

# **Muscogee (Creek) Nation**

## **Conflict of Interest Policy**

References: NAHASDA Sections: 201(b), 203(d), 207(b) and 408; 24 CFR 85.36 (a) (3); 24 CFR 1000.30, 1000.32, 1000.34 and 1000.36

**Application of Requirements:** The conflict of interest provisions apply to anyone who participates in the IHBG recipient's decision-making process or who gains inside information with regard to the IHBG assisted activities. Such individuals are, but are not necessarily limited to: housing staff, housing or tribal board members, members of their immediate families, council members, members of their immediate families and such individual business associates.

The requirements prohibit any such individuals from benefiting from their position personally, financially or through the receipt of special benefits other than payment of their salary and/or appropriate administrative expenses. This does not prevent housing staff, board members, their family members, council members, their family members, and/or business associates from receiving housing benefits for which they qualify as low-income individuals, **if not in violation of tribal or state laws**

A conflict of interest may occur when an employee of the Muscogee (Creek) Nation, a member of the Tribal Council/Board of Directors, or an immediate relative of an employee or Muscogee (Creek) Tribal Council/ Board of Directors is selected to receive assistance through the Muscogee (Creek) Nation Housing Programs.

For the purpose of this policy, **immediate family** is defined as a parent, spouse, child, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents of the employee or his/her spouse, and grandchildren of the employee, or “foster” or “step” situations within these relationships.

HUD Approval: If the person receiving assistance is of low-income and they qualify for eligibility, admission and occupancy, only public disclosure and HUD notification is required per CFR §1000.30(c)]. However, HUD approval for an exemption is required when there is a potential conflict of interest that would be in violation of §1000.30(b). An example of a situation requiring HUD approval for an exemption to the conflict of interest provision would be housing assistance to a Council/Board member whose income is between 80% and 100% of median income.

The Muscogee (Creek) Nation Housing Division shall make **public disclosure** the nature of assistance to be provided and the specific basis for selection of that person. The disclosure shall be provided to the Office of the Principal Chief, National Council and posted at the entrance of the Housing Division Office.. A copy of the disclosure shall be provided to HUD before assistance is provided.

**Muscogee (Creek) Nation  
Division of Housing**

**Notification of Potential or Appearance of Conflict of Interest**

**To:** Southern Plains Office of Native American Programs

**From:** Muscogee (Creek) Nation  
P.O. Box 580  
Okmulgee, OK 74447

**Date:** \_\_\_\_\_

**Re:** \_\_\_\_\_

**Per 24 CFR 1000.30 and Muscogee (Creek) Nation Policy Conflict of Interest Policy, this is to notify your office that the above named individual will be provided assistance under the Muscogee (Creek) Nation \_\_\_\_\_ housing program. This person is related (immediate family) to the “decision making process as follows:**

- MCN Employee**
- Council Member/Board Member**
- Other \_\_\_\_\_ Identify**

**The nature of the assistance to be provided is follows:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Signature**

**Date**

**Muscogee (Creek) Nation  
Division of Housing**

**Public Disclosure Notice**

**To: Executive Office  
Muscogee (Creek) Nation**

**Date:** \_\_\_\_\_

**Re:** \_\_\_\_\_

**Staff** \_\_\_\_\_

**Board** \_\_\_\_\_

**Council** \_\_\_\_\_

**The above has applied and has been determined eligible for services: The nature of the assistance to be provided is as follows:**

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**Per 24 CFR 1000.30 a public disclosure must be made in accordance with the Muscogee (Creek) Nation's Conflict of Interest Policy.**