

Committee: Executive and Finance  
Date: 05/06/21 Committee Date: 05/27/21

Author: Taralee Montgomery  
Sponsor Canaan Duncan, Janees Taylor, Victoria Vazquez, Keith Austin, Rex Jordan, Dora Patzkowski, EO Smith, Daryl Legg; Shawn Crittenden, Joe Deere, Julia Coates, Mike Shambaugh, Mike Dobbins, Joe Byrd, Harley Buzzard

RESOLUTION NO. \_\_\_\_\_

## COUNCIL OF THE CHEROKEE NATION

### A RESOLUTION EXPRESSLY DETAILING THE CHEROKEE NATION'S PLAN TO EXECUTE FUNDING UNDER THE U.S. TREASURY'S GUIDANCE FOR THE AMERICAN RESCUE PLAN ACT

**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, business, citizens and communities;

**WHEREAS**, through the Cherokee Nation Respond, Recover and Rebuild Plan the 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) to respond to, and recover from, the impacts of the COVID-19 pandemic;

**WHEREAS**, under the guidance of the Cherokee Nation Office of Treasurer, Cherokee Nation received a clean independent audit of its Fiscal Year 2020 financial statements, which included CARES Act spending under the Respond, Recover and Rebuild plan;

**WHEREAS**, The Cherokee Nation expects to receive additional federal dollars under the American Rescue Plan Act (ARPA) in the coming weeks to further respond to, and recover from, the impacts of the COVID-19 pandemic, in an amount to be determined under ARPA by relevant federal agencies and to be obligated by December 31, 2024;

**WHEREAS**, the United States Treasury has distributed an amount of funds under ARPA to Cherokee Nation set forth in Exhibit A.

**WHEREAS**, the Cherokee Nation, through the Office of the Treasurer and the Office of the Principal Chief, must develop spending plans in compliance with ARPA statutory, regulatory and agency guidance parameters, subject to constitutionally and the statutorily prescribed action by The Council of the Cherokee Nation;

**WHEREAS** the Council and the Principal Chief have a responsibility to work together in the interest of the Cherokee people to best utilize ARPA funds for effective COVID-19 response and recovery and to do so without delay;

**WHEREAS**, the Council of the Cherokee Nation approves of the ARPA preliminary spending outline as an extension of the Cherokee Nation Respond Recover and Rebuild Plan, as set forth in Exhibit A attached to this resolution;

**WHEREAS**, the “Individual Assistance” set forth in Exhibit A should, pursuant to a program developed by administration, provide COVID impact relief of a total of \$2,000 to every Cherokee Citizen, irrespective of age, income or residency, within ARPA and relevant United States Treasury policies, regulation and guidance.

**WHEREAS**, nothing herein substitutes for, or precludes, the Council 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 recognizes that this plan is a basic framework for utilizing ARPA funds, that further work will be necessary to develop specific programs and initiatives within this framework, that the Principal Chief should continue to seek input from the Council on said development and that the Principal Chief or his designees should report progress on said development from time to time;

**WHEREAS**, the Council requests that the Principal Chief update the attached **Exhibit A** based on actual allocation of ARPA funds as soon as possible upon his receipt of relevant agency communication of said allocation, but no later than the Executive & Finance Committee following receipt of said agency communication;

**BE IT RESOLVED BY THE CHEROKEE NATION** that the Council of the Cherokee Nation approves of the ARPA preliminary spending outline referenced herein for further response to and recovery from the impact of the COVID-19 pandemic.

### **CERTIFICATION**

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, having \_\_\_\_ members present, constituting a quorum, by the vote of \_\_\_\_\_ yea; \_\_\_\_\_ nay; \_\_\_\_\_ abstaining.

\_\_\_\_\_  
Joe Byrd, Speaker  
Council of the Cherokee Nation

**ATTEST:**

\_\_\_\_\_  
Janees Taylor, Secretary

Council of the Cherokee Nation

Approved and signed by the Principal Chief this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

---

Chuck Hoskin, Jr., Principal Chief  
Cherokee Nation

**ATTEST:**

---

Tina Glory Jordan, Secretary of State  
Cherokee Nation