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AFGE

MEMORANDUM OF UNDERSTANDING

The FLRA has certified the American Federation of Government Employees (AFGE) as the Union representing a bargaining unit of eligible employees in the U.S. Immigration and Customs Enforcement (ICE) and a bargaining unit of eligible employees in the U.S. Citizenship and Immigration Service (CIS). The undersigned parties to the agreement recognize that we have transitioned from a single unit to these two separately certified bargaining units.

The parties recognize that the terms and conditions of the collective bargaining agreement, between the named predecessors the U.S. Immigration and Naturalization Service (INS) and the National Immigration and Naturalization Service Council (NINSC) signed on June 8, 2000, also known as Agreement 2000, remain in effect and will be considered applicable, separately, upon the parties in accordance with relevant law.

The parties also agree that the following technical modifications to Agreement 2000 will provide for (1) the recognition of the new Bargaining Councils to be expeditiously established by AFGE for the respective bargaining units; and (2) the recognition of designated or elected unit representatives, from each respective bargaining unit to carry out the representational responsibilities for matters above the local level. Such initial designations will be made by AFGE not later than October 25, 2006.

In recognition of the aforementioned, the parties agree to modify the Collective Bargaining Agreement as outlined below. These modifications shall not create any precedent or past practice and shall remain in effect until replaced by a new contract or otherwise modified or extended by mutual consent of the parties. The sole intent of these modifications is to assist the parties with transitioning to two new and separate collective bargaining agreements under the recent unit certifications for ICE and CIS.

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Article 1 - Recognition

Bargaining Unit

(The first paragraph is deleted and the following inserted.)

In accordance with the separate FLRA certifications, the agencies recognize the American Federation of Government Employees (AFGE) and its designated representatives, including an AFGE Council for ICE (Council 118) and an AFGE Council for CIS (Council 119), as the bargaining agent(s) for the respective units.

Article 7 - Use of Official Time

Section B (1-5 deleted and reads as follows): (1) Each Agency agrees to recognize and provide Block Time (100% official time) for no more than four representatives (one named as Lead Representative and three others) for each of the agencies. AFGE agrees that the four representatives on Block Time for ICE will be ICE employees and the four representatives on Block Time for CIS will be CIS employees, and that these eight representatives are only entitled to use this official time to represent the bargaining unit of which they are a member. Item (6) is renumbered to (2).

Article 49 - Renegotiation

Recognizing that negotiating an initial master agreement for each of the two units for the two different agencies is different than simply renegotiating the INS agreement of prior years, the parties agree to the following:

Irrespective of what Article 49 currently provides, AFGE and/or its Councils shall meet at a mutually agreed upon time with each agency separately to negotiate ground rules for contract negotiations in the near future. These ground rules will address when the parties will exchange initial contract proposals, when contract

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negotiations will begin, the numbers of attendees on official time for the negotiations, travel and per diem for negotiations and any other ground rule issues.

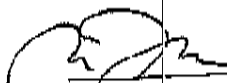
It is the will of the parties that ground rules negotiations for ICE will commence no later than November 13, 2006, and be concluded expeditiously, but no later than December 1, 2006 (barring any disputes). It is the will of the parties that ground rules negotiations for CIS will commence no later than December 4, 2006, and be concluded expeditiously, but no later than December 22, 2006 (barring any disputes).

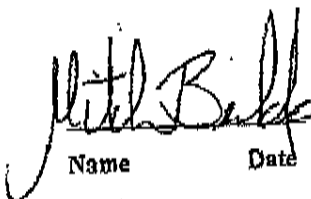
It is the will of the parties that full contract negotiations will begin in January 2007 for both units. The parties also agree that negotiations on all issues be concluded as expeditiously as practicable.

Signature for ICE

Signature for CIS

Signature for AFGE

 10/10/06
Name Date

 10/5/06
Name Date

 10/5/06
Name Date

DEPUTY DIRECTOR,
HUMAN CAPITAL 10/10/06
Position Date

CHIEF, LER 10/5/06
Position Date

Director, Field Services
Position Date