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Office of the Chief

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Principal Chief

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Deputy Principal Chief

October 1, 2026

TO: Dr. Corey Bunch, Chief of Staff
Sheila Bowlin, Secretary of State
Janees Taylor, Treasurer

FR: Chuck Hoskin, Jr.
Principal Chief

CC: Bryan Warner, Deputy Chief
Cabinet / Sub-cabinet
Johnny Jack Kidwell, Speaker of the Council
Kevin Easley, Jr, Deputy Speaker of the Council
Joshua Sam, Secretary of the Council
Dora Smith Patzkowski, Executive and Finance Committee Chair
Lisa Pivec, Executive Director of Public Health
Michael Lynn, Executive Director of Transportation and Infrastructure
Savannah Smith, Executive Director of CCO
Brittany Denny-Smith, Executive Director of Public Health
Jerri Killer, Executive Director of Housing Programs (HACN)

**Administration Memorandum Outlining Annual Spending Framework under the
Public Health and Wellness Fund Act
Fiscal Year 2027 and until Modified**

The purpose of this memorandum is to outline the approved annual spending framework under the Public Health and Wellness Fund, authorized by the [Public Health and Wellness Fund Act, as amended](#), per the requirements of Section 4, § 1003(E).¹ This memorandum replaces the memorandum of October 21, 2025, as amended by memorandum of May 11, 2026. This memorandum is effective for fiscal

¹ See [LA 27-25](#). See also my memorandum of January 3, 2025, and the Implementation Team's review of January 13, 2025. The memorandum also supplements and modifies the Administrative Memorandum of May 17, 2024. This memorandum supersedes the FY 25 spending framework of December 20, 2024.

year 2027 and continues in effect until replaced by administrative action pursuant to the PHWFA.

I. The Public Health and Wellness Fund (10% Fund / PHW Fund)

a. Purposes and Usage of PHW Fund Remains Broad, to be Liberally Interpreted

PHWFA, as amended, collects 10% of third-party health revenue and sets it aside for purposes outlined in Sections 2 and 4 of the Act. The Act, as amended, provides wide latitude to spend the PHW Fund on an array of “Public Health and Wellness Activities and Infrastructure.”² As discussed more fully in my memorandum of January 3, 2025, PHWFA provides wide latitude to spend fund revenue on an array of public health and behavioral health operations and capital investments. The Act, as amended, maintains broad executive branch spending authority to effectuate the Act, but includes new language related to specifically authorized spending areas³.

b. Current funding levels

Administration estimates the PHW Fund will generate approximately \$55 million in FY 2027. Pursuant to the Act and this memorandum, Finance will ensure that this level of spending is available for FY 2027 and subsequent fiscal years until this memorandum is modified or replaced.⁴

c. PHW Fund Surplus

The PHW Fund has a surplus is reserved for future project-based spending of which will be guided by a separate Administration Memoranda to be issued in FY 2027, but must be spent on “activities and infrastructure” within the meaning of PHWFA.⁵

² See Administration Memorandum of January 3, 2025, and successor PHWFA “Annual Spending Framework” memoranda.

³ Referred to in the Act, as amended, as “Public Health and Wellness Activities and Infrastructure.”

⁴ Any decrease in revenue should, absent a modification of this memorandum, result in proportionate adjustments to this memorandum. This opposite, however, is not true: expenditures should no increase absent express authorization via a modification or replacement of this memo.

⁵ In FY 25, administration developed what has been deemed for internal purposes as the “Community Investment Strategy,” largely consisting of a schedule of affordable housing, outdoor recreation, public safety and community building infrastructure but are not limited to capital projects mostly targeting rural communities. Examples of projects in the planning stage on this schedule include Cherry Tree, Keys, Lost City and Sally Bull Hollow.

II. The PHWF Spending Authority, Annual Spending Framework, Reserve Fund, Interest on PHW Fund Added to Surplus

The PHWF should operate on two tracks. First, the current year's third-party revenue should be subject to an annual spending framework to meet key Cherokee Nation public health and wellness interests, as set forth herein. Second, any unspent funds at the end of the fiscal year should be carried over in the PHW Reserve Fund. The Treasurer, of course, should utilize the surplus to ensure current FY spending levels are achievable, but advise during the FY is the current FY spending forecast should be adjusted. Additionally, the Treasurer should ensure that any interest on or attributable to the PHW Fund surplus is retained in the surplus and should report that figure to Administration at the conclusion of the fiscal year.⁶

A. *Spending Authority*

The legal authority for spending PHW Fund Act is as follows:

- The PHWFA PHW Fund, authorizing expenditures by the Principal Chief or his or her designee, of appropriated funds.
- The annual PHWFA annual spending framework memorandum from the Principal Chief, per the PHWFA.
- Departmental policies and procedures or other records adopted in a manner prescribed by the Principal Chief.

Executive branch cabinet officials and other leadership officers must avoid layering additional approval processes or paperwork unless there is clear legal authority requiring it and only with the approval of the Principal Chief.

Departments responsible for the administration of respective parts of the authorized framework should adopt, maintain and share within the executive branch (and external to the executive branch as directed by the Principal Chief) the aforementioned required relevant policies. Uncertainty over the interpretation or administration of the Act should be brought first to the attention of the Principal

⁶ Administration interprets the word “collected” and the phrase “revenue collected” as including interest on or reasonably attributable to the PHW Fund, absent statutory language to the contrary. Council could not have intended the PHWF, a statutorily mandated carry over fund, to essentially lose value over time as a result of losing interest generated by or reasonably attributed to the Fund. If Council wanted the PHW Fund to lose value in that manner it would have so specified.

Chief or his or her designee.⁷ Administration of the Act should favor liberal interpretation and low administrative barriers.

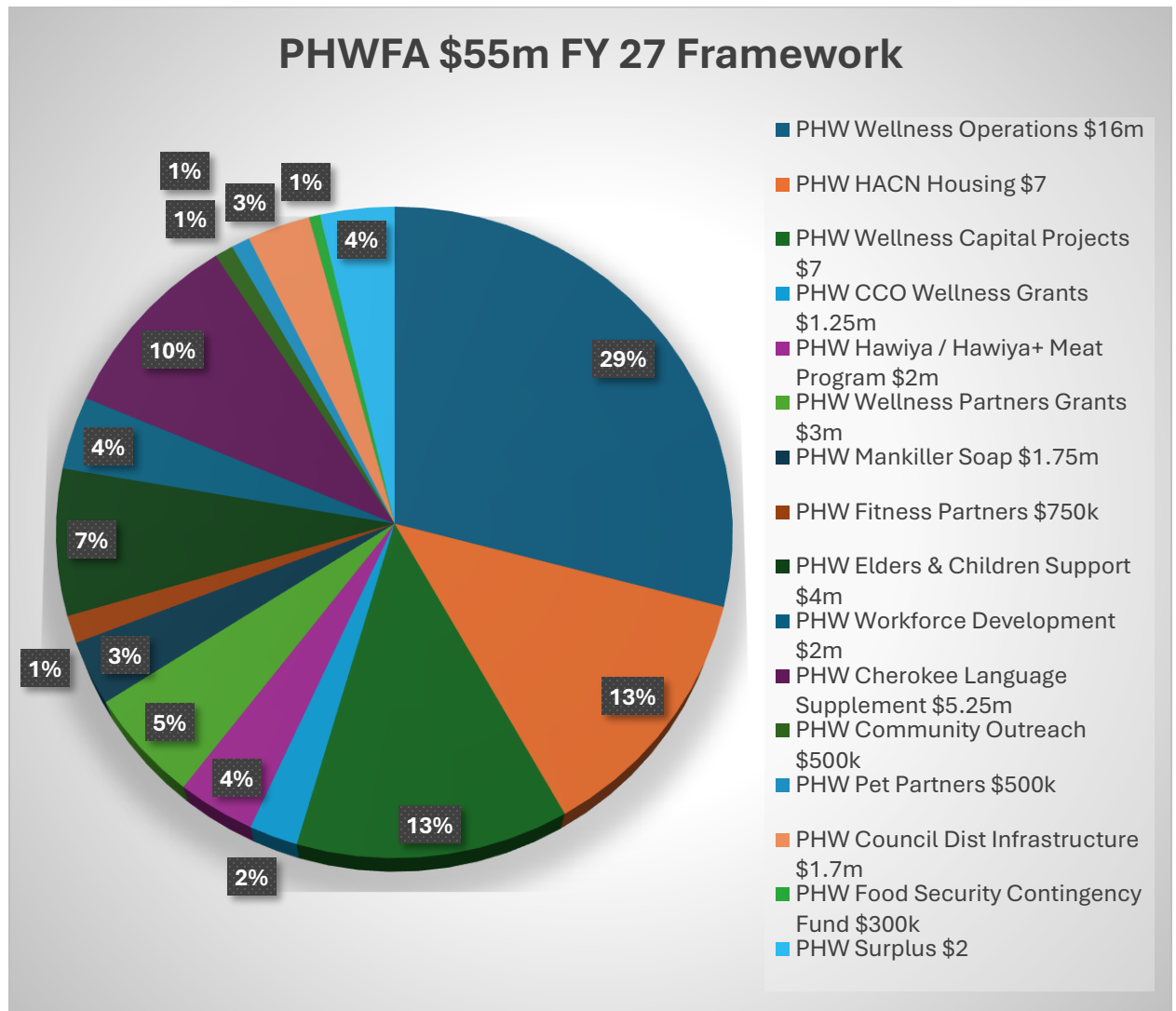
B. PHWF Annual Spending Framework

Underlying legal authority and past practice support broad and flexible spending of the PHW Fund. As noted, the Act, as amended, specifies authorized spending subject matters, but retains broad authority of the Principal Chief to direct spending in a way the effectuates the purpose and polices of the Act. The Act, as amended, reflects an embrace by the executive and legislative branches of the widely accessed practice of broad spending authority.

Restraint on executive branch authority is found in the Act, as amended. Section 4, 1003(E) requires the Principal Chief to provide an Annual Spending Framework to the Council by December 31 each fiscal year and to advise the Council of any changes within 60 days. That framework appears below.

⁷ Cherokee Nation's executive branch is substantially unitary in nature. In that regard, the threshold office to interpret or resolve uncertainty over statutory language within the executive branch is the Office of Principal Chief. Uncertainty or disagreement over statutory interpretation that is of a consequential nature is subject to independent resolution by one, *and only one*, executive branch officer: the Attorney General. ***No other executive branch official has the authority to independently resolve uncertainty over statutory interpretation and should not raise and resolve interpretation issues without at least informal notice to the Principal Chief and affording the Principal Chief an opportunity to resolve the subject.*** The exponential growth in comprehensive authorizing statutes under this administration, implemented by an array of cabinet members and other executive officers and leaders, requires periodic recall of this principle of our governance. PHWFA is an example of such a statute. All of this, of course, is wholly separate from the constitutionally equal authority of the legislature and judicial branches to clarify or amend statutes or interpret them, respectively.

PHWFA Annual Spending Framework



Framework Categories⁸

- **\$16m PHW Operations**
 - Public Health managed Wellness centers and community centers wellness space operations and programs.

⁸ Departments may charge reasonable administrative expenses to PHWFA funds provided.

- Wellness events/activities
- PHWFA Grant Coordinator (CCO)
- PHWFA Natural Resources Supplement
 - Dept. of Energy Support
 - Cherokee National Trail System Support
 - Litter Free Cherokee Nation program
- **\$7 PHW HACN Housing Supplement**
 - \$5m [PHW POV program](#) for housing rehabilitation to address emergent health, public health and behavioral health needs. Administered by HACN.
 - \$1.5m Other housing or housing-related capital or equipment investments to effectuate the purposes and policies of PHWFA, as recommended in writing by the Executive Director of HACN.
 - \$500k additional maintenance or security staff and equipment for HACN properties.⁹
- **\$7m PHW Wellness Capital Projects**
 - Public health and wellness capital and equipment projects located on, or beneficial to, Cherokee Nation property, such as sidewalks, public restrooms, public dining facilities and park improvements. Includes relevant property acquisitions.
- **\$1.25m PHW CCO Wellness Grants**
 - Annual grants to CCO participating organizations, ordinarily capped at \$25,000 per organization per fiscal year.
 - Program effective, but underspending relative to original target.
- **\$2m “Hawiya Meat Program” (CCO successor program) and “Hawiya+ Farmers Market Voucher Program” (Public Health pilot program)**
 - Backfills terminated USDA funded program to continue Hawiya Meat Program, administered by CCO
 - Estimated full FY 26 cost \$1.6 million
 - USDA funding ends May 2026
 - “Hawiya+ Farmers Market Voucher Program”: Adds single \$30 vouch per season per participant in WIC Farmers Market and Sr. Farmers Market, administered by Public Health
 - Est. \$135,000 for 4,500 participants

⁹ This includes, but need not be limited to, staffing, equipment and utilities for HACN’s Attucks school site.

- **\$3m PHW Wellness Partners Grants**
 - **Grants to non-CCO third parties for wellness operations.**
 - *Competitive Grants*: capital or equipment, ordinarily capped at \$25,000 per pilot operating funds or \$150,000 for capital or equipment, NTE \$2m.
 - *Directed Spending*: Non-competitive directed spending to established third parties for wellness capital or equipment projects. Policy may be waived to include CCO participating orgs.
- **\$1.75m PHW Mankiller Soap Act Supplement**
 - Increase Mankiller / Soap water infrastructure programs.
 - Administered by the Dept of Transportation and Infrastructure.
- **\$750k PHW Fitness Partners**
 - Membership subsidy for Cherokee citizens households at participating non-profit recreation centers.
 - Administered jointly by PHWFA Grant Coordinator and Public Health
- **\$4m PHW Children and Elder Support¹⁰**
 - Expansion and improvements of sites, frequency, user experience and third-party partnerships for the Cherokee Nation Elder Nutrition Program, formerly known as “Senior Nutrition.”
 - Increased operating expenses associated with Elder Nutrition Expansion.
 - Additional capital available under “PHW Wellness Capital Projects”
 - Additional or emergency ICW, children or elder economic support, as recommended in writing by the Executive Director of Human Services
 - Administered by Human Services.
- **\$2m PHW Workforce Development**
 - Scholarships, grants, tuition reimbursement and related support for healthcare workforce development.

¹⁰ Formerly known as “Elder Nutrition Expansion.”

- Administered by Education and Career Services, pursuant to the Cherokee Nation Nursing and Allied Health Education Act of 2026.
- **\$5.25m PHW Cherokee Language Supplement**
 - PHW Speaker Service’s Peer recovery program, NTE \$500k
 - PHW Speaker Services Elder Fluent Speaker Home Care pilot program, CNA-trained staff to assist fluent speakers remain in their homes. NTE \$500k
 - PHW Little Cherokee Seeds partnership, NTE \$800k
 - Remainder, as recommended in writing by the Secretary of Language and Culture, which may include.
 - PHW Speaker Services Housing rehab and replacement projects.¹¹
 - PHW Language Hubs Capital Projects.
 - CLMAP support
- **\$500k PHW Community Outreach**
 - Community organization-based public health and wellness programs.
 - Public health and wellness supplies and vending machines.
 - Public health and wellness outreach.
 - Administered by Public Health
- **\$500k PHW Pet Partners**
 - Rescue / Spay / Neuter / Public Outreach pilot program administered primarily by third parties via grants and MOUs.
 - Administered by Public Health.
- **\$1.7m PHW Council District Infrastructure Fund¹²**
 - Subject, per the Act, to an Inter-Branch MOU and administered by the Office of the Principal Chief upon request of Council members.

¹¹ PHW Cherokee Language Supplement funded rehab and replacement projects are not subject to approval by HACN, but Speaker Service should coordinate with HACN to avoid duplication of efforts or conflicting record keeping. This direction, as it relates solely to PHWFA funds, supersedes any conflicting guidance pursuant to the January 2025 memorandum outlining the operations of Speaker Services, provided that Speaker Services maintain transparent and effective policies and procedures including robust project inspection processes.

¹² Pursuant to the memorandum of September 30, 2026, in concurrence with the Speaker of the Council, this fund is effectively double for FY 2027 using PHW Surplus funds, a single fiscal year increase.

- Administered comparable to Special Projects program.
- **\$300k Food Security Contingency Fund**
 - Immediately available funding, when authorized by the Principal Chief, to:
 - Provide supplement of federally administered food security programs in the case of federal funding lapses or inadequacy of funding.
 - Provide resources in the event of an acute emergency food security need impacting the Cherokee Nation or the Cherokee Nation Reservation.
- **\$2m PHW Fund Retained for Surplus**
 - *Unallocated funds designated for retention in the PHW Fund Surplus.*
 - *Unexpended funds from the annual framework will be added to the Reserve Fund at the conclusion of fiscal year.*

C. **PHW Fund Surplus Projects:** PHWFA Surplus Find projects subject to existing Memorandum, to be updated by separate memorandum.¹³

D. **PHW Fund Interest:** As noted, interest generated by or reasonably attributable to the PHWFA Fund surplus must be added to the surplus annually.

III. **Annual Review**

Each fiscal year, the Principal Chief, Chief of Staff, Secretary of State, Deputy Secretary of State and Treasurer shall meet, review a draft framework and make recommendations to the Principal Chief as to any changes to the draft framework.

IV. **Statutory and Discretionary Notice to Council**

By copy of this memorandum to the Speaker of the Council on this date, the notice requirements under Section 4, § 1003(E) of the Act are satisfied. This memorandum

¹³ See footnote 2, above.

will be made publicly accessible by placement on the Cherokee.gov website by October 31, 2026.

V. Implementation

The Chief of Staff, Treasurer, Secretary of State and Deputy Secretary of State, should work together to ensure immediate and efficient implementation of this PHWFA annual spending plan.

A handwritten signature in black ink, reading "Chuck Hoskin, Jr.", written over a horizontal line.

Chuck Hoskin, Jr.
Principal Chief