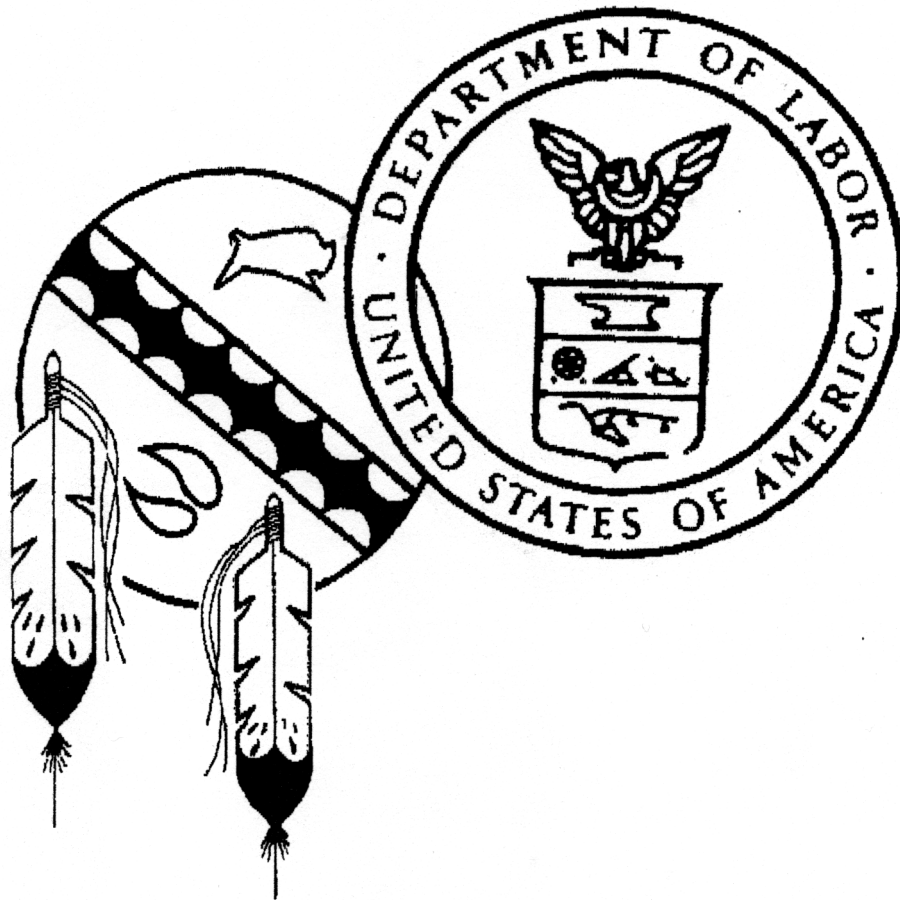


ORIGINAL



AGREEMENT FOR COOPERATION

BETWEEN

THE U. S. DEPARTMENT OF LABOR

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

AND

THE COUNCIL FOR TRIBAL EMPLOYMENT RIGHTS



**MOU BETWEEN THE COUNCIL FOR TRIBAL EMPLOYMENT RIGHTS (CTER)
PACIFIC NORTHWEST REGION, AND
THE U.S. DEPARTMENT OF LABOR, OFCCP, PACIFIC REGION**

I. PARTIES

The parties to this agreement are the Council for Tribal Employment Rights (referred to as the CTER), Pacific Northwest Region and the Office of Federal Contract Compliance Programs, U.S. Department of Labor, Pacific Region of OFCCP.

II. PURPOSE AND SCOPE

The CTER is an Indian owned and operated non-profit corporation, comprised and representing the interests of 300 Indian Tribes and Alaska Native Villages Tribal Employment Rights Offices (TEROs) on a national basis. With funds provided through Federal agencies, Indian tribes and private sector contributions, the CTER Board of Directors and staff provide training and technical assistance to Indian Tribes, Native Organizations, governmental agencies and private sector employers in all aspects of Indian preferences, Tribal Employment Rights enforcement, business and implementation strategies involving the sovereign power of the Tribes.

The OFCCP administrates Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and Vietnam Era Veterans' Readjustment Assistance Act of 1974, and its implementing regulations, as amended, which requires, among other things, that Federal Government contractors and subcontractors take affirmative action to employ and advance in employment qualified minorities, women, individuals with disabilities, and covered veterans.

The purpose of the Memorandum of Understanding (MOU) is to promote a mutually beneficial working relationship between the CTER, Pacific Northwest and the OFCCP in the States of California, Nevada, Arizona, Hawaii, Washington, Oregon, Idaho, Alaska, and the Trust Territories of Guam, Saipan, the Northern Mariana Islands (known as "Pacific Nations" by the TERO), to enhance delivery of services by both agencies to the public.

III. PRINCIPLES

1. In relation to OFCCP's review of selected federal contractors/subcontractors and per OFCCP agreement with federal contractors and subcontractors, OFCCP will suggest the CTER as a linkage source to federal contractors and subcontractors for recruitment and referral of qualified Native American job applicants. A linkage is the connection between Federal contractors and appropriate recruitment and/or training sources.
2. Upon receipt of notification of a linkage from OFCCP, the CTER will make contact with federal contractors and subcontractors involved to establish a dialogue and discuss recruitment and training opportunities.

TERO/CTER

OFCCP OFFICE

TERO Representative
Sitka Tribe (responsible for Alaska)
456 Katlin Street
Sitka, Alaska 99835
907-747-3207

Anchorage (Seattle)

TERO Director
Yakama Nation (Washington & Oregon)
P. O. Box 151
Toppenish, Washington 98948
509-865-5121

Seattle & Portland

TERO Director
Hoopa Valley Tribe (California and
Northern Nevada)
530-625-4227

Oakland, San Jose,
Los Angeles, San Diego, &
Santa Ana

TERO Director
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247
520-562-3252

Phoenix (Las Vegas)
(Arizona & So. Nevada)

CTER Vice President
2710 East Windmere Drive
Phoenix, Arizona 85048
480-759-2071

Honolulu (Hawaiian
Islands, Guam, American Samoa
Saipan)

Please note that a courtesy copy of all contacts and requests for referrals should be sent to President of the Council for Tribal Employment Rights, 33600 7th Avenue South, Suite 101, Federal Way, WA 98001, (253) 661-2155 (fax: (253) 661-0145).

IV. LIMITATIONS

The CTER and the OFCCP agree to make good faith efforts to cooperate as detailed herein, however, both agencies fully understand that this MOU shall not create any legally enforceable obligation or duties on the part of either party.

V. AMENDMENT AND TERMINATION

This MOU may be modified by mutual consent of CTER and OFCCP. Either party may terminate the agreement upon thirty days written notice to the other party. Unless terminated

3. The CTER will routinely accept job orders from federal contractors and subcontractors identified by OFCCP and make referrals through the appropriate TERO offices, to fill job orders.
4. The CTER will provide feedback to OFCCP regarding the effectiveness of the linkage agreement with federal contractors and subcontractors in instances when the CTER has been suggested as a recruitment resource.
5. CTER and OFCCP will participate in seminars, interagency training programs, staff meetings and conferences and other related activities conducted by either CTER or OFCCP.
6. The OFCCP will serve as an information resource to the CTER, advising staff on the requirements for compliance with Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and its implementing regulations, as amended.
7. The CTER has listed offices, taken from the "Directory of Tribal Employment Rights Offices" and consistent with the TERO Country map. Copies of this list shall be provided to all Pacific Region OFCCP offices and shall be utilized by OFCCP Compliance Officers in accomplishing linkages with federal contractors.
8. The OFCCP Pacific Region offices and telephone listings shall be incorporated as an attachment to this MOU. Copies shall be provided to all TERO staff within the states covered by the Pacific Region. **It should be noted that there are no TERO staff within the State of Hawaii or the Pacific Trust Territories.**
9. OFCCP and TERO staff shall contact each other at least quarterly for the purpose of providing information and discussing ways to bring about successful employment linkages with federal contractors. Also, upon availability of data, information shall be exchanged regarding Native American employment and unemployment statistics and skill availability and job and training interests. Also, cultural information, visits, and tours shall be provided to assist in acquainting OFCCP staff with Native American culture, geography, education, employment, and related issues.
10. Copies of all correspondence and other contacts between OFCCP and TERO staff shall be provided quarterly to CTER President and to the OFCCP Regional Director, for the purpose of monitoring, review and discussion. After sufficient experience is obtained with the MOU (but no later than twelve months), OFCCP Regional Director and CTER President shall meet bi-annually, at a minimum, to discuss lessons learned, and possible modifications or improvements needed to the MOU. Following this meeting, the two parties shall make recommendations regarding the possible expansion of the MOU throughout all OFCCP and TERO locations, nationally.
11. All OFCCP and federal contractor linkage contacts and requests for referral of Native American job applicants should go to the TERO and CTER contacts listed below: Also, see Attachment A - Directory of Tribal Employment Rights Offices.

beforehand, this agreement will be effective from the date of the last signature for a period of three years, at which time it can be renewed for successive three year periods.

Nothing in this Agreement constitutes an official endorsement by the U.S. Department of Labor (DOL) for the Council for Tribal Rights (CTER), its products or its services, and CTER agrees not to use this agreement for such purposes. The Agreement may not be constructed to require any component of the Department of Labor to utilize appropriated funds to effectuate any provisions. This Agreement will be performed in compliance with the Privacy Act of 1974, where applicable. Nothing in this agreement will be construed as limiting or affecting either party's normal operations, nor does it limit or restrict the parties from participating in similar activities or arrangements with other parties.

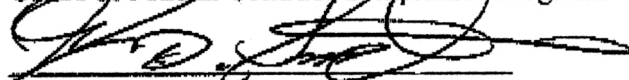
CTER will ensure that the name of DOL or OFCCP is not used in event publicity, except in factual publicity for conferences, trainings, seminars, meetings, and similar events. Factual publicity includes dates, times, locations, agendas, fees, and speakers involved with the event. Such factual publicity shall not imply that the involvement of DOL in the event serves as an endorsement of the general policies or activities of CTER; where confusion could result, outreach should be accompanied by a disclaimer to the effect that no endorsement is intended. All materials bearing the DOL name, logo, or seal must be approved in advance by DOL.

For the Council for Tribal
Employment Rights



Conrad D. Edwards
President
Council for Tribal
Employment Rights

For the U. S. Department of Labor
Office of Federal Contract Compliance Programs



William D. Smitherman
Regional Director
Office of Federal Contract
Compliance Programs

12-10-09
Date

12/10/09
Date