

MEMORANDUM OF UNDERSTANDING
Office of Labor-Management Standards
and
Employee Benefits Security Administration

Whereas, the Office of Labor-Management Standards (OLMS) is responsible for administering and enforcing most provisions of the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA); and

Whereas, the Employee Benefits Security Administration (EBSA) is responsible for administering and enforcing the Employee Retirement Income Security Act of 1974, as amended (ERISA), and related federal criminal laws;

It is hereby understood that OLMS and EBSA wish to define and enhance the ongoing cooperation and coordination between the two agencies by means of this Memorandum of Understanding.

A. *Facilitating Communication*

To promote communication among senior management, EBSA and OLMS will provide each other with regularly updated lists of the names, telephone numbers, and email addresses of field office and national office directors, as well as other key staff as appropriate.

B. *Sharing Information*

EBSA and OLMS recognize the value to each agency of sharing investigative information as permitted by law. The sharing of such information between the two agencies on a controlled basis facilitates efficient investigations.

1. Information from the Form 5500

EBSA's Office of Enforcement will provide OLMS with information generated from the Form 5500 database as requested. The two agencies will confer to determine what information should be included in the listing, and in what format it should be presented.

2. Information from the LM-10 and LM-30

OLMS will provide EBSA with information generated from the LM-10 and LM-30 Forms as requested. The two agencies will confer to determine what information should be included in the listing, and in what format it should be presented.

3. Multiple Employer Welfare Arrangements (MEWA's)

EBSA will advise OLMS of investigations involving MEWAs suspected of being sham unions. If needed, representatives from EBSA and OLMS will meet to further discuss the shared information to determine whether additional action is necessary.

4. Prohibited Persons

EBSA will provide OLMS with a copy of each debarment letter EBSA sends to union trustees who have been convicted of a crime enumerated in section 411 of ERISA. OLMS will provide EBSA with a copy of each debarment letter OLMS sends to union officials who have been convicted of a crime enumerated in section 504 of the LMRDA.

C. Criminal Investigations

The agencies agree that joint criminal investigations may be appropriate in certain circumstances, and will encourage such cooperation between their respective field offices.

D. Training

The agencies recognize that it is worthwhile to cross-train appropriate staff to share an understanding of each agency's mission and investigative jurisdiction so that our resources can effectively protect the public. Each agency will seek to identify periodic internal training opportunities which may be appropriate for staff to attend.

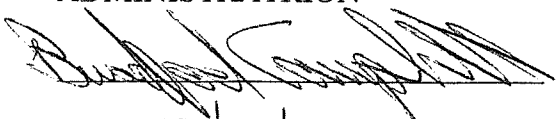
E. National Office Coordination Group

OLMS and EBSA will establish a coordination group at the national office to confer on matters of mutual concern and interest. The coordination group will meet at least once a year, with additional meetings to be held as needed.

F. Effect of Agreement; Termination

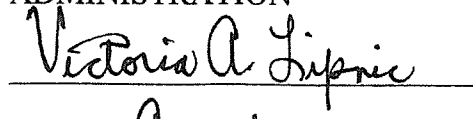
Nothing in this agreement shall be interpreted as limiting, superseding, or otherwise affecting either agency's normal operations or decisions in carrying out its statutory or regulatory duties. Either party may terminate this agreement for any reason at any time with 30 days written notice.

BRADFORD P. CAMPBELL
ASSISTANT SECRETARY
EMPLOYEE BENEFITS SECURITY
ADMINISTRATOR



DATE: 9/10/07

VICTORIA A. LIPNIC
ASSISTANT SECRETARY
EMPLOYMENT STANDARDS
ADMINISTRATION



DATE: August 24, 2007