

Approved 4-13-04

MUTUAL AGREEMENT

between the

UNITED STATES DEPARTMENT OF AGRICULTURE

the

_____ Tribe/ Nation

and the

_____ Tribal District

**For their Cooperation in the Implementation of the Common Objectives and Goals of
USDA and the
_____ Nation**

This Mutual Agreement (Agreement) is between the United States Department of Agriculture (USDA), the _____ Nation (Nation) and the _____ Soil and Water Conservation District (District).

Pursuant to the constitution of the _____ Nation, article V, Section B, the _____ Tribal Council has the power to negotiate with federal, state and local governments on behalf of the Tribe. The authority of the District to enter into this agreement is _____ Tribal Council Resolution No. 51-00.

The USDA enters into this agreement pursuant to Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, dated November 6, 2000; Memorandum of Understanding between the United States Department of the Interior and the United States Department of Agriculture, and their various agencies, relative to planning and implementing community development and natural resources management and conservation programs on Indian lands, dated May 9, 1988.

STATEMENT OF PURPOSE

The parties have the common objective of assisting people in their efforts to utilize and manage tribal resources in accordance with their capabilities and needs for protection and improvement. Each party is independent, has its respective responsibilities, yet recognizes the need to coordinate as a federal and partnership for the successful delivery of USDA programs related to:

- Providing nutrition assistance and education.
- Helping rural residents with housing, business development and community infrastructure.
- Managing natural resources and the environment.
- Helping to ensure food safety from the farm to the dinner table.
- Helping farmers and ranchers with financial and technical assistance.

- Supporting and regulating the marketing system for animal and plant products.
- Conducting research and education activities to support these and other programs. Therefore, the parties will cooperate to implement their common vision of “A healthy and productive Nation in harmony with the land” considering available resources, statutory authorities, and regulations. The parties will develop appropriate agreements to further define the relationship.

IT IS UNDERSTOOD THAT:

Broad based community development and conservation programs delivered through the cooperation of the USDA and the Tribe are vital to the protection of the natural resources, economic stability and well-being of this country.

The parties reaffirm the relationship between the USDA and the Tribe. The Secretary of Agriculture intends to continue, within the terms of the various statutes administered by the USDA, to carry out broad programs of assistance encompassing technical, research, educational, and financial assistance to landowners and users. The parties also recognize and encourage a commitment from the Tribe in aiding the administration, coordination, financing, and delivery of community development and natural resources management and conservation programs.

This agreement establishes an enduring basis for cooperation and assistance between the parties to achieve common community development, and natural resources management and conservation goals and objectives. Nothing in this agreement is intended to require the Department of Agriculture or the Tribe to obligate or transfer any funds. Specific projects or activities which require transfer of funds, services or property will be carried out under separate agreements.

This agreement is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by any party against the United States, its agencies, its officers, or any person.

It is understood that any financial assistance agreements entered into with the USDA in furtherance of this agreement shall require a written assurance from the recipient that all programs and activities will be conducted in compliance with all applicable Federal civil rights laws, rules, regulations and policies.

This agreement supercedes any prior memorandum of understanding or agreement and it is effective upon the signature of the parties. It may be modified at any time by mutual consent of both parties and can be terminated by either party by a sixty (60) day written notice to the other party.

The parties will encourage other community development and natural resources related agencies to develop similar agreements.

UNITED STATES DEPARTMENT OF AGRICULTURE

By: _____
Secretary of Agriculture

Date: _____

_____ NATION

By: _____
Tribal Chairperson

Date: _____