Modification No. 0002 extends the period of performance as follows:

ITEM 10, PERIOD OF PERFORMANCE, is extended through September 30, 2011.

The total amount of this agreement is not changed.
**NAME OF OFFEROR OR CONTRACTOR**
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

**ITEM NO.** | **SUPPLIES/SERVICES** | **QUANTITY** | **UNIT PRICE** | **AMOUNT**
--- | --- | --- | --- | ---
(A) | (B) | (C) | (D) | (E)

Discount Terms: Net 30

Payment:
CONSUMER PRODUCT SAFETY COMMISSION
DIVISION OF FINANCIAL SERVICES
4330 EAST WEST HWY
ROOM 522
BETHESDA MD 20814

FOB: Destination

Period of Performance: 09/01/2009 to 09/30/2011

Change Item 0001 to read as follows: (amount shown is the obligated amount):

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Vendor</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0001</td>
<td>NIST-BFRF</td>
<td>Laboratory</td>
<td>1 EA</td>
<td>400,000.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Performance Evaluations of Fire Safety Components Exposed to Emissions from Imported Drywall:

Vendor:
NIST-BFRF
Jason Averill
Phone: 301-975-2585

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
MEMORANDUM FOR: Julie A. Weiblinger  
Receivables Manager  
National Institute of Standards and Technology

FROM: Barbara S. Fredericks  
Assistant General Counsel for Administration

SUBJECT: Second Modification to an Agreement between NIST and the CPSC  
(Agreement No. CPSC-1-09-0024, Tracking No. 355)

This provides clearance for the attached second modification to an existing agreement between the National Institute of Standards and Technology (NIST) and the Consumer Product Safety Commission (CPSC). Modification Two is a no-cost time extension. The agreement, which transferred $400,000 to NIST for performance evaluations of fire safety components exposed to drywall emissions, had a termination date of September 18, 2009, which was extended to September 1, 2010 by Modification One. The end-product will be a report of NIST’s findings. The agreement becomes effective when signed by the parties and terminates on September 30, 2011.

The agreement is proper pursuant to the Consumer Product Safety Act, 15 U.S.C. § 2078(d), which states:

The Commission shall, to the maximum extent practicable, utilize the resources and facilities of the National Institute of Standards and Technology, on a reimbursable basis, to perform research and analyses related to risks of injury associated with consumer products (including fire and flammability risks), to develop test methods, to conduct studies and investigations, and to provide technical advice and assistance in connection with the functions of the Commission.

NIST possesses programmatic authority to conduct the requested work pursuant to 15 U.S.C. § 278f, which authorizes NIST to conduct basic and applied fire research.

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1 We did not initially review the underlying agreement or the first modification, but have reviewed these documents as part of clearance of Modification 2.

2 Although CPSC transferred one-year funds that expired on September 30, 2009, CPSC considers the research non-severable and has determined that it would not receive a benefit without the final report evaluating and assessing the research. Accordingly, CPSC has established a bona fide need for use of Fiscal Year 2009 one-year funds for research that extends into Fiscal Year 2011.
If you have any questions about this matter, please contact Judith Means of my staff at (202) 482-0387.

Attachment