United States Environmental Protection Agency
Washington, DC 20460

Interagency Agreement/ Amendment

Part 1 - General Information

1. EPA IA Identification Number RW-41-92389401 - 1

2. Funding Location by Region EPA HQ

3. Other Agency IA ID Number (if known)

4. Awarding Office IASSC East

5. Type of Action Augmentation: Increase

6. IA Specialist: NancyT Brown 202-564-3264 brown.nancyt@epa.gov

7. Name and Address of EPA Organization
US Environmental Protection Agency
IASSC East
1200 Pennsylvania Avenue, NW Mail code 3903R
Washington, DC 20460

8. Name and Address of Other Agency
Merit Systems Protection Board
Office of the Clerk of the Board
1615 M Street, NW
Washington, DC 20419

9. DUNS: 029128894 **10. BETC:** COLL **11. DUNS:** 015908424 **12. BETC:** DISB

13. Project Title and Description
IMSPB Decision memo

To provide MSPB with an Administrative Law Judge (ALJ) to hear the case of Stephen Jennings v. Social Security Administration.

This amendment increases other agency funding in the amount of $100,000.

14. EPA Project Officer (Name, Address, Telephone Number)
Mary Keemer
1200 Pennsylvania Ave, NW (1900R)
Washington, DC 20460
202-564-6256
E-Mail: Keemer.Mary@epamail.epa.gov
FAX: 202-565-0044

15. Other Agency Project Officer (Name, Address, Telephone)
Molly Leckey
1615 M Street, NW
Washington, DC 20419
202-564-4472
E-Mail: molly.leckey@mspb.gov
FAX: 202-653-7130

16. Project Period: 10/01/2013 to 09/30/2014

17. Budget Period: 10/01/2013 to 09/30/2014

18. Scope of Work (See Attachment)
SOW/MOU remains the same.

19. Employer/Tax ID No. 520852695 **20. CAGE No:** 347A4 **21. ALC:** 68-01-0727

22. Statutory Authority for Transfer of Funds and Interagency Agreement
Economy Act 31 U.S.C. 1535

23. Other Agency Type
Federal Agency

24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)

	Previous Funding	This Action	Amended Total
Revise Reimbursable (in-house)			0
Direct Fund Cite (contractor)			0
Total			0

Funds	Previous Amount	Amount This Action	Total Amount
25. EPA Amount		$0	$0
26. EPA In-Kind Amount			$0
27. Other Agency Amount	$10,000	$100,000	$110,000
28. Other Agency In-Kind Amount			$0
29. Total Project Cost	$10,000	$100,000	$110,000

30. Fiscal Information

Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
6813/140108		1314	BR	16R0X02	ZZZGE3	0			94,823
6813/140108		1314	BR	16R0Z02	ZZZGE3	0			5,177
									100,000

Part II - Approved Budget

EPA IAG Identification Number
RW-41-92389401 - 1

31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	$9,532	$94,823		$104,355
(b) Fringe Benefits	$0			$0
(c) Travel	$0			$0
(d) Equipment	$0			$0
(e) Supplies	$0			$0
(f) Procurement / Assistance	$0			$0
(g) Construction	$0			$0
(h) Other	$0			$0
(i) Total Direct Charges	$9,532	$94,823	$0	$104,355
(j) Indirect Costs:	$468	$5,177	$0	$5,645
Charged - Amount Rate: 5.86% Base: $100,000.00 Not Charged: Funds-In: Not charged by EPA Amount $				
(k) Total (EPA Share 0.00 %) (Other Agency Share 100.00 %)	$10,000	$100,000	$0	$110,000

32. How was the IDC Base calculated? 100000 X 5.86 = 5177 IDC

33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No
(Identify all equipment costing $1,000 or more)

34. Are any of these funds being used on Procure/Assistance agreements? ☐ Yes ☒ No

Type of Procure/Assistance Agreement

Contractor/Recipient Name (if known)	Total Procure/Assistance Amount Under This Project	Percent Funded by EPA (if known)
	Total $ 0.00	

Part III - Funding Methods and Billing Instructions

35. **(Note: EPA Agency Location Code (ALC) - 68010727)**

☐ Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
☐ Repayment	☐ Monthly ☐ Quarterly ☐ Upon Completion of Work
☐ Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.
☐ Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

36. ☒ Reimbursement Agreement ☒ Repayment ☐ Advance
☐ Allocation Transfer-In

Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency
41-00-0001	

Part IV - Acceptance Conditions	EPA Identification Number RW-41-92389401 - 1
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.	

Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC East 1200 Pennsylvania Avenue, NW Mail code 3903R Washington, DC 20460	39. Organization/Address US Environmental Protection Agency OA - Office of the Administrator 1200 Pennsylvania Ave, NW Washington, DC 20460

Award Official on Behalf of the Environment Protection Agency

40. Digital signature applied by EPA Award Official | FOR Frank N. Roth - Chief Fellowship IA & SEE Branch Michelle Messick - AO delegate	Date 05/01/2014

Authorizing Official on Behalf of the Other Agency

41. Signature	Typed Name and Title	Date
	See attached (signed) funding document.	04/04/2014

ORDER . ‹ SUPPLIES OR SERVICES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

PAGE 1 OF PAGES 2

1. DATE OF ORDER: 04/29/2014

2. CONTRACT NO. *(If any)*:

3. ORDER NO.: MSP-MSP-13-00024/0003

4. REQUISITION/REFERENCE NO.:

5. ISSUING OFFICE *(Address correspondence to)*:
MERIT SYSTEMS
1615 M STREET N.W.
WASHINGTON DC 20036

6. SHIP TO:
a. NAME OF CONSIGNEE: MERIT SYSTEMS
b. STREET ADDRESS: 1615 M STREET N.W.
c. CITY: WASHINGTON
d. STATE: DC
e. ZIP CODE: 20036
f. SHIP VIA:

7. TO:
a. NAME OF CONTRACTOR: ENVIRONMENTAL PROTECTION AGENCY-3
b. COMPANY NAME:
c. STREET ADDRESS: 26 W MARTIN LUTHER KING
d. CITY: CINCINNATI
e. STATE: OH
f. ZIP CODE: 45268-0001

8. TYPE OF ORDER
[X] a. PURCHASE
REFERENCE YOUR:
Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.
[ ] b. DELIVERY
Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. ACCOUNTING AND APPROPRIATION DATA: See Schedule

10. REQUISITIONING OFFICE: MERIT SYSTEMS

11. BUSINESS CLASSIFICATION *(Check appropriate box(es))*
[ ] a. SMALL [X] b. OTHER THAN SMALL [ ] c. DISADVANTAGED [ ] d. WOMEN-OWNED [ ] e. HUBZone
[ ] f. SERVICE-DISABLED VETERAN-OWNED [ ] g. WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOSB PROGRAM [ ] h. EDWOSB

12. F.O.B. POINT: Destination

13. PLACE OF
a. INSPECTION: Destination
b. ACCEPTANCE: Destination

14. GOVERNMENT B/L NO.:

15. DELIVER TO F.O.B. POINT ON OR BEFORE *(Date)*:

16. DISCOUNT TERMS: IMMEDIATELY

17. SCHEDULE *(See reverse for Rejections)*

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Modify order to extend the period of performance until September 30, 2014. No Change in Encumbrance. Continued ...					

18. SHIPPING POINT:

19. GROSS SHIPPING WEIGHT:

20. INVOICE NO.:

17(h) TOTAL *(Cont. pages)*: $0.00

21. MAIL INVOICE TO:
a. NAME: ARC/ASD/APB
b. STREET ADDRESS (or P.O. Box): ARC/ASD/APB, AVERY 3G
PO BOX 1328
ACCOUNTSPAYABLE@BPD.TREAS.GOV
c. CITY: PARKERSBURG
d. STATE: WV
e. ZIP CODE: 26106-1328

SEE BILLING INSTRUCTIONS ON REVERSE

17(i) GRAND TOTAL: $0.00

22. UNITED STATES OF AMERICA BY *(Signature)*: Stephen G. Smith
Digitally signed by Stephen G. Smith
DN: cn=Stephen G. Smith, o=U.S. Merit Systems Protection Board, ou=FAM, email=stephen.smith@mspb.gov, c=US
Date: 2014.04.29 11:33:24 -04'00'

23. NAME *(Typed)*: STEPHEN G. SMITH
TITLE: CONTRACTING/ORDERING OFFICER

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PREVIOUS EDITION NOT USABLE

OPTIONAL FORM 347 (Rev. 2/2012)
Prescribed by GSA/FAR 48 CFR 53.213(f)

ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER: 04/29/2014

CONTRACT NO.:

ORDER NO.: MSP-MSP-13-00024/0003

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	LIST OF CHANGES: Reason for Modification : Other Administrative Action Period Of Performance End Date changed from 30-SEP-13 to 30-SEP-14 CHANGES FOR LINE ITEM NUMBER: 1 End Date changed from 30-SEP-13 to 30-SEP-14 Admin Office: MERIT SYSTEMS 1615 M STREET N.W. WASHINGTON DC 20036 Accounting Info: MSP0100DA1314XX-2013-61000001-253001-MSP1200000000-XXXXXXXXXX-XXXXXXXXXXXX-XXXXXXX-XXXXXXXXXX-XXXX-XXXXXXXXXXXX-XXXXXXXXXXXX-XXXXXXXXXX-XXXXXXXXX Period of Performance: 10/01/2012 to 09/30/2014 Change Item 0001 to read as follows(amount shown is the obligated amount): This item will cover ALJ services provided to MSPB from Environmental Protection Agency (EPA) per the attached Interagency Agreement.					
0001					0.00	

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H)) $0.00

ORDER FOR SUPPLIES OR SERVICES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

PAGE 1 OF PAGES 3

1 DATE OF ORDER: 03/25/2014

2 CONTRACT NO. (If any):

3 ORDER NO: MSP-MSP-13-00024/0002

4. REQUISITION/REFERENCE NO:

5. ISSUING OFFICE (Address correspondence to)
MERIT SYSTEMS
1615 M STREET N.W.
WASHINGTON DC 20036

6 SHIP TO.
a NAME OF CONSIGNEE: MERIT SYSTEMS
b. STREET ADDRESS: 1615 M STREET N.W.
c CITY: WASHINGTON
d. STATE: DC
e ZIP CODE: 20036
f SHIP VIA:

7 TO
a NAME OF CONTRACTOR: ENVIRONMENTAL PROTECTION AGENCY-3
b COMPANY NAME:
c STREET ADDRESS: 26 W MARTIN LUTHER KING
d CITY: CINCINNATI
e STATE: OH
f ZIP CODE: 45268-0001

8 TYPE OF ORDER
[X] a PURCHASE
REFERENCE YOUR.
Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.
[ ] b. DELIVERY
Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract

9 ACCOUNTING AND APPROPRIATION DATA: See Schedule

10 REQUISITIONING OFFICE: MERIT SYSTEMS

11 BUSINESS CLASSIFICATION (Check appropriate box(es))
[ ] a SMALL [X] b. OTHER THAN SMALL [ ] c. DISADVANTAGED [ ] d WOMEN-OWNED [ ] e HUBZone
[ ] f SERVICE-DISABLED VETERAN-OWNED [ ] g. WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOSB PROGRAM [ ] h. EDWOSB

12. F O B POINT: Destination

13 PLACE OF
a INSPECTION: Destination
b ACCEPTANCE: Destination

14 GOVERNMENT B/L NO:

15 DELIVER TO F O.B. POINT ON OR BEFORE (Date):

16 DISCOUNT TERMS: IMMEDIATELY

17. SCHEDULE (See reverse for Rejections)

ITEM NO (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Modify order to add funds for ALJ Services. Increase Encumbrance: $100,000.00 LIST OF CHANGES: Continued ...					

18 SHIPPING POINT:

19. GROSS SHIPPING WEIGHT:

20 INVOICE NO:

17(h) TOTAL (Cont. pages): $100,000.00

SEE BILLING INSTRUCTIONS ON REVERSE

21 MAIL INVOICE TO
a NAME: ARC/ASD/APB
b. STREET ADDRESS (or P.O Box): ARC/ASD/APB, AVERY 3G
PO BOX 1328
ACCOUNTSPAYABLE@BPD.TREAS.GOV
c CITY: PARKERSBURG
d. STATE: WV
e. ZIP CODE: 26106-1328

17(i) GRAND TOTAL: $100,000.00

22 UNITED STATES OF AMERICA BY (Signature): Stephen G. Smith
Digitally signed by Stephen G. Smith
DN: cn=Stephen G. Smith, o=U.S. Merit Systems Protection Board, ou=Field Area Instruction, mail=stephen.smith@mspb.gov, c=US
Date: 2014.04.04 10:31:01 -04'00'

23. NAME (Typed): STEPHEN G. SMITH
TITLE: CONTRACTING/ORDERING OFFICER

AUTHORIZED FOR LOCAL REPRODUCTION
PREVIOUS EDITION NOT USABLE

OPTIONAL FORM 347 (Rev. 2/2012)
Prescribed by GSA/FAR 48 CFR 53.213(f)

ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 03/25/2014 | CONTRACT NO. | ORDER NO MSP-MSP-13-00024/0002

ITEM NO (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Reason for Modification : Funding Only Action Total Amount for this Modification: $100,000.00 New Total Amount for this Version: $135,000.00 New Total Amount for this Award: $135,000.00 Obligated Amount for this Modification: $100,000.00 New Total Obligated Amount for this Award: $135,000.00 CHANGES FOR LINE ITEM NUMBER: 1 Total Amount changed from $35,000.00 to $135,000.00 Obligated Amount for this modification: $100,000.00 CHANGES FOR DELIVERY LOCATION: MERIT SYSTEMS Amount changed from $35,000.00 to $135,000.00 CHANGES FOR ACCOUNTING CODE: MSP0100DA1314XX-2013-61000001-253001-MSP1200000000-XXXXXXXXXX-XXXXXXXXXXXX-XXXXXXX-XXXXXXXXXX-XXXX-XXXX-XXXXXXXXXXXX-XXXXXXXXXXXX-XXXXXXXXXX-XXXXXXXXX Amount changed from $35,000.00 to $135,000.00 Admin Office: MERIT SYSTEMS 1615 M STREET N.W. WASHINGTON DC 20036 Accounting Info: MSP0100DA1314XX-2013-61000001-253001-MSP1200000000-XXXXXXXXXX-XXXXXXXXXXXX-XXXXXXX-XXXXXXXXXX-XXXX-XXXX-XXXXXXXXXXXX-XXXXXXXXXXXX-XXXXXXXXXX-XXXXXXXXX Period of Performance: 10/01/2012 to 09/30/2013 Change Item 0001 to read as follows(amount shown is the obligated amount): This item will cover ALJ services provided to MSPB from Environmental Protection Continued ...					
0001					100,000.00	

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H)) $100,000.00

ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION

IMPORTANT. Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER	CONTRACT NO	ORDER NO
03/25/2014		MSP-MSP-13-00024/0002

ITEM NO (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Agency (EPA) per the attached Interagency Agreement.					
	TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))				$0.00	

United States Environmental Protection Agency
Washington, DC 20460

Interagency Agreement/ Amendment

Part 1 - General Information

1. EPA IA Identification Number RW-41-92389401 - 0

2. Funding Location by Region EPA HQ

3. Other Agency IA ID Number (if known)

4. Awarding Office IASSC East

5. Type of Action New

6. IA Specialist: NancyT Brown, 202-564-3264, brown.nancyt@epa.gov

7. Name and Address of EPA Organization
US Environmental Protection Agency
IASSC East
1200 Pennsylvania Avenue, NW Mail code 3903R
Washington, DC 20460

8. Name and Address of Other Agency
Merit Systems Protection Board
Office of the Clerk of the Board
1615 M Street, NW
Washington, DC 20419

9. DUNS: 029128894 **10. BETC:** COLL **11. DUNS:** 015908424 **12. BETC:** DISB

13. Project Title and Description
IMSPB Decision memo

To provide MSPB with an Administrative Law Judge (ALJ) to hear the case of Stephen Jennings v. Social Security Administration.

14. EPA Project Officer (Name, Address, Telephone Number)
Mary Keemer
1200 Pennsylvania Ave, NW (1900R)
Washington, DC 20460
202-564-6256
E-Mail: Keemer.Mary@epamail.epa.gov
FAX: 202-565-0044

15. Other Agency Project Officer (Name, Address, Telephone)
Molly Leckey
1615 M Street, NW
Washington, DC 20419
202-564-4472
E-Mail: molly.leckey@mspb.gov
FAX: 202-653-7130

16. Project Period: 10/01/2013 to 09/30/2014

17. Budget Period: 10/01/2013 to 09/30/2014

18. Scope of Work (See Attachment)
See attached MOU.

19. Employer/Tax ID No. 520852695 **20. CAGE No:** 347A4 **21. ALC:** 68-01-0727

22. Statutory Authority for Transfer of Funds and Interagency Agreement
Economy Act 31 U.S.C. 1535

23. Other Agency Type
Federal Agency

24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)

	Previous Funding	This Action	Amended Total
Revise Reimbursable (in-house)		0	0
Direct Fund Cite (contractor)		0	0
Total			0

Funds	Previous Amount	Amount This Action	Total Amount
25. EPA Amount		$0	$0
26. EPA In-Kind Amount			$0
27. Other Agency Amount		$10,000	$10,000
28. Other Agency In-Kind Amount			$0
29. Total Project Cost		$10,000	$10,000

30. Fiscal Information

Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
683/40108		1314	BR	11R0X69	ZZZME3	0			9,532
683/40108		1314	BR	11R0Z69	ZZZME3	0			468
									10,000

Part II - Approved Budget

EPA IAG Identification Number
RW-41-92389401 - 0

31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel		$9,532		$9,532
(b) Fringe Benefits				$0
(c) Travel				$0
(d) Equipment				$0
(e) Supplies				$0
(f) Procurement / Assistance				$0
(g) Construction				$0
(h) Other				$0
(i) Total Direct Charges	$0	$9,532	$0	$9,532
(j) Indirect Costs:	$0	$468		$468
Charged - Amount Rate: 4.91% Base: $ Not Charged: Funds-In: Not charged by EPA Amount $				
(k) Total (EPA Share %) (Other Agency Share %)	$0	$10,000	$0	$10,000

32. How was the IDC Base calculated?

33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes ☒ No
(Identify all equipment costing $1,000 or more)

34. Are any of these funds being used on Procure/Assistance agreements? ☐ Yes ☒ No

Type of Procure/Assistance Agreement

Contractor/Recipient Name (if known)	Total Procure/Assistance Amount Under This Project	Percent Funded by EPA (if known)
	Total $ 0.00	

Part III - Funding Methods and Billing Instructions

35. **(Note: EPA Agency Location Code (ALC) - 68010727)**

☐ Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:
☐ Repayment	☐ Monthly ☐ Quarterly ☐ Upon Completion of Work
☐ Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.
☐ Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

36. ☒ Reimbursement Agreement ☒ Repayment ☐ Advance
☐ Allocation Transfer-In

Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency
41-00-0001	

Part IV - Acceptance Conditions

EPA Identification Number

RW-41-92389401 - 0

37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.

Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC East 1200 Pennsylvania Avenue, NW Mail code 3903R Washington, DC 20460	**39. Organization/Address** US Environmental Protection Agency OA - Office of the Administrator 1200 Pennsylvania Ave, NW Washington, DC 20460

Award Official on Behalf of the Environment Protection Agency

40. Digital signature applied by EPA Award Official | FOR Frank N. Roth - Chief Fellowship IA & SEE Branch Michelle Messick - AO delegate	Date 09/30/2013

Authorizing Official on Behalf of the Other Agency

41. Signature	Typed Name and Title	Date
	See attached signed MOU.	09/16/2013

Administrative Conditions

1. **Resolution of Disagreements**

Should disagreements arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement or interpretation is not reached within 30 days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.

If a dispute related to funding remains unresolved for more than 30 calendar days after the parties have engaged in an escalation of the dispute, disputes will be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume I, Part 2, Chapter 4700, Appendix 10, available at http://www.fms.treas.gov/tfm/index.html.

2. **Cost Collection Upon Cancellation**

If the IA recipient cancels the agreement, the Environmental Protection Agency is authorized to collect costs incurred prior to the cancellation of the agreement, plus termination costs, up to the total payment amount provided for under the agreement.

RECEIVED BY OALJ
2013 SEP 23 P. 4:51

MEMORANDUM OF UNDERSTANDING BETWEEN THE ENVIRONMENTAL PROTECTION AGENCY AND THE U. S. MERIT SYSTEMS PROTECTION BOARD

The Environmental Protection Agency (EPA) hereby enters into an agreement for the temporary assignment of a designated Administrative Law Judge (ALJ), Judge M. Lisa Buschmann, to serve as an ALJ for the U.S. Merit Systems Protection Board (MSPB) in the matter of *Kelly Stephen Jennings v. Social Security Administration*, AT-4324-11-0442-I-1, which is currently pending before Judge Buschmann.

1. Purpose

To provide MSPB with an Administrative Law Judge (ALJ) to hear the above-referenced case. The EPA Chief Administrative Law Judge will serve as the primary point of contact for ALJ services.

2. Authority

The parties are authorized to enter into this agreement for the provision of adjudicatory services by the Economy Act, 31 U.S.C. § 5335. In addition, the Office of Personnel Management (OPM) has approved the MSPB's request for the temporary, intermittent, and reimbursable detail of EPA ALJs to hear cases identified in section 3 of this agreement. (See OPM letter attached as Exhibit 1).

3. Scope of Work

The assigned ALJ will perform all necessary duties to adjudicate the above-referenced case.

4. Duration, Extension, and Termination of Assignments

a. ALJ services will be provided on a reimbursable basis from October 1, 2013, through September 30, 2014, or until adjudication of the above-referenced case has been completed, whichever comes first, subject to availability of funds and as provided for in the OPM letter attached as Exhibit 1 to this agreement, and incorporated herein as reference.

b. Either party may terminate this agreement by giving reasonable notice in writing. In the event that either party wishes to terminate this agreement, both parties will come to a mutually agreed upon date of termination.

c. This agreement is premised on the ability of Judge Buschmann to incorporate the adjudication of the above-referenced case into her regular workload.

5. Reimbursement Provisions

Invoices for ALJ services will be submitted to the MSPB monthly or quarterly at the EPA's discretion. Costs should be listed separately as salary/expenses, travel, and other related costs.

a. Services and Expenses. The actual salary and benefits rates of the ALJ and support staff will be used in the calculation of costs.

b. Travel Expenses. Will be reimbursed in accordance with the current Federal Travel Regulations.

c. Other related costs. Other related costs incurred by the EPA during the performance of ALJ services should be detailed.

d. Hearing locations. Once the assigned ALJ has determined a hearing date and the anticipated length of the hearing, the MSPB Office of the Clerk of the Board, with assistance from MSPB Regional/Field offices, will make appropriate arrangements for a hearing location. The MSPB point of contact for such matters is Molly Leckey. Molly can be reached at (202) 254-4457, or Molly.Leckey@mspb.gov .

e. Court reporting services. MSPB will arrange for court reporting services for all hearings held by the assigned ALJ. Court reporting services may be requested by the assigned ALJ for telephonic prehearing conferences or status conferences in complex matters and may be arranged in the discretion of the MSPB following consultation with the assigned ALJ. Costs for court reporting services will be billed directly to the MSPB.

f. Transcripts. The MSPB will arrange and pay for one original transcript of hearings conducted by the assigned ALJ. MSPB will maintain the original transcript in the official file and will provide an electronic version of the transcript to the assigned ALJ. Transcripts will be processed under the standard processing time provided by the MSPB's contracted court reporter, and costs will be billed directly to the MSPB. If either party to an ALJ-assigned matter wishes to obtain expedited processing of a transcript, such party may request and pay for expedited processing by contacting the court reporter directly.

g. Billing Address. EPA will bill MSPB through the Inter-agency Payment and Collection System (IPAC) using the following Agency Location Code (ALC): **41-00-0001.** Attachment A to this MOU provides additional information.

h. Other administrative support. The MSPB Case Processing Liaison is available to answer questions concerning MSPB procedures and assist with the issuance of Orders. The assigned

ALJ is responsible for drafting orders, researching legal questions, arranging telephonic conferences, and performing all adjudicatory functions.

6. Case Processing Goals

EPA and MSPB recognize that the parties to cases adjudicated under this agreement are entitled to prompt issuance of a decision. To that end, EPA and MSPB agree to work together to streamline the adjudication process wherever possible.

7. Contacts

Court Reporter Arrangements

U.S. Merit Systems Protection Board
Office of the Clerk of the Board
1615 M Street, NW
Washington, DC 20419

Molly Leckey
(202) 254-4457

FOIA/Privacy Act Liaison

U.S. Merit Systems Protection Board
Office of the Clerk of the Board
1615 M Street, NW
Washington, DC 20419

Molly Leckey
(202) 254-4457

Note: The Board keeps the records in its appeals in a system of records subject to The Privacy Act of 1974, 5 U.S.C. § 552a. The records are part of a system of records entitled "Appeal and Case Records" announced by the Board in 61 Fed. Reg. 33946, July 1, 1996. An MSPB case file does not constitute a public record because of its coverage under the Privacy Act. Only MSPB initial and final decisions in a case file are public records. Access to MSPB case files is controlled in accordance with the law to protect the privacy interests of the subjects and integrity of the files.

Case Processing Liaison

U.S. Merit Systems Protection Board
Office of the Clerk of the Board
1615 M Street, NW
Washington, DC 20419

Molly Leckey
(202) 254-4457
Jennifer Everling (backup)
(202) 254-4471

Billing Information

U.S. Environmental Protection Agency
Accountant

Washington, DC 20580

Ms. Carol J. (Owens) Goetz
(513) 487-2117
(513) 487-2063 (fax)

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

Human Resources
Solutions

SEP 10 2013

Loan No.: 2011-08E
Expiration date: 09-30-14

Mr. William D. Spencer
Clerk of the Board
U.S. Merit Systems Protection Board
Office of the Clerk of the Board
1615 M Street, NW
Washington, DC 20419-0002

Dear Mr. Spencer:

This responds to your letter dated September 5, 2013, concerning your need to continue the intermittent and reimbursable detail of an Administrative Law Judge (ALJ) to preside over the following matter:

- Kelly Stephen Jennings v. Social Security Administration, AT-4324-11-0442-I-1, USERRA Appeal

Under authority of 5 U.S.C. § 3344 and 5 CFR 930.208 and with the consent of the loaning agency, the Environmental Protection Agency (EPA), I hereby approve the continuation of this loan into FY 2014.

As before, please send us a letter or notice informing us of the completion of the cases when such occurs.

Sincerely,

Joseph S. Kennedy
Associate Director
Human Resources Solutions

cc: Hon. Susan Biro, Chief ALJ, EPA
Personnel, EPA

Exhibit 1

Additional information for Memorandum of Understanding

MSPB and EPA

Temporary assignment of Administrative Law Judges to hear cases within MSPB's jurisdiction.

USCG to IPAC MSPB

MSPB ALC: 41-00-0001

MSPB DUNS Number: 01-5908424

EIN: 54-2082140

Accounting: MSP0100DA1415XX Cost Center: MSP1200000000000 BOAC 253001

Amount: $10,000 (may be increased based on agency need)

Period of Performance: 1 October 2013 – 30 September 2014

POC for Financial: Sean Donohue, Budget Officer, 202-254-4409

Email: Sean.Donohue@mspb.gov

Attachment A

Merit Systems Protection Board
Office of Financial and Administrative Management
1615 M Street, NW, Suite 500
Washington, DC 20419

Mr. Sean Donohue
(202) 254-4409

SIGNATURES:

Kevin Nash, Acting Director
Financial and Administrative Management
U.S. Merit Systems Protection Board

Date 9/16/13

Susan Biro
Chief Administrative Law Judge
Environmental Protection Agency

Date 9/26/13

Michelle Mulvick for
Francis Roth, Chief
Fellowship, IA and SEE Branch
Grants and IA Management Division
Environmental Protection Agency

Date 9/30/13