



## Legislation Text

File #: 23-074, Version: 1

### CHEROKEE NATION GADUGI CORPS VOLUNTEER AND NATIONAL SERVICE ACT OF 2023

#### Section 1. Title and Codification

This legislative act shall be titled and codified in Title 31, Chapter 5 of the Cherokee Nation Code Annotated as the **“Cherokee Nation Gadugi Corps Volunteer and National Service Act of 2023”** or alternatively the **“Gadugi Corps Act.”**

#### Section 2. Findings

The Council of the Cherokee Nation finds that Cherokee Nation’s ability to address some of its highest priority issues requires strong Cherokee communities, which in turn depends on empowered individual Cherokee Nation citizens engaging on these issues at the community level. The Council finds that existing efforts to strengthen Cherokee Nation communities, volunteerism and national service warrant expansion, more investment and stronger coordination. The Council finds that the Cherokee concept of “Gadugi”- the Cherokee word for “working together”- has been a central organizing principal of Cherokee Nation community life and must continue to be so if the Nation is to meet its potential. The Council acknowledges that the “Principal Chief’s [Executive Order <https://www.cherokee.org/media/lwdnqqpz/eo-2023-03-cth.pdf>](https://www.cherokee.org/media/lwdnqqpz/eo-2023-03-cth.pdf) Establishing the Gadugi Corps Task Force on Volunteer and National Service,” (2023-CTH-03, August 17, 2023) at its resulting “Gadugi Corps [Task Force Report <https://www.cherokee.org/media/gxunryks/taskforce\\_gadugicorp\\_20231006.pdf>](https://www.cherokee.org/media/gxunryks/taskforce_gadugicorp_20231006.pdf)” of October 10, 2023, is valuable in informing the Principal Chief and the Council’s analysis of this subject. Based on the foregoing, the Council concludes that legislation is warranted to provide structure for, and to authorize funding for, a pilot program for volunteer and national service, designated herein as “Cherokee Nation Gadugi Corps” that terminates, absent reauthorization, at the end of fiscal year 2027.

#### Section 3. Purpose

The purpose of this Act is to provide an authorization for fiscal years 2024, 2025, 2026 and 2027, subject to further reauthorization by the Council, of a program for volunteer and national service designated as the “Cherokee Nation Gadugi Corps,” to provide a basic structure for the program and to authorize funding for the program, subject to Council’s constitutional authority of appropriation and oversight.

## Section 4. Substantive Provisions

### § 1. Definitions

- A. Gadugi Corps National Service Participant (National Service Participant):** A citizen of the Cherokee Nation engaged in work on an approved Gadugi Corp National Service program authorized by this Act, receiving remuneration for said work and who may also qualify for the payment of certain expenses and who may qualify for a Gadugi Corps Service Award within the meaning of this Act.
- B. Gadugi Corps Volunteer Participant (Volunteer Participant):** A citizen of the Cherokee Nation engaged in work on an approved Gadugi Corp program authorized by this Act, without financial remuneration, except that the participant may qualify for the payment of expenses or receive a Gadugi Corps Service award within the meaning of this Act.
- C. Gadugi Corps Service Awards:** A direct or indirect payment provide to Gadugi Corps National Service Participants or Gadugi Corps Volunteer Participant as an incentive or reward for participation and which may include but may not be limited to educational or job training grants or scholarships.

### § 2. Authorization of Funding.

- A. The Council authorizes annually, commencing with fiscal year 2024, up to \$3 million per fiscal year to effectuate the purposes and policies of this Act, subject to the appropriations process.
- B. The funding source authorized by this Act includes any available source, including but not limited to grants, dividends other payments from entities in which Cherokee Nation is the sole or majority shareholder and that are organized under Cherokee law as well as federal funds including but not limited to funds available under the American Rescue Plan Act.
- C. The Principal Chief is authorized to execute such memoranda of agreement with Cherokee Nation Businesses to the extent such agreement is needed to effectuate the funding requirements of this Act.
- D. Nothing herein supplants the Council's oversight or appropriations authority.

§ 3. **Authorization of Cherokee Nation Gadugi Corps for Volunteer and National Service.**

- A. The Council of the Cherokee Nation authorizes the establishment of the “Cherokee Nation Gadugi Corps for Volunteer and National Service,” alternatively named “Gadugi Corps,” to effectuate the purposes and policies of this Act within the following subject areas:
- a. ***Gadugi Education Corps:*** Volunteer and National Service Participants providing short term supplemental education to students in Cherokee Nation communities or public school districts within the Cherokee Nation reservation with demonstrated educational performance deficiencies, whether as a direct Cherokee Nation service or in partnership with a public school or other third party entity.
  - b. ***Gadugi Community Service Corps:*** Volunteer and National Service Participants engaged in community-based improvement or assistance projects, primarily supporting non-profit organizations that participate in Cherokee Nation Community and Cultural Outreach programs and secondarily assisting such other non-profit entities that have a substantial impact on Cherokee Nation citizens and communities.
  - c. ***Gadugi Mentors Corps:*** A network of Volunteer and National Service Participants dedicated to providing educational and career mentorship for Cherokee Nation youth and young adults through safe and controlled interactions and experiences.
  - d. ***Gadugi Emergency Response Corps:*** A network of Volunteer and National Service Participants who receive relevant basic emergency and disaster response training and who agree to be available to assist in their community in natural disaster, or infrastructure failure response and recovery, under the direction of a designated Cherokee Nation official.
  - e. ***Gadugi At-Large Service Corps:*** Volunteer and National Service Participants who reside outside of the Cherokee Nation reservation, participating in: (1) short-term organization or community service projects with on-reservation non-profit organizations that participate in the Cherokee Nation Community and Cultural Outreach programs, (2) such other opportunities for at-large citizens to

engage in short term volunteer or national service activities within the reservation under the guidance of Gadugi Corps or other designated Cherokee Nation staff or (3) volunteer or national service activities outside of the Cherokee Nation reservation that substantially impact Cherokee Nation at-large communities under the guidance of Gadugi Corps or other designated Cherokee Nation staff.

#### **§ 4. Departmental Oversight**

- A. The Council authorizes Gadugi Corps as a program with the Department of Education for fiscal year 2024, subject to such reorganization under another Executive Branch Department or new department as the Principal Chief may deem warranted in future fiscal years by amendment to this Act or by an appropriation act, referred to herein as “The Department.”

#### **§ 5. Renumeration, Expenses, Gadugi Corp Service Awards and other support for Gadugi Corps Volunteers or National Service Participants; Partnership Agreements**

- A. In administering the programs authorized under this Act, the Department is authorized, with respect to participants, to:
- a. Provide compensation to Gadugi Corps National Service Participants.
  - b. Provide payment of reasonable expenses incurred in the course of participation by Gadugi Corps National Service Participants and Gadugi Corps Volunteer Participants.
  - c. Provide assistance payments or in-kind support to reduce economic barriers for low-income prospective Volunteer or National Service participants as a gateway to their participation.
  - d. Provide Gadugi Corps Service Awards to Gadugi Corps National Service Participants or Gadugi Corp Volunteer Participants.
  - e. To the extent permitted by law, provide compensation, expense payments or Gadugi Corps Service Awards to Gadugi Corps National Service Participants and Gadugi Corps Volunteer Participants in a manner that minimizes or eliminates state or federal income tax liability or other state or federally mandated payroll deductions for the said participants.
  - f. Enter into agreements with entities receiving a benefit from the operation of Gadugi Corps, including but not limited to non-profit organizations and public schools, to share the cost of the compensation, expense reimbursement or Gadugi Corps Service awards described herein.
  - g. To the greatest extent possible, utilizing other Cherokee Nation or federally funded programs as a pay source, including but not limited to the federal Americorps program, to share the cost of

the compensation, expense reimbursement or Gadugi Corps Service awards described herein.

B. In administering the programs authorized under this Act, the Department is authorized, with respects to third party entities:

- a. Enter into memoranda of understanding or other agreements with third party entities to effectuate the purposes and policies of this Act, to include the subject of sharing the cost of administering any program authorized by this Act.

## **§ 6. Gadugi Corps Annual Report**

The Principal Chief, by his designee, shall provide an annual written report to the Council summarizing the activities undertaken by Gadugi Corps, observations as to the programs efficacy and recommendations as to improving the program, with said report due to the Speaker of the Council with 90 days after the conclusion of the fiscal year under review and with said report being published on Cherokee Nation’s website for public disclosure.

## **Section 5. Designation of Programs and Services under Act**

Any programs authorized under this Act shall be designated as “authorized by” or “funded by” or “a project of” “the Cherokee Nation Gadugi Corps Volunteer and National Service Act of 2023” or alternatively the “the Gadugi Corps Act.”

## **Section 6. Termination Absent Reauthorization**

Authorized of funding, programs and services under this Act terminates September 30, 2027, absent express reauthorization by the Council.

## **Section 7. Reauthorization [Reserved for future use]**

## **Section 8. Provisions as cumulative**

The provisions of this act shall be cumulative to existing law.

**Section 9. Severability**

The provisions of this act are severable and if any part of 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 10. 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.