



NCA 22-006

CLASSIFICATION: #24. HOUSING

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 24, § 2-102.D ENTITLED "HOUSING DIVISION"

Be it enacted by the National Council of the Muscogee (Creek) Nation:

SECTION ONE. NEW LAW. The following new Law is hereby enacted:

A. The Muscogee (Creek) Nation Department of Housing enters into contracts for day-to-day operations and for goods and services.

B. The Muscogee (Creek) Nation Department of Housing is requesting that the threshold for a contract for day-to-day operations for goods and services be increased to Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) and any amount in excess of the threshold must first be approved by the Principal Chief and by Tribal Resolution of the National Council.

C. An increase to Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) will be consistent with TR 21-138, which updated the Procurement Policy for IHBG Funds for the MCN Department of Housing.

SECTION TWO. AMENDMENT. The following shall be codified in Title 24 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said new law and its inclusion in pocket parts for the Code of Laws of the Muscogee (Creek) Nation, the Attorney General is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated in this law in order to be consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws; and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment:

SECTION THREE. AMENDMENT. MCNCA Title 24, § 2-102. D., is hereby amended to read as follows:

TITLE 24. TRIBAL GOVERNMENT

CHAPTER 2. MUSCOGEE (CREEK) NATION AFFORDABLE HOUSING ACTIVITIES

§ 2-102. Housing Division

D. Signature Authority. The Principal Chief and any person(s) designated by the Principal Chief in writing shall have the authority to approve contracts dealing with the day-to-day operations of the Division of Housing and for goods and services of the Division of Housing. The Principal Chief shall delegate said signatory authority in writing and provide a copy to the ~~Health, Education, and Welfare~~ **Land, Natural Resources and & Cultural Preservation** Committee and the Controller. All contracts with the exception of real property acquisitions which are subject to CFR 49 Part 24 must be procured in accordance with the Muscogee (Creek) Nation Procurement Policies and Procedures for the Expenditure of HUD Funding. A contract for day-to-day operations or goods and services in excess of ~~one hundred seventy thousand dollars (\$170,000.00)~~ **Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00)** must be approved in writing by the Principal Chief and by Tribal Resolution of the National Council. Provided that, only the Principal Chief is authorized to execute a contract wherein a limited waiver of the Nation's sovereign immunity is contained in said document, provided further that said waiver has been specifically approved by the National Council under separate legislation.

For purposes of this subsection, goods and services means tangible or moveable personal property other than money; e.g., office equipment and supplies. Goods and services shall also be defined to mean all things, including specially manufactured goods, that are moveable at the time of identification to a contract for sale and future goods. The term does not include money in which the price is to be paid, the subject matter of foreign exchange transactions, documents, letters of credit, letter-of-credit rights, instruments, investments property, accounts, chattel paper, deposit accounts or general intangibles.

SECTION FOUR. EFFECTIVE DATE. This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

ENACTED by the Muscogee (Creek) National Council on this 29th day of January, 2022.

IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



William Lowe, Speaker
National Council
Muscogee (Creek) Nation

CERTIFICATION

I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Fifteen** members attending this meeting on the **29th** day of **January, 2022** and that the above is in conformity with the provisions therein adopted by a vote of **14** in favor, **0** against and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.

Alicia Stroble

Alicia Stroble, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 1st day of February, **2022** to the above Law, **NCA 22-006** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.

David W Hill

David W. Hill, Principal Chief
Muscogee (Creek) Nation

