TITLE _____-JTAC ORDINANCE

(Approved by Resolution No. _______ on ______________)

CHAPTER 1 – GENERAL

XX-101 PURPOSE, SCOPE, and CULTURAL PRINCIPLES

A. Purpose.

The Purpose of this Ordinance is to provide the policies and procedures for equal access to funds generated from interest through enactment of P.L. 106-511, "The Cheyenne River Sioux Tribe Equitable Compensation Act" ("the Act").

B. Scope.

Interest from the original endowment of $290,722,958 has been mandated by Congress to address the economic development, infrastructure development, educational, health, recreational, and social welfare issues on the Cheyenne River Reservation. The Act and this Ordinance seek to implement the Congressional mandate. The following categories as developed by the Tribe and as authorized by the Act to receive funding shall be:

1.) Economic Development Fund;
2.) Infrastructure Development Fund;
3.) Education, Health, Recreational, and Social Welfare Fund; and

any combination of the activities described in subparagraphs (A) through (C) of PL 106-511 Section 104(f)(2).

As set forth in the Act, participation and involvement in the interest generated by the original endowment shall be available to the Itazipco, Siha Sapa, Minniconjou, and Oohenumpa bands of the Great Sioux Nation that reside on the Cheyenne River Reservation.

The Act mandates that no payment of JTAC Funds made to the Tribe by the federal government shall result in the reduction or denial of any service or program with respect to which, under Federal law the Tribe is otherwise entitled because of the status of the Tribe as a federally recognized Indian tribe. Nor shall any payment of JTAC Funds made by the federal government result in the reduction or denial of any service or program to which any individual who is a member of the Tribe is entitled because of his or her status of the individual as a member of the Tribe.

September 28, 2011
C. Cultural Principles

The Lakota Oyate strives for woahwala (tranquility) so that we may preserve Lakotiya, our Lakota Language, Wicoyake, literally “what is told about them or history,” and the Lakol Woecun, or Lakota way of doing things, so that the Seventh Generation and the next seven generations coming may have Woksape (wisdom), Wowacintanka (fortitude), Woohitika (courage) and Wacantognaka (generosity) (Things Done From the Heart). All persons in care of and using JTAC funds should apply our Seventh Generation philosophy to their projects. In doing so, we will extend the monies as far into the future as possible. All applicants for JTAC funding and awarding officials need to consider the decisions that are made today and how it will impact seven generations ahead.

The cultural principles set forth below are to be used as a means of guiding the Tribe’s collective thinking regarding the use and management of the JTAC Funds. These principles form the philosophical framework pursuant to which proposals for funding made to the JTAC Board will be reviewed.

Seven Values of Lakota Life

1. Woc’ekiyapi; PRAYING: Finding spirituality by personally communicating with your Higher Power, this is communication between you and Tunkasila (Creator) without going through another person or leader
2. Wa o’ hola; RESPECT: For self, higher power, family, community, all life.
3. Wa on’siwa; CARING and compassion: love, caring and concern for one another in a good way, especially for the family, the old ones, the young ones, the orphans, the ones in mourning, the sick ones and the ones working for the people.
4. Wowijake; HONESTY and TRUTH: with yourself, higher power and others with sincerity.
5. Wawokiyapi; GENEROSITY and helping: Helping without expecting anything in return, giving and living from the heart.
6. Wah’wala; HUMILITY: we have a spirit, we are equals with others, no better or less than others.
7. Woksape; WISDOM: with experience, learning and practice comes with wisdom.

XX-102 AUTHORITY, ADOPTION, AMENDMENTS

A. Authority

The authority for this Ordinance is vested in official documents and CRST Council actions as listed below:

- CRST Constitution Article IV “Powers of Self Government”, Sections (a), (d), (f), (m), and (g)
- 1851 Treaty with the United States

September 28, 2011
- 1868 Treaty with the United States
- United Nations Declaration on the Rights of Indigenous Peoples, particularly those Articles pertaining to indigenous people’s rights to the development of their own economic, social and educational systems.
- 25 CFR Part 1200, Subpart B, requiring a “plan” be submitted before withdrawing of Trust Funds.

B. Adoption

Upon passage of this Ordinance by the Cheyenne River Sioux Tribal Council, all prior motions, resolutions, plans, and ordinances that relate to JTAC funds are hereby rescinded and replaced with this Ordinance with the exception of the two following Tribal Council proceedings:

1. Actions that have already resulted in JTAC expenditures or obligations cannot now be rescinded, however, this Ordinance hereby mandates that previously expended or obligated JTAC funds are subject to the accountability provisions set forth in this Ordinance. In addition, failure to meet the said accountability provisions may result in a forfeiture of future funding until the entity that failed to meet the said accountability provisions comes into compliance with those provisions.

2. Tribal Council Resolution #255-07-CR dated August 13, 2007, which authorized the pledge of up to $6,800,000, plus related interest and other expenses, of JTAC funds to secure the repayment of certain bonds issued by Cheyenne River Finance Corporation, a wholly owned corporation of the Cheyenne River Sioux Tribe. Such bonds are scheduled to mature on or before November 1, 2011. Principal, interest, and other charges due on that date equal $8,500,000.00.

C. Amendments

This Ordinance may be amended by two-thirds (2/3 Vote) of the Tribal Council, subject to adequate public notice prior to the passage of any amendments. The JTAC Director may make recommendations to the Tribal Council and/or the Tribal JTAC Committee concerning amendments to this Ordinance.

In accordance with Section 104(f)(3) of PL 106-511, the Tribal Council shall make available for review and comment by the members of the Tribe a copy of this Ordinance before it becomes final, in accordance with procedures established by the Tribal Council. The Tribal Council may, on an annual basis, revise this Ordinance to update it. In revising this Ordinance, the Tribal Council shall provide the members of the Tribe an opportunity to review and comment on any proposed revision to the Ordinance. In preparing any revisions to update the Ordinance, the Tribal Council shall consult with the Secretary of the Interior and the Secretary of Health and Human Services.

September 28, 2011
XX-103  DEFINITIONS

For the purpose of this Ordinance, the words and phrases shall have the following meaning:

a.) 1st Generation Funds – The original endowment of $290,723,000 as approved by the US Congress. These funds may never be accessed and must remain on deposit with the US Treasury, unless authorization is granted by the United States Congress to allow the Tribe to withdraw the funds.

b.) 2nd Generation Funds – This classification of funds covers all interest earned on the 1st generation funds. These funds are the primary subject of this Ordinance and are made available to the Tribe as requested through the Department of Interior. The annual amount of funds available is based on the interest earned by the investment of JTAC Funds over the previous year. These funds are subject to Tribal provisions governing budgeting, i.e., hearings and approval by the Cheyenne River Sioux Tribal Council.

c.) Bondable – The ability of an agent of an organization to be the subject of an insurance contract in which an agency guarantees payment to the organization in the event of unforeseen financial loss through the actions of the agent.

d.) Cultural Principles – Means the cultural force or belief system that influences and/or guides decision-making with regard to funding proposals for JTAC funding.

e.) Economic Development – An increase in economic activity in a community or other social unit.

f.) Entity – Communities, organizations, agencies, programs, departments, whether sub-units of the Cheyenne River Sioux Tribe or independent (non-tribal governmental) units, that operate on the Cheyenne River Sioux Reservation and which are eligible to receive JTAC funding. “Entity” does not include individual persons.

g.) Funding – Other moneys intended to supplement or be used as leverage for JTAC funds. Such funds could be “challenge funding” (funds equaling or matching an amount that is contributed by another party), “conditional funding” (funds that are donated on the condition that another party makes a similar donation), “matching funding” (funds that are donated that equal the amount donated by another party) or “special initiative funding” (funds donated for a special cause or purpose).

h.) Inflation – A general increase in prices coinciding with a fall in the real value of money.

i.) JTAC – The Joint Tribal Advisory Committee initially established to seek additional compensation from Congress and ultimately funded through passage of the Cheyenne River Equitable Compensation Act, which assisted the Cheyenne River Sioux Tribe in managing the expenditures of the interest earned on the $290.7 million deposited in the United States Treasury to the credit of the Cheyenne River Sioux Tribe pursuant to P.L. 106-511 “The Cheyenne River Sioux Tribe Equitable Compensation Act”.

j.) JTAC Board – The board described in Section XX-106 of this Ordinance.

k.) JTAC Committee – The governing body described in Section XX-107 of this Ordinance.
l.) **JTAC Office** – The administrative office described in Section XX-105 of this Ordinance.

m.) **Leverage** – The use of credit or borrowed funds (such as buying on margin) to improve the Tribe’s speculative ability and to increase the rate of return of JTAC investments. It also refers to obtaining matching funds to reduce the reliance of proposals on JTAC Awards.

n.) **Per Capita** – This term means: divided equally among all individuals. Per Capita payments utilizing JTAC funds are prohibited by federal law.

o.) **Replenishment Fund** – Means the fund and plan that annually receives 2nd generation interest earnings to offset the effects of inflation which insures that in the future, our children, grandchildren, and the ensuing generations shall always and continuously benefit from the full value of the original $290.7 million award.

p.) **Tribal Communities** – Twenty communities located on the Cheyenne River Sioux Reservation, including Thunder Butte, Iron Lightning, Bear Creek, Dupree, Isabel, Red Scaffold, Cherry Creek, Bridger, Takini, White Horse, On the Tree (Sans Arc), Timber Lake, Eagle Butte (West), Green Grass, Eagle Butte (East), Swift Bird, LaPlant, Promise, Blackfoot, and Ridgeview.

q.) **Tribal Council** – The governing body of the Cheyenne River Sioux Tribe.

r.) **Tribal Membership** – Shall mean only reservation resident Tribal members and Tribal-member owned or Tribal government-owned entities existing on the Reservation.

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**XX-104 TRIBAL APPROPRIATIONS, REPORTING, AND REINVESTMENT OF JTAC FUNDS**

A. **Appropriations**

Annually, the Tribal Council appropriates and approves budgets for JTAC funds based on recommendations from the JTAC Committee and JTAC Office. The Tribal Council follows the established budgeting process for the JTAC revenue that is currently in effect for the budgeting of all Tribal funds.

According to the JTAC Director’s and the JTAC Committee’s recommendations and as monies are made available, the Tribal Council funds the three categories of this Ordinance, the JTAC Replenishment Fund, the ongoing operation of the JTAC Board, and the administrative expenses of the JTAC Office. The Tribal Administration, under the direction of the Tribal Council, shall prepare the necessary paperwork to request a drawdown of JTAC funds from the Department of Interior. Once the Tribe has received the funding requested all expenditures of JTAC funds are made in accordance with the Tribe’s Policies and Procedures.

Whenever possible, each Fund established within this Ordinance seeks to expand and leverage the impact of limited funds through challenge funding, conditional funding, matching funding, special initiative funding as well as by collaboration with other donors in joint efforts.

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September 28, 2011
B. Reporting

All JTAC Fund allocations, including the ongoing operations of the JTAC Office and JTAC Board, are audited annually via the CRST Treasurer's Office pursuant to the Office of Management and Budget circular numbered A-133.

The JTAC Director makes monthly reports of JTAC Fund expenditures to the JTAC Committee. The JTAC Director makes quarterly reports of JTAC Fund expenditures to the Tribal Council.

JTAC Fund expenditure reports shall be made available to Tribal membership through the JTAC Office.

All JTAC Funds are to be maintained and reported separately and distinct from any other Tribal or federal funds that are within Tribal control.

C. JTAC Replenishment Fund

GENERAL

A goal of the CRST Council is to preserve the "real value" (in economic terms) of JTAC funds at an amount that equals at least $290.7 million, so that the effects of inflation do not reduce the future value of the funds. To accomplish this goal, the Council hereby establishes a separate JTAC Replenishment Fund. The Replenishment Fund is overseen by a Board of Trustees to insure that a combination of investment options will be utilized in the investment of 2nd Generation JTAC funds in order to realize a return that exceeds the maximum Government Security rate of return.

The Tribal Council may annually appropriate such funds for the Replenishment Fund and its purposes as it deems necessary to meet the goals of the Tribe. Of the initial JTAC interest payment received in the fall of 2011, a certain percentage will be allocated toward the Replenishment Fund based upon the amount of total JTAC funds received and with input from the JTAC Director and the JTAC Committee. Thereafter, a portion of the annual JTAC interest payment will be allocated toward the Replenishment Fund based upon the amount of total JTAC funds received that year, the goals outlined in the investment management plan, and with input from the JTAC Director and the JTAC Committee.

INVESTMENT OBJECTIVES

The primary objective of the JTAC Replenishment Fund is capital growth so that the real value of JTAC always remains at least $290.7 million. Secondary objectives for the Replenishment Fund include income, safety, and liquidity.

REPLENISHMENT FUND TRUSTEES

The Replenishment Fund Trustees consist of 5 members who are appointed by the Cheyenne River Sioux Tribal Council in consultation with the JTAC Office Director. These appointees serve a maximum of four years and must meet the same eligibility requirements as elected tribal officials, except where non-enrollees or industry professionals are appointed. Trustees who are non-members of the Tribe must be bondable. The composition of the Replenishment Fund Board of Trustees is as follows:

a.) One member is an expert in investments;
b.) One member is a Tribal Council Representative;
c.) One member is an expert in banking;

September 28, 2011
d.) One member is also a member of the JTAC Board;
e.) One member is the Tribal Treasurer.

The Trustees meet quarterly to discuss objectives and needs of the Replenishment Fund. They also make Replenishment Fund budgetary recommendations to the Tribal Council. The Trustees' recommendations for the Replenishment Fund serve as the basis for the Tribal Council's annual appropriation of 2nd Generation JTAC funds to be expended as authorized in this Ordinance.

**REPLENISHMENT FUND MANAGEMENT**

The Tribal Treasurer, in consultation with the JTAC Director and a professional investment advisor, will develop an investment management plan that meets the objectives of the Replenishment Fund. The management of the Replenishment Fund is carried out by the JTAC Director based on the advice of the Replenishment Fund Trustees.

The Tribal Treasurer, in consultation with the JTAC Director and consistent with the advice of the Replenishment Fund Trustees, shall establish investment account(s) into which the annual appropriations and the resulting annual interest earnings are to be deposited. The specially designated Replenishment Fund account(s) will receive deposits, but no withdrawals may be made until ten years after the account(s) is opened. The proceeds of any account(s) established under this section shall not be budgeted or utilized within the first ten years after the establishment of said account(s).

**REVISIONS TO INVESTMENT MANAGEMENT PLAN**

Changes in the investment management plan are recommended by the Tribal Treasurer in consultation with the JTAC Director and Replenishment Fund Trustees and must be approved by Tribal Council.

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**XX-105 JTAC OFFICE**

**A. Creation and Composition of Office**

There is hereby established a JTAC Office.

The JTAC Office shall be staffed by a JTAC Director who will, with Tribal Council approval, determine necessary staffing levels for optimal operations. Individuals employed in the JTAC Office are Tribal employees. Thus, employees of the JTAC Office are subject to the Tribe's Personnel Policies and Procedures.

**B. Authority and Duties**

All JTAC Funds are under the authority of the Tribal Council. The use and distribution of JTAC Funds will be administered by the JTAC Office with input by the JTAC Board and oversight by the JTAC Committee.

1. **Relationship and Responsibilities - Tribal Council and Committees**

It shall be the responsibility of the JTAC Office to administer all budgeted JTAC funds, except as otherwise provided by this Title. The Office implements approved Tribal Council
policies and procedures with regard to JTAC appropriations and makes budget and policy improvement recommendations to the CRST Council. The JTAC Office shall make and file quarterly reports with the Tribal Council and provide monthly reports to the CRST Council’s JTAC Committee.

2. **Relationship and Responsibilities – JTAC Board**

   It shall be the responsibility of the JTAC Office to carry out the duties necessary to implement this Ordinance and to facilitate and execute award recommendations provided by the JTAC Board.

3. **Relationship and Responsibilities - JTAC Fund Recipients**

   With respect to potential or current JTAC Fund recipients, the JTAC Office shall:

   a. Establish Fund proposal “windows”. The proposal “windows” shall be announced a minimum of 3 months in advance of a proposal deadline.

   b. Receive, review, and evaluate respective Fund proposals within 30 days after the respective Fund deadline.

   c. Facilitate appropriate technical assistance as necessary, before, during, and after the opening of a Fund “window”.

   d. Forward all proposals to the JTAC Board for their approval or disapproval.

   Once a proposal is approved for funding, the JTAC Office shall ensure that appropriate financial and management standards are adhered to by all entities expending JTAC funds.

   In this regard, the Office shall ensure that annual financial audits or reports are received from all entities that expend JTAC funds. If it is unreasonable or unfeasible for an entity to hire an accountant, the JTAC Office may conduct its own financial review of the recipient’s project or entity. Such financial audits or reports are reviewed and approved by the JTAC Office to ensure compliance with PL 106-511, this Ordinance, and the laws and Constitution of the Cheyenne River Sioux Tribe. The JTAC Director shall immediately notify both the JTAC Board and Tribal Council in the event that misuse of JTAC funding is discovered.

   As a condition to receipt of any JTAC funds, all who submit proposals agree to obey the laws and regulations of the Cheyenne River Sioux Tribe and to be bound by the jurisdiction of the Cheyenne River Sioux Tribal Courts. In addition, JTAC funding recipients shall comply with contractual agreements, funding agreements and other criteria as may be established by the JTAC Office. This includes monthly reporting through the JTAC Office to the JTAC Committee.
XX-106

JTAC BOARD

A. Creation

There is hereby established a JTAC Board. The JTAC Board is established by the Cheyenne River Sioux Tribe specifically to provide fair and unbiased direction to the JTAC Office.

B. Composition

1. Number, Representation

   Subsequent to the initial JTAC Board, which will be seated until September 30, 2012, the Board shall be composed of members whose eligibility, terms, and qualifications are to be determined by Tribal Council.

2. Initial Composition

   When the JTAC Board is initially established, the Board shall be comprised of all members of the JTAC Committee. The initial Board shall remain in office until September 30, 2012, at which time the Board will be comprised of members described in subparagraph 106(B)(1) above.

C. Authority and Duties

   The Board is empowered by the Cheyenne River Sioux Tribal Council to ensure that the proposal process for funding JTAC awards is fair and equitable. The primary responsibility of the Board is to ensure that JTAC policies and procedures are carried out by the JTAC Office to ensure fair and equal access to JTAC awards and funding. The Board shall be governed in their JTAC role by the JTAC Board Rules of Operation.

   The JTAC Board is hereby vested with the authority to approve and disapprove proposals for funding pursuant to this Ordinance.

   The JTAC Board is authorized to:

1.) Select the recipients of JTAC awards based on the proposal system that is established by this Ordinance.

2.) Hold one meeting per month to conduct the business and duties of the JTAC Board. Other meetings may be held as determined necessary by the JTAC Board.

3.) Insure that all expenditures of JTAC Funds remain within the budgeted amounts set by the Cheyenne River Sioux Tribal Council.

4.) Refer potential criminal complaints to the appropriate law enforcement authorities and/or the Tribal Prosecutor. Potential civil actions shall be referred to the Cheyenne River Sioux Tribe’s legal department to ensure full accountability for all JTAC funds.

September 28, 2011
5.) Develop, modify as necessary, and abide by the Board’s Rules of Operation.

6.) Any authority not expressly granted to the Board via this Ordinance, is reserved by the Tribal Council.

**XX-107 JTAC COMMITTEE**

**A. Creation**

There is hereby established a JTAC Committee as a standing committee of the Cheyenne River Sioux Tribal Council. The JTAC Committee is established by the Cheyenne River Sioux Tribe specifically to provide oversight and direction over the activities of the JTAC Office and the JTAC Board.

**B. Composition**

The JTAC Committee shall be comprised of members appointed by Tribal Council.

**C. Authority and Duties**

The Committee is empowered by the Cheyenne River Sioux Tribal Council to ensure that the JTAC Funds are managed and expended in a manner prescribed by PL 106-511, “The Cheyenne River Sioux Tribe Equitable Compensation Act” and in the best interest of the Tribe.

The JTAC Committee is authorized to:

1.) Receive and review reports from the JTAC Office on a monthly basis.

2.) Make recommendations to the CRST Council regarding the annual allocation of JTAC Funds pursuant to this JTAC Ordinance.

3.) Insure that all expenditures of JTAC Funds remain within the budgeted amounts set by the Cheyenne River Sioux Tribal Council.

4.) Receive and hear appeals from decisions of the JTAC Board. All decisions of the JTAC Committee with respect to funding proposals are final and cannot be appealed to any other body of the Tribe.

5.) Refer potential criminal complaints to the appropriate law enforcement authorities and/or the Tribal Prosecutor. Potential civil actions shall be referred to the Cheyenne River Sioux Tribe’s legal department to ensure full accountability for all JTAC funds.

6.) Any authority not expressly granted to the Committee via this Ordinance is reserved by the Tribal Council.
A. General

The Cheyenne River Sioux Tribe Equitable Compensation Act, P.L. 106-511, provides funding to carry out projects and programs that promote the economic development, infrastructure development, and educational, health, recreational, or social welfare objectives of the Tribe. PL 106-511 defines “Tribe” as “the Itazipco, Siiha Sapa, Minniconjou, and Oohenumpa bands of the Great Sioux Nation that reside on the Cheyenne River Reservation, located in central South Dakota.” Section 103(1) of PL 106-511 (2000). The Cheyenne River Sioux Tribal Council interprets this definition to mean that JTAC Funds can only be utilized for the benefit of Tribal members who reside on the Cheyenne River Sioux Reservation. JTAC funds cannot be used for non-Tribal members’ benefit, nor can JTAC funds be used for off-reservation activities. Awarding funds to entities off the reservation does not further the goals of the JTAC plan. However, in the future if it can be demonstrated that reservation-based and entities of the Tribe can significantly benefit by entering into an activity(ies) outside the Reservation boundaries that offer social or economic benefits to the Reservation, such proposals may then be considered for funding.

The Tribal Council believes that JTAC funds will best be utilized and accessed by Tribal members if the Tribe uses the funds to supplement and support Reservation programs, departments, institutions, or entities that already exist. Therefore, no proposals for funding from individual Tribal members will be directly funded. The Tribal Council encourages Tribal members to access JTAC funds via a funded entity for any purpose that promotes the objectives stated in PL 106-511. The JTAC Office will assist individual Tribal members to identify and seek out entities who have received JTAC funds, and all JTAC recipient-entities must conduct outreach to those Tribal members who might benefit from their JTAC-funded services.

All JTAC fund categories identified in this Ordinance shall be funded through a proposal process. JTAC monies are never to be viewed as an entitlement. All proposals for the various JTAC funds shall conform to the requirements of this Ordinance. The JTAC Board determines which of the applicants shall be funded through the proposal process, with a right of appeal to the JTAC Committee. The JTAC Board reserves the right to deny any application or proposal.

Except as otherwise noted within the specific provisions of this Ordinance for a particular Fund, all proposals for JTAC funding will be managed by the JTAC Office. Such proposals will be reviewed to determine whether they meet the fiscal, management, accountability and compliance requirements set forth in this Ordinance.

All proposals shall identify how funding of the proposal(s) will enhance the long range planning efforts of the Tribe, District, Tribal program/department, institution, community, or entity applying for funding. All proposals for funding must be designed to best meet the local geographic, demographic, economic, cultural, health, and other needs of eligible participants to be served under each Fund.
All proposals for funding hereunder shall conform to the leverage requirements governing the specific Fund that the proposal is directed to, as well as the policies and procedures governing each Fund established by the JTAC Board.

Funding “windows” for the following three Funds shall be established according to available monies, JTAC Director’s recommendation, JTAC Board recommendation, and JTAC Committee and Tribal Council approval:

1. Economic Development Fund;
2. Infrastructure Development Fund;

Whenever practicable, application windows shall be publicly announced at least three months in advance of the application deadline therefore. A window may be opened on the first business day of the month or according to the JTAC Director’s recommendation.

B. Grant Application Submission and Review Process

Funding proposals may be required to follow the format shown below, depending on the Fund being accessed and the type of entity applying. Proposals will be rated and scored as to their ability to address the principles and policy set forth in this Ordinance, as well as the planning efforts of the Tribe, community, district, or entity seeking funding.

Proposal Format:

-Abstract/Overview Statement Addressing Cultural Principles
-Statement of Need
-Budget
-Implementation
-Business Plan (if business is planned)
-Sustainability
-Leverage/Match
-Last Year’s Audit or Report of Entity (if applicable)
-Reporting
-Repayment Plan (if applicable)
-Addendums (Legal or Supporting Documents)

(NOTE: This proposal format will be explained in detail in each Fund’s specific, “Fund Application Package”.)

The JTAC Office will provide the initial review and score each proposal based on the proposal format before submitting them to the JTAC Board.
The awards and notification of award or denial shall be made within ninety (90) days of the application deadline by the JTAC Office as directed by the JTAC Board. The JTAC Board’s decision can be appealed to the JTAC Committee as authorized in Section 107(c)(4) in this Ordinance.

Should an application be awarded funding, a Tribal Council resolution is drafted and approved by Tribal Council in order to draw down “trust” monies. The JTAC Office requires that an award agreement be signed prior to disbursing funds.

C. Post-Award

Once recipients are selected, the JTAC Office is responsible for ensuring that those selected receive the funding as determined by the JTAC Board. The JTAC Office will make the determination of whether the recipients will be funded all at once (one hundred percent (100%) of funding) or paid in increments, according to the type of award and the availability of funds.

As a condition to receipt of any JTAC funds, all who submit proposals agree to abide by the CRST Procurement Policies and Procedures in the expenditure of those funds. JTAC recipients further agree to obey the laws and regulations of the Cheyenne River Sioux Tribe and to be bound by the jurisdiction of the Cheyenne River Sioux Tribal Courts. Finally, JTAC recipients shall comply with contractual agreements, funding agreements and other criteria as may be established by the JTAC Office. This includes monthly reporting through the JTAC Office to the JTAC Committee.

XX-109 FUNDING LIMITATIONS

Although each Fund is designed to be as inclusive as possible, there are some activities and interests that clearly fall outside the scope of these guidelines. Funding will not be granted to proposals that:

a.) Except as authorized in Section 102(B)(2) of this Ordinance, would be used to pay existing indebtedness;

b.) Are general appeals for funds which do not meet Fund-specific criteria;

c.) Are viewed by the JTAC Board as a duplication of services;

d.) Request a high percentage of the total budget previously allocated for that particular JTAC Fund;

e.) The JTAC Board determines would constitute a Per Capita payment; or

f.) Are received from individuals.

September 28, 2011
XX-110  TECHNICAL ASSISTANCE

Technical assistance will be made available to applicants by the JTAC Office to the extent that budget and ability to provide is possible. Requests for technical assistance may be made for the application process or for post-JTAC award funding activities. The Office will provide technical assistance in-house or via arrangements with other Tribal organization-partners as expertise and capacity allow. Technical assistance requests that fall outside the professional expertise of the Office staff or that are beyond the expertise and capacity of JTAC Office partners such as strategic planning, investment planning, management, financial, evaluation, legal, etc... shall be provided as resources allow.

Requests for technical assistance should be made in writing to the Director.

September 28, 2011