

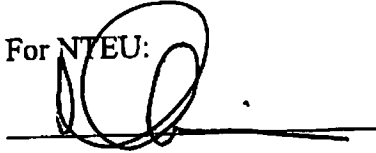
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FOOD AND DRUG ADMINISTRATION
AND
THE NATIONAL TREASURY EMPLOYEES UNION, CHAPTER 282

This agreement amends and supplements the memorandum of understanding (MOU) executed by the Food and Drug Administration (FDA) and Chapter 282 of the National Treasury Employees Union (NTEU) on July 23, 2003, which, in turn amended and supplemented the MOU of July 26, 2001. Provisions of the July 26, 2001 and July 23, 2003 MOUs not expressly modified by this MOU remain in full force and effect.

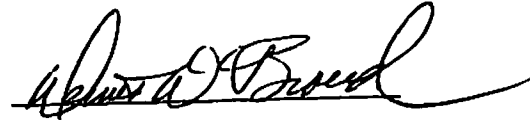
1. The office identified on the attached floor plan is hereby substituted for the office identified in paragraph 2 of the July 23, 2003 MOU. This office shall be interim space. If changes in the interim office space become necessary prior to a final settlement of the issue of office space at the White Oak facility, the FDA agrees to provide comparable interim space and to discuss that space with NTEU before making any change.
2. The parties agree that, on or before completion of the relocation of FDA organizations to the White Oak Facility, the FDA will provide NTEU with an office suite of approximately 600 square feet, located in non-Center space. The parties shall mutually agree upon the configuration of that space (i.e., number of offices/open space). The parties further agree that this will satisfy the requirements for four of the Washington-area offices to be furnished to NTEU pursuant to Article 9, Section 6 of the FDA/NTEU Collective Bargaining Agreement (CBA, provided there are no significant numbers (100 or more) of Headquarters employees outside of the FDA facilities located in White Oak, College Park and Laurel, Maryland. The office space specified in this paragraph shall replace the interim space referred to in paragraph 1. The parties recognize that, due to the need to provide representation to significant numbers of employees who have not yet relocated to the White Oak facility, NTEU may require some additional office space (beyond that at the White Oak, College Park, and Laurel locations) after the White Oak office space specified above is furnished to the Union. Accordingly, the FDA agrees to consult with NTEU prior to withdrawing any NTEU office space located in other buildings still occupied by significant numbers (100 or more) of FDA employees should such space still exist at the close of the consolidation and to negotiate on request concerning such changes pursuant to Article 3 of the CBA.
3. This agreement shall not have the effect of restricting the scope of any negotiations held to replace the current FDA/NTEU Collective Bargaining Agreement (CBA) and

is subject to being modified or replaced by the agreement resulting from those negotiations.

For NTEU:

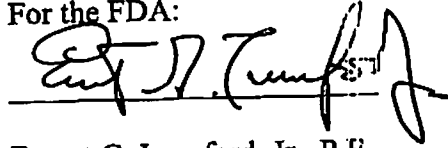


Richard L. Arkin
NTEU Chapter 282
CVM Vice President
Co-Chair, NTEU Headquarters
Consolidation Committee (White Oak)

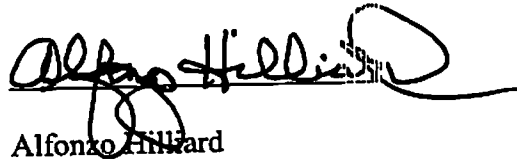


Dennis D. Broud
NTEU Chapter 282
Co-Chair, NTEU Headquarters
Consolidation Committee (White Oak)

For the FDA:



Ernest G. Lunsford, Jr., P.E.
Director, White Oak Consolidation Project



Alfonzo Hillard
Senior Labor Advisor
Department of Health and Human Services
Rockville Human Resources Center

Execution Date: 9/7/04