



**GOVERNMENT TO GOVERNMENT
TRANSPORTATION ACCORD**

BY AND AMONG

THE

Bois Forte Band of Chippewa

Fond du Lac Band of Lake Superior Chippewa

Grand Portage Lake Superior Band of Chippewa

Leech Lake Band of Ojibwe Indians

Lower Sioux Indian Community

Mille Lacs Band of Ojibwe Indians

Prairie Island Indian Community

Red Lake Band of Chippewa Indians

Shakopee Mdewakanton Sioux Community

Upper Sioux Indian Community

White Earth Band of Ojibwe

THE

Minnesota Department of Transportation

AND THE

Federal Highway Administration - Minnesota Division



I. PREAMBLE AND GUIDING PRINCIPLES

This Accord of April 1, 2002, is executed by and among the following party signatories: the federally recognized Indian tribal governments governing lands within the boundaries of the State of Minnesota (through their respective Chairs, Chief Executives or Presidents), the Minnesota Department of Transportation (through its Commissioner), and the Federal Highway Administration - Minnesota Division (through its Division Administrator).

The signatories to this agreement desire to improve their mutual cooperation as neighbors by improving the development, maintenance, and operation of interconnected transportation systems.

The signatories intend this agreement to -

- (a). Advance the mutual goals of their governments through improved intergovernmental relations;
- (b). provide a practical framework for productive partnerships between and among their various parties; and
- (c). establish realistic and achievable implementation procedures that will help facilitate these partnerships.

Each party to this agreement assures all other parties that it will respect the governmental integrity of every other party to this agreement.

Each party to this agreement acknowledges and respects the values and culture represented by every other party to this agreement.

II. TRIBAL, STATE AND FEDERAL PARTIES

Tribal: There are eleven federally recognized Indian tribal governments located within the State of Minnesota. Each tribe is a separate sovereign, unique unto itself and distinct from all other federally recognized tribes. Each tribe has an independent relationship with the United States and the State of Minnesota. These eleven tribes are Bois Forte Band of Chippewa, Fond du Lac Band of Lake Superior Chippewa, Grand Portage Lake Superior Band of Chippewa, Leech Lake Band of Ojibwe Indians, Lower Sioux Indian Community, Mille Lacs Band of Ojibwe Indians, Prairie Island Indian Community, Red Lake Band of Chippewa Indians, Shakopee Mdewakanton Sioux Community, Upper Sioux Indian Community, and White Earth Band of Ojibwe.

State: The Minnesota Department of Transportation is governed by a commissioner who is an appointed state official.



Federal: The Minnesota Division of the Federal Highway Administration (FHWA) is an arm of the U.S. Department of Transportation, a federal agency.

III. PURPOSES AND OBJECTIVES

The parties acknowledge that there needs to be better coordination and understanding between the parties on transportation planning, development and maintenance projects in order to maximize the opportunities and benefits of coordinated effort and effective leveraging of available federal funding. In addition, the parties acknowledge that better cooperation and understanding in transportation projects will help promote improved transportation systems as well as jobs and training opportunities in Indian and non-Indian communities throughout the State.

This agreement demonstrates a commitment by the parties to give practical implementation to a new government-to-government partnership in a broad array of transportation matters. This partnership is designed to demonstrate mutual respect for each other, to enhance and improve communication between the parties, to foster increased cooperation on transportation projects, and to facilitate the respectful resolution of inter-governmental differences that may arise from time to time in the area of transportation. The development of this agreement is intended to build confidence among its parties on each of these objectives. The parties have adopted this agreement in order to institutionalize new information-sharing and cooperative intergovernmental project development within their respective governmental structures.

The overall goal of each party in implementing this agreement is to combine their efforts with available resources in a coherent inter-governmental partnership that will result in more, efficient, improved and beneficial transportation services to Indian and non-Indian neighbors residing, working or traveling in each of the party's governmental jurisdictions within the boundaries of the State of Minnesota.

Each party acknowledges that effective implementation of this agreement will require a comprehensive educational effort to promote understanding of the partnership within their own governmental organizations and with their citizens.

IV. IMPLEMENTATION AND ACCOUNTABILITY

On a periodic basis, but at least annually, the parties will meet to review past accomplishments and failures and to reach agreement on strategies and actions to take that will foster greater future success.

The meetings shall focus on improving services, enhancing cooperation, exchanging information and discussing intergovernmental and cooperative projects. Obstacles to achieving these goals shall be identified.



Each party acknowledges that the partnership established by this agreement has value only to the extent that all individuals, structures, and policies within each governmental organization are held accountable by its leadership to be consistent with this agreement. Likewise, the success of this agreement rests upon each party's ensuring that its officials maintain with all other parties regular lines of communication which are clear, direct and involve persons with direct responsibility and authority for the relevant concerns.

At each annual meeting following creation of this agreement, the parties will evaluate implementation of the government-to-government partnerships established under this agreement.

V. SOVEREIGNTY AND DISCLAIMERS

Each party signatory to this agreement pledges to respect and honor the sovereignty or legitimacy of each party. In entering into and executing this agreement, no party waives any sovereign immunity, privileges, jurisdiction or rights it possesses, or any obligations due to it under treaty, statute, case law, or course of dealings.

This Accord is intended only to improve matters among the parties herein as stated in the Purpose and Objectives, and is not intended to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law by a party against the United States, its agencies, the State of Minnesota, the eleven federally recognized Indian tribal governments located within the State, or any person.

Signatory parties have executed this agreement on the date of April 1, 2002, and pledge their future cooperation.

