IHS Self Gov Health Funding Sr	592,291,266	12,034,146	604,325,412	559,707,398	32,583,868	12,034,146	604,325,412	0
IHS Self Gov TEH Funding Src	19,187,582	0	19,187,582	18,904,687	282,895	0	19,187,582	0
IHS Self Gov Offic Funding Src	388,823	0	388,823	351,730	37,093	0	388,823	0
IHS Discretionary Funding Srce	75,000	0	75,000	75,000	0	0	75,000	0
DHHS General Funding Source	78,564,434	603,199	79,167,633	74,031,727	5,135,906	0	79,167,633	0
USDA Funding Source	30,334,178	361,101	30,695,279	29,775,427	919,852	0	30,695,279	0
Dept of Education Funding Srce	923,567	82,222	1,005,789	936,045	54,744	15,000	1,005,789	0
HUD Funding Source	42,902,856	300,000	43,202,856	41,237,595	465,261	1,500,000	43,202,856	0
Housing Proceeds Funding Src	0	0	0	0	0	0	0	0
EPA Funding Source	2,486,039	0	2,486,039	2,264,970	221,069	0	2,486,039	0
Dept of Labor Funding Source	15,870,916	0	15,870,916	14,735,861	1,135,055	0	15,870,916	0
Dept of Treasury Funding Source	277,433,464	0	277,433,464	263,464,535	0	13,968,929	277,433,464	0
Federal Other Funding Source	17,228,962	431,713	17,660,675	16,792,197	691,872	176,606	17,660,675	0
State of Oklahoma Funding Srce	1,587,872	0	1,587,872	1,467,260	120,612	0	1,587,872	0
Private Funding Source	2,989,541	0	2,989,541	2,962,505	27,036	0	2,989,541	0
Indirect Cost Pool Funding Src	57,546,092	4,500	57,550,592	57,550,592	0	0	57,550,592	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	6,105,336	0	6,105,336	6,105,336	0	0	6,105,336	0
Enterprise Funding Source	2,436,773	1,576,606	4,013,379	3,823,300	190,079	0	4,013,379	0
Other Funding Source	268,000	17,000	285,000	280,134	4,866	0	285,000	0
Debt Service Funding Source	0	0	0	0	0	0	0	0
Capital Projects Funding Sourc	80,586,419	6,200,000	86,786,419	86,786,419	0	0	86,786,419	0
Total	\$ 1,637,827,497 \$	59,659,466 \$	3 1,697,486,963 \$	1,585,705,958 \$	52,121,539 \$	59,659,466 \$	1,697,486,963 \$	.

\$ 59,659,466	1 1	43	1,697,486,963	8	\$ 1,697,486,963 \$ 1,585,705,958 \$ 52,121,539 \$	52,121,538		59,659,466 \$ 1,697,486,963 \$	
							Non Grant Requests	Requests	
CAPITAL	REC	S	CAPITAL RECONCILIATION						
A 16-20		63	218,171,590				Oper Mod #8A	1,860,788,028 05/27 Spl Council	05/27 Spl Council
ap Mod #1			249,530				Cap Mod #5	1	06/14 Council
Cap Mod #2			100,000						
ap Mod #3			687,126				Oper Mod #9	35,374,613 06/24 E&F	06/24 E&F
ap Mod #4			687,558						
ap Mod #5			21,710,915			Total after	Total after pending Mod's	\$ 3,593,649,604	
otal Capital		8	241,606,719						
							Operating (LA 17-20)	3,352,042,885 Cumulative Oper	Cumulative Oper
							Capital (LA 16-20)	241,606,719	241,606,719 Cumulative Cap
							Grand Total	Grand Total \$ 3,593,649,604	

Capital		
		100001
		-

#### CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA





## Memo

To:

Janees Taylor, Chairman, Executive & Finance Committee

From:

Jody S. Reece

CC:

**Executive & Finance Committee** 

Date:

06/08/2021

Re:

Review of Operating Budget Mod #9 – Total \$ 40,026,785

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:

Funding Source	# of Budgets	Amount
DOI General	1	\$ 454,000
DHHS General	15	2,735,898
USDA	1	1,212,274
Private	1	250,000

Total Grant Reporting \$ 4,652,172

General Fund Cash Match for Grants (1010315) - Start of Year

Cash Out: Grant Required \$1,834,455
Cash In: Tribally Required (CARES Act Treasury)
Appropriated for Cash Match (future grants)
Original Total Budget \$1,834,455
(363,247)
882,060
\$2,353,268

Original Appropriated for Cash Match – for future grants	\$	882,060	
Used: USDA Nutrition Education (reduced match)		492	Nov.
DOJ SHS Sch. Violence Prevention Program (reduced match)		84,321	Nov.
CARES Act Food Distribution	(	143,844)	Dec.
Federal Transit Program	(	29,959)	Dec.
Pre Disaster Mitigation	(	30,562)	Jan.
Funding decrease to cover Supreme Court increase	(	167,927)	Mod #4
PDM EMT 2020	(	146,335)	Mod #6
PDM EMT 2021	(	151,445)	Mod #6
Low Emission Bus Grant (cash match used prior year		212,400	Mod #6
Food Distribution (waiver of most of current year cash match)	(	661,443)	Mod #8
Reduction to provide funding for Tribal Youth Council stipends		6,800	Mod #8

Balance Available for Future Grant Matching

\$ 1,163,844

#### B. MOD #9 Request - Increase in budget authority - \$ 35,374,613

- 1. <u>BIA Preparedness 3221105 DOI Self Governance:</u> Modification requesting an increase in expenditure authorization of \$107,891. Funded is provided by designated funding in Authority to Obligate (ATO) #7. The new expenditure total is \$223,127.
- 2. <u>Communication Health Services 3326400 IHS Self Governance Health:</u> New budget requesting expenditure authorization of \$101,559.
- 3. <u>CARES Act Telehealth 3327200 IHS Self Governance Health:</u> New budget requesting expenditure authorization of \$5,165,163. Non-recurring funds received in funding amendment 09 specifically for CoVID19 Telehealth. These funds must be spent by September 30, 2021 or returned to IHS.
- 4. <u>COVID 19 ARPA 3327300 IHS Self Governance Health:</u> New budget requesting expenditure authorization of \$30,000,000. Funding amendment 08 provided \$273,702,185 to Cherokee Nation from ARPA funds. The funding amendment designates specific categories of expenditures and summarized in the budget narrative. These funds do not have an expiration date so only \$30 million is budgeted at this time.

#### Summary:

After reviewing the submission of the operating modification 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 additional information, please do not hesitate to contact me.

Respectfully.

Jody 8 Reece CPA, CIA, CMA

Executive Director of Financial Oversight

Office: 918-453-5573 Cell: 918-525-2017

Email: jody-reece@cherokee.org

#### Cherokee Nation FY 2021 Comprehensive Budget Narrative

Department/Program	Executive	Director	ED Phone #
19 - Career Services	S. Diane	Kelley	5628
Accounting Unit		Accounting Unit Name	
3221105		BIA Preparedness	
Program Direct		Pgm Dir/Mgr Phone #	Period Budget Covers
Willard Mo	punce	5335	10/01/2020 - 09/30/2021
FY 2021 REVISION 1	FY 2021 REVISION 2	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved
\$ 115,236	\$ 223,127	\$ 107,891	93.63%
Staffing Plan (FTE)	FY 2021 REVISION 2	FY 2021 REVISION 1	Net Change in Staffing
Regular Full-Time	1.18	1.18	-
Regular Part-Time			
Temporary Full-Time	0.50	0.50	
Temporary Part-Time		-	
IPA/MOA/Other		<u>-</u>	
Total	1.68	1.68	

#### PROGRAM NARRATIVE:

History: This budget was created via division of the 2014 Administration Support Department Forestry Budget (3221085) and will be used for administration of the Bureau of Indian Affairs (BIA) Preparedness Program responsible for wildfire suppression. These funds provide coverage for personnel, travel, and equipment/training costs.

Eligibility: Those activities identified by the BIA. This budget is not tied directly or indirectly to service delivery.

Services: Program participation is limited to Cherokee Nation Trust resources (i.e. Tribal Trust and Individually Restricted resources). The service area is the Tribal Reservation Area, Chilocco, and other areas containing trust resources.

Intended Outcomes: The primary outcome of choice is "no findings of imminent jeopardy" to trust resources.

Metrics: Completed activities as directed by BIA.

Collaborations: This budget works in collaboration with numerous Cherokee Nation Governmental entities, departments, subsidiaries, other federally recognized Tribes, education institutions, and scientific research facilities.

This activity consists of all the actions needed to prepare for the response to wildland fire ignitions. Preparedness funds provide support to the overall management and planning of the Bureau's and Indian Tribal fire management programs. Preparedness includes, but is not limited to, readiness and capability to provide safe, cost-effective fire management programs in support of land and resource management plans. This activity includes the hiring and training of fire personnel, purchasing/contracting of equipment and supplies, support, planning and coordination, policy development, oversight, and research. Interagency coordination and direction includes establishment and funding of interagency agreements and interagency fair share contributions.

#### SIGNIFICANT CHANGES:

Budget revision with increase per Authority to Obligate (ATO) #7 FY 2021.

#### CHEROKEE NATION - FY2021 BUDGET REQUEST FORM

PART-1							
Budget Period:	10/01/2020 - 09/30/2021		Budget Prepare			Phone:	5310
Contract Period: Contract Number:		<del></del>	Name:	Director/Manage		a Lack Phone:	5335
Accounting Fund:	3-Special Revenue		Name:	Director/marrage		Mounce	2000
Funding Source:	22-DOI-Self Governance		Executive Direct	or		Phone:	5628
AU Description: Accounting Unit:	BIA Preparedness 3221105		Name: 1st Person Resp	onelble	S. Diar	ne Kelley	
7 toooditally of the	Place IDC Rate in Part 4 Below		Employee #	OTISTO(#	10	4885	·
Date/Time Printed:	12-May-21	01:50 PM			AAADAAADAAAADAAAAA		(O) Unrauja uji irii ilii
	Notes: Budget revision with increase per ATC	O #7 FY 2021.	_				
	į						_
PART-2					1		
Staffing Summary			FY 2021 R	EVISION 2	FY 2021 R	EVISION 1	Incr \ (Decr)
	ar Full-Time Employee Equivalents: ar Part-Time Employee Equivalents;			1.18			•
# of Temp	p. Full-Time Employee Equivalents;			0.50			<del>-</del>
	. Part-Time Employee Equivalents:					1	
	Other Employee Equivalents:					l	•
	MPLOYEE-EQUIVALENTS		1 DANGORAGO CARANTANTAN	1.68		1.68	! <u></u>
PART-3			_				
Revenues:	(Show as positive #)	Account #					Incr \ (Decr)
Grants / contracts reven	account number - >>>	400000		\$223,127		\$115,236	\$ 107,891
	account number - >>>	<del> </del>				<u></u>	\$ - \$ -
Please enter a valid :	account number - >>>						\$ -
	account number - >>>	ļ					\$
	account number - >>>	<del>                                     </del>					\$ -
Please enter a valid :	account number - >>>					l	\$ -
DO NOT COPY TO, COPY	BELOW, OR REMOVE THIS LINE!						
	Total Revenues	<u>.                                    </u>	<u> </u>	\$ 223,127	DETHUMATORANDAAN	\$ 115,236	\$ 107,891
				_			_
PART-4				to IDC ?		to IDC ?	
Expenditures:	ABOVE, OR REMOVE THIS LINE!	Account #	YES	NO	YES	NO	Incr \ (Decr)
Salaries & wages	ABOVE, OR REMOVE THIS LINE!	600000	\$62,344		\$62,344	<u>Madariaan kaan diga diga bila</u>	\$ -
Fringe benefits		610000	\$17,070		\$17,070		\$ -
Staff development & trai Travel-staff	ning	620000	\$3,500				\$ 3,500
Supplies		630000 680000	\$15,000 \$27,864		\$10,118		\$ 15,000 \$ 17,746
Communication & reproc	duction	590000	\$15,000		010,110		\$ 15,000
Building rent/lease Property taxes		700000	\$35,000				\$ 35,000
Direct billed: auto insura	nce	710000 710100	\$7,500 \$6,500		\$6,500	<del></del>	\$ 7,500 \$ -
Direct billed: gas cards		720070	\$5,300		\$5,300		\$ -
R & m equipment	account number - >>>	730040	\$5,000		\$2,000		\$ 3,000
	account number - >>>						\$ .
	account number - >>>						\$ -
	account number - >>>						\$ -
	account number - >>>				-		5 -
Please enter a valid a	account number - >>>		<u> </u>				
Expenditures NOT Sub	BELOW, OR REMOVE THIS LINE!					TO THE REAL PROPERTY OF THE PR	
Expenditures SUBJEC	•						\$ -
	ank or zero, must explain in Notes above)			OSESAOODULIDOITUUUULIDOITU Olemaarikka oo	# 103,332 44 £264	THEOREM CONTRACTOR STATES OF THE STATES OF T	\$ 96,746
Indirect Cost Allocation	n	970000			\$ 11,904		\$ 11,145
Total Expenditures			INGUIDRANDIN MILIODA MAND				
Revenues OVER \	UNDER) Expenditures		Manual				
			KANDON KODONAKKAN KANDA	\$ .		5 -	\$ -
Transfers In\Out - Operating Transfers IN	(Show ALL as Positive Numbers)	1					
Other financing sources	•	900000					\$ -
Cash in: tribally required		900010					\$ -
Cash in: grant required		900020			11000m0001100110011000		\$ -
Cash in: motor fuel tax Cash in: vehicle tax		900040	DEMONINALININALININALININALINI Ny faranjaranjaranjarahan		(1100))1000B200B200B20B3		\$ - \$ -
Cash in: interprogram co	ntract	900060					\$ -
Cash in: debt service		900070					\$ -
Operating Transfers O	UT						
Other financing uses Cash out: tribally require		900001			HTH HTH HTH HTH HTH HTH		\$ -
Cash out: grant required		900011 900021			!		\$ - \$ -
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Cash out: vehicle tax	antroet	900051			HANDATOONKANDATOONATOO		\$ -
Cash out:interprogram co Cash out: debt service	JilliaGt	900061 900071			HOURANDE TANKE AND ET AND E		\$ - \$ -
Transfers In\Out - N	let .	000011	reconstitution result (1971)	\$ -		\$ -	\$ -
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Excess\(Deficit) of I	Revenues, Expenditures and Net Tra	insfers		s _1	AUUDIAUDAUDAAUDAAURAAD	s I	\$ -
	,,			<del></del>	oodersodAuozdineAdill	-	• •

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o.	PAY	I IOS	WOR	KSHEET

	Position Status	F-G			,		TOTAL	ERSONNEL	COST FOR E	MPLOYEE				Totals For This Ac	counting Unit
Job Title	Vacant=V New=N Existing=E	Salary = S Hourly = H MOA/IPA = N	Position	Grade Range	Emp.#	Pay Rate	on t	iours To Pay its AU Overtime	Expected Wages (Gross)	Series-Status	Fringe Rate%	% Charged to this AU	On Multiple AUs	Expecied Wages (Gross)	Expected Fringe Benefits
re Program Coordinator	E_	Н	1305	223	105695	\$25.95	2080			Full Time	34.20%	34%	X	\$18,352	\$8,27
re Fuels Technicisn	>	н	1726	74	100000	\$13.67	2080		\$28,434	Full Time	34.20%	50%		\$14,217	\$4,88
fidland Fire Prevention Specialist	ш	В	2226	157	105291	\$18.53	2080		\$38,542	Full Time	34,20%	34%	x	\$13,104	\$4,48
re Fuels Technician	٧	H	1726	74	100000	\$16.03				Temp FT or FT	8.70%	50%	^	\$16,671	\$1,45
									700(02	10179170117	0.00%			\$10,071	\$1,4-
									<b></b>		0.00%		_	\$0	- 3
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											0.00%	_		\$0	
									-		0.00%		_		ş
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						1					0.00%			. 50	
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REQUEST NO.: OSG481

#### DEPARTMENT OF THE INTERIOR

#### SELF-GOVERNANCE COMPACT/FUNDING AGREEMENT AND AMENDMENTS

AUTHORITY TO OBLIGATE

COMPACT NO.: GT-OSGT905-21

COMPACT TRIBE/TRIBAL CONSORTIUM: CHEROKEE NATION

COMPACT PERIOD: Fiscal Year 2021

DATE: Wednesday, May 5, 2021

DOC REQUEST NO.: 7

Award NO: A21AV00041

DUNS NO: 077345494

ACCT Line	BFY	Program	Description		Current Authority	Increase Decrease	Total Authority
1	21-22	T9240	S/G OIP (2 Year)		\$10,511,989	\$0	\$10,511,989
3	21-22	224DD	S/G CONTRACT SUPPORT		\$368,674	\$0	\$368,674
5	2021	95800	S/G HHS-CHILDCARE BLOCK		\$44,887,224	\$0	\$44,887,224
6	2021	95400	S/G HHS-CHILDCARE DEVELOP		\$8,071,529	\$0	\$8,071,529
17	21-22	F0000	S/G DOI - WILDLAND FIRE MANAGEMENT		\$29,109	\$107,891	\$137,000
18	2021	151CR	S/G HHS-CRRSA CHILDCARE BLOCK		\$38,047,160	\$0	\$38,047,160
				Total:	\$101,915,685	\$107,891	\$102,023,576

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.

uman Signature of Authorizing Official

MAY 05, 2021

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
F1002 NON TPA	Preparedness FY2021 Distribution of CR#2 & CR#3 Fire Preparedness funds. This is a one-time distribution of funds. 21FIR010	\$3,351
F1002 NON TPA	Preparedness FY2021 Distribution of Final Fire Preparedness funds. This is a one-time distribution of funds. 21FIR017	\$21,640
F102T NON TPA	Wildland Fire Prevention FY2021 Distribution of CR#2 & CR#3 Fire Wildland Fire Prevention funds. This is a one-time distribution of funds. 21FIR009	\$13,700
F102T NON TPA	Wildland Fire Prevention FY2021 Distribution of Wildland Fire Prevention funds. This is a one-time distribution of funds. 21FIR014	\$69,200
	ROLLUP F0000 Total:	\$107,891
	COMPACT TOTAL:	\$107,891

#### Cherokee Nation FY 2021 Comprehensive Budget Narrative

Department/Program	Executive	Director	ED Phone #					
01 - Office of the Chief	Julie Hul	bard	3896					
Accounting Unit		Accounting Unit Name	е					
3326400		Communication Health Services						
Program Directo		Pgm Dir/Mgr Phone #	Period Budget Covers					
Julie Hubb	pard	3896	10/01/2020 - 09/30/2021					
FY 2020 BUDGET	FY 2021 ORIG REQUEST	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved					
\$ 101,559	\$ 101,559	\$ -	0.00%					
Staffing Plan (FTE)	FY 2021 ORIG REQUEST	FY 2020 BUDGET	Net Change in Staffing					
Regular Full-Time	1.00	1.00	-					
Regular Part-Time								
Temporary Full-Time	-							
Temporary Part-Time								
IPA/MOA/Other	<u>-</u>	<u> </u>						
Total	1.00	1.00						

#### PROGRAM NARRATIVE:

The Cherokee Nation (CN) Communications Department budgets support our mission to protect and promote the image of the Cherokee Nation through both Traditional and non-traditional mediums.

The Communications department is split into two general categories: print/traditional/media relations and multimedia/online/creative services. The first category oversees the writing of press releases, taking photographs, trafficking media requests and planning press events. Products from this category will include earned media news stories, press conferences, media kits, and annual reports, and official photographs, etc. The second category oversees video stories, social media and graphic design.

#### SIGNIFICANT CHANGES:

New budget for FY 21

PART-1								
Budget Period:	10/01/2020 - 09/30/2021		Budget Prepar	er		Phone:	5541	
Contract Period:			Name:		Michael	Hamlin		
Contract Number: Accounting Fund;	3-Special Revenue			ilt Director/Manager		Phone:	3896	
Funding Source:	32-IHS-Self Governance-Health		Name: Executive Dire	otor .	Julie H	ubbard Phone:	3896	
AU Description:	Communication Health Services		Name:	GLOT	Julie He		3686	
Accounting Unit:	3326400		1st Person Res	ponsible	oulo I a	abbajų.	_	
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2021 Acct Unit

3326300 HIV Elimination Program 3326400 Communication Health Services FY 2021 Approved Budget

490000 (1,000,596.00) New 400000

596.00) New Total Budget 101,559.00

#### Cherokee Nation FY 2021 Comprehensive Budget Narrative

Department/Program	Executive I	Director	ED Phone #					
07 - Health Services	STEPHEN	JONES	539-234-2722					
Accounting Unit		ne İ						
3327200		CARES Act Telehealth						
Program Directo	or/Manager	Pgm Dir/Mgr Phone #	# Period Budget Covers					
WAYNE COL	DWELL	539-234-2723	10/01/2020 - 09/30/2021					
FY 2020 BUDGET	FY 2021 ORIG REQUEST	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved					
-	\$ 5,165,163	\$ 5,165,163	100.00%					
Staffing Plan (FTE)	FY 2021 ORIG REQUEST	FY 2020 BUDGET	Net Change in Staffing					
Regular Full-Time	-	-	-					
Regular Part-Time			_					
Temporary Full-Time		-						
Temporary Part-Time								
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#### PROGRAM NARRATIVE:

These funds were received through our Indian Health Service (IHS) funding agreement in May of 2021. They have to be expended for the purpose designated by September 2021. Any unspent funds for the purposes of telehealth must be returned to IHS. Health Services has incurred significant costs related to telehealth/health Information Technology (IT) related to the pandemic and will be reclassifying those costs from other funding sources to this funding source.

#### SIGNIFICANT CHANGES:

Funds received in May 2021, must be spent by September 2021.

#### CHEROKEE NATION - FY2021 BUDGET REQUEST FORM

Contract Desired	10/01/2020 - 09/30/2021		Budget Prepare			Phone:	530.0	34-271
Contract Period;			Name:	<del>'                                    </del>	AM	I SAMS	038-2	34-27
Contract Number:	2.6		Accounting Uni	t Director/Manage	er	Phone:	539-2	34-272
Accounting Fund: Funding Source:	3-Special Revenue 32-IHS-Self Governance-Health		Name:		WAYNE	COLDWELL		
AU Description:	CARES Act Telehealth	<del></del>	Executive Direc	tor		Phone:	539-2	34-272
Accounting Unit:	3327200		Name: 1st Person Res	nonelble	STEPH	EN JONES		
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#### **AMENDMENT NUMBER 09**

#### to the FY 2021 Funding Agreement

between the

#### Cherokee Nation

and the

## United States of America Department of Health and Human Services

The Funding Agreement 60G930002, pursuant to Title V, Section 505 (e), Subsequent Funding Agreements, effective January 1, 2017, between the Cherokee Nation and the United States of America, Department of Health and Human Services, is hereby amended as follows:

SUB SUB ACTIVITY	Previous FA Total	Increase (Decrease)	Amended FA Total
CoVID19 Telehealth	\$0	\$5,165,163	\$5,165,163
EFFECT ON FA AMOUNT/PAYMENTS			75,105,100
Total, FA Amount	\$638,486,554	\$5,165,163	\$643,651,717
Total, FA Retained Services	(\$1,790,624)	\$0	(\$1,790,624)
Total, Amount to be Rec'd	\$636,695,930	\$5,165,163	\$641,861,093

Remarks:

This amendment transfers \$5,165,163 in funding that was appropriated under the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136 (CARES Act) to the Indian Health Service. These funds are transferred to the Tribe on a one-time basis. These non-recurring funds are not part of the amount required to be recurring by 25 U.S.C. § 5325. Notwithstanding the ISDEAA and notwithstanding this agreement, these funds may only be used for the purposes identified in the CARES Act. In the event the tribe cannot use the funds for the authorized purposes, it shall promptly return those unused funds to IHS. Where there is a conflict between this agreement and the CARES Act, the CARES Act shall govern. If the Tribe disagrees with the above statements, please immediately notify IHS to return the funding in its entirety.

Effective Date: April 30, 2021

#### **Cherokee Nation**

۲	Principal Chief		
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		United States of America Department of Health and Human Services	
	Jennifer		
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#### Cherokee Nation FY 2021 Comprehensive Budget Narrative

Department/Program	Executive I	ED Phone #					
07 - Health Services	STEPHEN	539-234-2722					
Accounting Unit	Accounting Unit Name						
3327300	COVID 19 ARPA						
Program Directo		Pgm Dir/Mgr Phone #	Period Budget Covers				
WAYNE COL	DWELL	539-234-2723	10/01/2020 - 09/30/2021				
FY 2020 BUDGET	FY 2021 ORIG REQUEST	\$ Increase/(Decrease) Requested – Approved	% Increase/(Decrease) (Request – Approved) / Approved				
\$ -	\$ 30,000,000	\$ 30,000,000	100.00%				
Staffing Plan (FTE)	FY 2021 ORIG REQUEST	FY 2020 BUDGET	Net Change in Staffing				
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Regular Part-Time							
Temporary Full-Time	<u>-</u>						
Temporary Part-Time		-					
IPA/MOA/Other	(1)	-					
Total			-				

#### PROGRAM NARRATIVE:

This funding is from the American Rescue Plan Act (ARPA). There were 5 different amounts for 5 purposes awarded to Health Services under ARPA, totaling \$273,702,185. Contract Support Costs (IDC) will be paid in addition to all these funds except the Lost Reimbursement category. These funds can be used for expenditures January 31, 2020 forward and do not have an expiration date but must be used for the purposes outlined in the law. Below is a breakdown of the funding amounts and their purpose:

Lost Reimbursement	\$148,998,219
Health Care Services/Purchased & Referred Care	\$29,978,286
Information Technology & Telehealth	\$4,776,681
Vaccine Planning, Distribution, Monitoring & Tracking	\$32,676,950
Testing, Contact Tracing, Monitoring & Mitigation	\$57,272,049

In FY21, Health Services has been spending other COVID funding received during FY20 to cover COVID specific operational costs. Many of those funds will be exhausted before the end of FY21. We are budgeting a portion of the ARPA funds to cover the COVID related operational costs for things such as testing, contact tracing/surveillance, vaccination efforts, surge staffing, etc. that may exceed the budgets currently in place for these purposes.

#### SIGNIFICANT CHANGES:

This budget is for a portion of the ARPA funds received for Health Services.

#### CHEROKEE NATION - FY2021 BUDGET REQUEST FORM

PART-1 Budget Period: 10/01/2020 - 09/30/2021 Budget Preparer 539-234-2713 Phone: Contract Period AMI SAMS Contract Number Accounting Unit Director/Manager Phone 539-234-2723 Accounting Fund 3-Special Revenue Name: WAYNE COLDWELL Funding Source: 32-IHS-Self Governance-Health Executive Director Phone 539-234-2722 AU Description: COVID 19 ARPA Name STEPHEN JONES Accounting Unit: 1st Person Responsible Place IDC Rate in Part 4 Below 105287 Employee # Date/Time Printed: 01-Jun-21 10:42 AM PART-2 Staffing Summary: **FY 2021 ORIG REQUEST FY 2020 BUDGET** Incr \ (Decr) # of Regular Full-Time Employee Equivalents: POLICIO DE LO COMPONIO DE LA COMPONIO DEL COMPONIO DEL COMPONIO DE LA COMPONIO DEL COMPONIO DE LA COMPONIO DEL COMPONIO DE LA COMPONIO DEL COMPONIO DE LA COMPONIO DEL COMPONIO DE LA COMPONIO DE LA COMPONIO DEL COMPONIO DE LA COMPONIO DEL C # of Regular Part-Time Employee Equivalents DYNOODEROODEROODEROODEROODEROODEROODER # of Temp. Full-Time Employee Equivalents: # of Temp. 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#### **AMENDMENT NUMBER 08**

#### to the FY 2021 Funding Agreement

between the

#### **Cherokee Nation**

and the

#### United States of America

#### Department of Health and Human Services

The Funding Agreement 60G930002, pursuant to Title V, Section 505 (e), Subsequent Funding Agreements, effective January 1, 2017, between the Cherokee Nation and the United States of America, Department of Health and Human Services, is hereby amended as follows:

SUB SUB ACTIVITY	Previous FA Total	Increase (Decrease)	Amended FA Total
Lost Reimbursement	\$0	\$148,998,219	\$148,998,219
Health Care Services/PRC	\$0	\$29,978,286	\$29,978,286
Information Technology and Telehealth	\$0	\$4,776,681	\$4,776,681
Vaccine Planning Distribution, Monitoring and Tracking	\$0	\$32,676,950	\$32,676,950
Testing, Contact Tracing, Monitoring and Mitigation	\$0	\$57,272,049	\$57,272,049
EFFECT ON FA AMOUNT/PAYMENTS	•		
Total, FA Amount	\$364,784,369	\$273,702,185	\$638,486,554
Total, FA Retained Services	(\$1,790,624)	\$0	(\$1,790,624)
Total, Amount to be Rec'd	\$362,993,745	\$273,702,185	\$636,695,930

#### Remarks:

This amendment transfers \$273,702,185 in funding that was appropriated under the American Rescue Plan Act (ARPA), Pub. L. No. 117-2, Title XI, Sec. 11001 Indian Health Service. These funds are transferred to the Tribe on a one-time basis. These non-recurring funds are not part of the amount required to be recurring by 25 U.S.C. § 5325. Notwithstanding the ISDEAA and notwithstanding this agreement, these funds may only be used for the purposes identified in the ARPA, including costs incurred for those purposes to prevent, prepare for, and respond to COVID-19 from January 31, 2020 to March 11, 2021. Funding awarded for lost reimbursements, pursuant to Sec. 11001(a)(1)(A), is not eligible for contract support cost funding; contract support costs are not authorized to support expenditures from third party revenue. In the event the tribe cannot use the funds for the authorized purposes, it shall promptly return those unused funds to IHS. Where there is a conflict between this agreement and the ARPA, the ARPA shall govern. If the Tribe disagrees with the above statements, please immediately notify IHS to return the funding in its entirety.

The Tribe is allocated \$148,998,219 for lost reimbursements and shall use funds in accordance with ARPA Section 11001(a)(1)(A) and 25 U.S.C. § 1621f.

The Tribe is allocated \$29,978,286 for the provision of additional health care services, services provided through the Purchased Referred Care Program, and other related activities and shall use such funds in accordance with ARPA Section 11001(a)(1)(B).

The Tribe is allocated \$4,776,681 for information technology, telehealth infrastructure, and the Indian Health Service electronic health records system and shall use such funds in accordance with ARPA Section 11001(a)(1)(C).

The Tribe is allocated \$32,676,950 for necessary expenses to plan, prepare for, promote, distribute, administer, and track COVID-19 vaccines and other vaccine-related activities and shall use such funds in accordance with ARPA Section 11001(a)(1)(E), which may include using funds for the purposes set forth in ARPA Sections 11001(a)(1)(F) & (G).

The Tribe is allocated \$57,272,049 for necessary expenses to detect, diagnose, trace, and monitor COVID-19 infections, activities necessary to mitigate the spread of COVID-19, supplies necessary for such activities, and for other related activities and shall use such funds in accordance with Section 11001(a)(1)(F), which may include using funds for the purposes set forth in ARPA Sections 11001(a)(1)(E) & (G).

Effective Date: April 22, 2021

# **CLEARANCE** Dept/Program: Signature/Initial Date **Executive Director:** Signature/Initial Date Treasurer: (Required: Grants/Contracts/Budgets) **Government Resources:** Signature/Initial Date Administration Approval: LEGISLATIVE CLEARANCE: egal & Legislative Coordinator: Signature/Initial Standing Committee & Date: Chairperson: Signature/Initial Date

Returned to Presenter:

Date

<u>ADMINISTRATIVE</u>

# Cherokee Nation Act/Resolution Proposal Form

	X Act	Resolution			
TITLE:	AN ACT AMENDING LEGISLAT THE COMPREHENSIVE BUDG OPERATING - MOD 09; AND D	SET FOR FISCAL YEAR 2021			
DEPART	TMENT CONTACT: Danie	el Stroup			
RESOLU	UTION PRESENTER:				
COUNCIL SPONSOR:					
NARRA <sup>-</sup>	TIVE:				