

COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-14-2-1021

Project Name/Description and Location: ANG Facilities Operations and Maintenance Activities

Modification Number: P00001

ISSUED BY:

NATIONAL GUARD BUREAU

ISSUED TO:

THE STATE OF NEW YORK

This modification is issued pursuant to the Authorities, 31 U.S.C. Chapter 63; MCA and Appendices Article VII, Sect 703; MCCA Article XII, Sect 1201 of the basic cooperative agreements. Mark purpose and obtain signatures as appropriate IAW NGR 5-1, Chapter 3.

- a. FUNDING
- b. TERMS AND CONDITIONS
- c. TERMINATION
- d. OTHER ADMINISTRATIVE

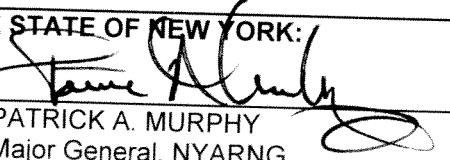
DESCRIPTION OF MODIFICATION:

1. JUSTIFICATION: Request that a Modification be issued to open Appendix 1021, ANG Facilities Operations and Maintenance Activities, of the Master Cooperative Agreement for Fiscal Year 2014.
2. This Appendix, W912PQ-14-2-1021, is hereby extended for Fiscal Year 2014. The effective date is 01 October 2013 and the termination date is 30 September 2014.
3. The Appendix number W912PQ-13-2-1021 is changed to read W912PQ-14-2-1022 for FY2014.
4. The Estimated Costs-AFP (Federal) is established at \$7,176,190.00.
5. The Maximum Funding Limitation (Federal) is \$0.00.
6. The Estimated Costs-AFP (State) is established at \$2,119,536.00.
7. The Maximum Funding Limitation (State) is \$0.00.
8. See attached request/validation comparisons for 2013/2014 from NGB.
9. FY2014 funding for this modification is authorized pursuant to HR2775, as enacted, Section 116. Funding is authorized to the Grantee for reimbursement of expenses incurred for 1) compensation of furloughed employees during the period of a lapse in Federal appropriations and, 2) expenses incurred by the Grantee that would have been paid by the Federal Government during that period had appropriations been available. HR2775, as enacted, Section 116 in its entirety is attached and incorporated by reference. Reimbursement of authorized, allowable expenses retroactive to 1 Oct 13 is authorized.
10. As FY2014 budgets are approved by NGB, program managers will add funding to the Appendix by separate modification, which is subject to the availability of funds.

EXECUTION

Except as provided herein, all terms and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect.
IN WITNESS WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

BY: 
PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

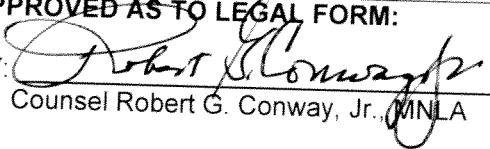
Date: 30 Oct 13

NATIONAL GUARD BUREAU:

BY: 
LAWRENCE J. ASHLEY
Colonel, USA
USPFO for New York

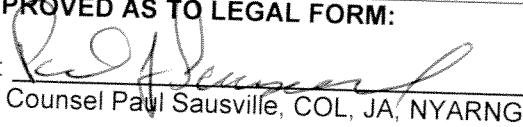
Date: 4 Nov 13

APPROVED AS TO LEGAL FORM:

BY: 
Counsel Robert G. Conway, Jr., MNLA

Date: 30 Oct 2013

APPROVED AS TO LEGAL FORM:

BY: 
Counsel Paul Sausville, COL, JA, NYARNG

Date: 29 Oct 2013

**MODIFICATION REQUIREMENTS FOR AIR GUARD FY-14
AIR BASE O&M AGREEMENT
CONTRACT NUMBER W912PQ-14-2-1021
MOD 1**

**AS OF:
10/21/2013**

| LOCATION | CURRENT MOD # PERCENTAGE | CURRENT ALLOCATION | CHANGE +/- | REVISED ALLOCATION |
|-----------------------------------|-----------------------------|-----------------------|---------------------|-----------------------|
| GABRESKI | 100% FEDERAL | 167,926.00 | | 167,926.00 |
| | 75% FEDERAL SRM | 409,117.00 | | 409,117.00 |
| | 75% FEDERAL | 1,035,073.00 | | 1,035,073.00 |
| | TOTAL FEDERAL | 1,612,116.00 | | 1,612,116.00 |
| | 25% STATE SRM | 136,372.33 | - | 136,372.33 |
| | 25% STATE | 345,024.33 | - | 345,024.33 |
| | GRAND TOTAL | 2,093,512.67 | - | 2,093,512.67 |
| AFP: | \$1,612,116.00 | | | 2,093,512.67 |
| HANCOCK | 100% FEDERAL | 135,470.00 | | 135,470.00 |
| | 75% FEDERAL SRM | 282,972.00 | | 282,972.00 |
| | 75% FEDERAL | 989,183.00 | | 989,183.00 |
| | TOTAL FEDERAL | 1,407,625.00 | | 1,407,625.00 |
| | 25% STATE SRM | 94,324.00 | - | 94,324.00 |
| | 25% STATE | 329,727.67 | - | 329,727.67 |
| | GRAND TOTAL | 1,831,676.67 | - | 1,831,676.67 |
| FORT DRUM | 100% FEDERAL | 57,323.00 | | 57,323.00 |
| | 100% FEDERAL SRM | 1,605.00 | | 1,605.00 |
| | TOTAL FEDERAL | 58,928.00 | | 58,928.00 |
| | GRAND TOTAL | 58,928.00 | | 58,928.00 |
| AFP: | \$1,407,625 | FT DRUM AFP: | 58,928.00 | 58,928.00 |
| NIAGARA FALLS | 100% FEDERAL | 156,178.00 | | 156,178.00 |
| | 75% FEDERAL SRM | 247,276.00 | | 247,276.00 |
| | 75% FEDERAL | 446,676.00 | | 446,676.00 |
| | TOTAL FEDERAL | 850,130.00 | | 850,130.00 |
| | 25% STATE SRM | 82,425.33 | - | 82,425.33 |
| | 25% STATE | 148,892.00 | - | 148,892.00 |
| | GRAND TOTAL | 1,081,447.33 | - | 1,081,447.33 |
| AFP: | \$850,130 | | | 1,081,447.33 |
| STRATTON | 100% FEDERAL | 156,088.00 | | 156,088.00 |
| | 75% FEDERAL SRM | 432,701.00 | | 432,701.00 |
| | 75% FEDERAL | 643,756.00 | | 643,756.00 |
| | TOTAL FEDERAL | 1,232,545.00 | | 1,232,545.00 |
| | 25% STATE SRM | 144,233.67 | - | 1,232,545.00 |
| | 25% STATE | 214,585.33 | - | 144,233.67 |
| | GRAND TOTAL | 1,591,364.00 | - | 214,585.33 |
| AFP: | \$1,232,545.00 | | | 1,591,364.00 |
| STEWART | 100% FEDERAL | 142,992.00 | | 142,992.00 |
| | 75% FEDERAL SRM | 555,030.00 | | 555,030.00 |
| | 75% FEDERAL | 1,316,824.00 | | 1,316,824.00 |
| | 75%FEDERAL SIMULATOR | - | | - |
| | TOTAL FEDERAL | 2,014,846.00 | | 2,014,846.00 |
| | 25% STATE SRM | 185,010.00 | - | 2,014,846.00 |
| | 25%STATE SIMULATOR | - | - | 185,010.00 |
| 25% STATE | 438,941.33 | - | - | |
| GRAND TOTAL | 2,638,797.33 | - | 438,941.33 | |
| AFP: | \$2,014,846 | | | 2,638,797.33 |
| GRAND TOTAL ALL BASES) | 100% FEDERAL | 815,977.00 | | 815,977.00 |
| | 75% FEDERAL SRM | 1,927,096.00 | | 1,927,096.00 |
| | 75% FEDERAL | 4,431,512.00 | | 4,431,512.00 |
| | 100% FEDERAL SIMULATOR | - | | - |
| | TOTAL FEDERAL | 7,176,190.00 | | 7,176,190.00 |
| | 25% STATE SRM | 642,365.33 | - | 7,176,190.00 |
| | 25% STATE SIMULATOR | - | - | 642,365.33 |
| 25% STATE | 1,477,170.67 | - | - | |
| GRAND TOTAL | 9,295,726.00 | - | 1,477,170.67 | |
| Includes Ft. Drum | | | | 9,295,726.00 |

AFP TOTAL:

\$7,176,190.00

State Total

2,119,536.00

Request/Validation Comparisons for 2013 - 2014

NY G3 Francis S. Gabreski Airport
Install Code: NKVB0

| FinPlan FEIC | Accounting FEIC | 2013 | | 2014 | | Change in Requested | | Change in Validated | |
|----------------------|--------------------|--------------------|--------------------|--------------------|----------------------|--------------------------|---------------------------|--------------------------|---------------------------|
| | | Requested | Validated | Requested | Validated | Amount 2014 - 2013 | Percent 2014 / 2013 | Amount 2014 - 2013 | Percent 2014 / 2013 |
| 473 = 473 | | \$3,640 | \$3,354 | \$3,879 | ✓ \$3,624 | \$39 | 1.07 | \$270 | 8.05 |
| 480XX = 480XX | | \$856,224 | \$763,411 | \$683,776 | ✓ \$683,228 | (\$192,448) | (22.48) | (\$100,183) | (13.13) |
| 531 = 570F8 | | \$75,000 | \$75,000 | \$0 | \$0 | (\$75,000) | N/A | (\$75,000) | N/A |
| 533XX = 570F3-F9 | | \$25,477 | \$23,481 | \$157,003 | ✓ \$34,365 | \$131,528 | 516.25 | \$10,884 | 46.35 |
| 57020 = 570F3-F9 | | \$247,404 | \$247,404 | \$326,267 | \$296,506 | \$78,863 | 31.87 | \$49,102 | 19.84 |
| 57020B = 570F9 | | \$77,510 | \$71,248 | \$91,160 | ✓ \$81,911 | \$13,650 | 17.61 | \$10,663 | 14.96 |
| 57020C = 570F9 | | \$73,805 | \$73,805 | \$86,692 | ✓ \$86,015 | \$12,887 | 17.46 | \$12,210 | 16.54 |
| 57090 = 570F3-F9 | | \$6,400 | \$6,400 | \$9,600 | ✓ \$9,600 | \$3,200 | 50.00 | \$3,200 | 50.00 |
| 57090B = 570F9 | | \$1,000 | \$1,000 | \$0 | \$0 | (\$1,000) | N/A | (\$1,000) | N/A |
| 57090D = 570F9 | | \$1,000 | \$0 | \$0 | \$0 | (\$1,000) | N/A | \$0 | N/A |
| 619XX = 619/570F3-F9 | | \$24,375 | \$24,375 | \$27,750 | ✓ \$27,750 | \$3,375 | 13.84 | \$3,375 | 13.84 |
| Totals | | \$1,391,835 | \$1,289,478 | \$1,365,927 | \$1,202,999 ✓ | (\$25,908) | (1.87) | (\$86,479) | (6.71) |
| SRM | | | | | | | | | |
| 533XX = 52103 | | \$149,116 | \$146,836 | \$209,432 | ✓ \$193,988 | \$60,316 | 40.44 | \$47,152 | 32.11 |
| 57020 = 52103 | | \$100,695 | \$100,695 | \$165,607 | ✓ \$165,607 | \$64,912 | 64.46 | \$64,912 | 64.46 |
| 57090 = 52103 | | \$3,200 | \$3,200 | \$4,800 | ✓ \$4,800 | \$1,600 | 50.00 | \$1,600 | 50.00 |
| 619XX = 43043 | | \$48,413 | \$42,716 | \$45,828 | ✓ \$44,722 | (\$2,585) | (5.34) | \$2,004 | 4.69 |
| Totals | | \$301,424 | \$293,449 | \$425,667 | \$409,117 ✓ | \$124,243 | 41.21 | \$115,668 | 39.41 |
| FIRE | | | | | | | | | |
| 57040 = 570F1 | | \$1,979,586 | \$1,836,369 | \$1,603,960 | \$1,603,960 | (\$375,626) | (18.98) | (\$232,409) | (12.66) |
| 57090 = 570F1 | | \$60,000 | \$60,000 | \$77,500 | \$59,500 | \$17,500 | 29.16 | (\$500) | (0.84) |
| Totals | | \$2,039,586 | \$1,896,369 | \$1,681,460 | \$1,663,460 | (\$358,126) | (17.56) | (\$232,909) | (12.29) |
| ENVIRONMENTAL | | | | | | | | | |
| 57070 = 5703A | | \$62,375 | \$62,400 | \$64,935 | \$60,625 | \$2,560 | 4.10 | (\$1,775) | (2.85) |
| 57090 = 5703A | | \$3,994 | \$4,000 | \$2,775 | \$2,775 | (\$1,219) | (30.52) | (\$1,225) | (30.83) |
| Totals | | \$66,369 | \$66,400 | \$67,710 | \$63,400 ✓ | \$1,341 | 2.02 | (\$3,000) | (4.52) |
| SERVICES | | | | | | | | | |
| Totals | | | | | | | | | |

Request/Validation Comparisons for 2013 - 2014

NY G6 Hancock Field Syracuse
Install Code: HAAW0

| FinPlan FFIC | Accounting FFIC | 2013 | | 2014 | | Change in Requested | | Change in Validated | | |
|----------------------|--------------------|--------------------|--------------------|--------------------|---------------------|---------------------|----------------|---------------------|----------------|--|
| | | Requested | Validated | Requested | Validated | 2014 - 2013 | 2014 / 2013 | 2014 - 2013 | 2014 / 2013 | |
| 000RR = 000RR | | \$0 | \$0 | \$0 | \$0 | \$0 | N/A | \$0 | N/A | |
| 471 = 471 | | \$18,200 | \$0 | \$18,200 | ✓\$18,200 | \$0 | 0.00 | \$18,200 | N/A | |
| 473 = 473 | | \$3,855 | \$3,855 | \$3,948 | ✓\$3,705 | \$93 | 2.41 | (\$150) | (3.90) | |
| 480XX = 480XX | | \$569,700 | \$569,700 | \$518,424 | ✓\$514,388 | (\$53,278) | (9.38) | (\$55,334) | (9.72) | |
| 531 = 570F8 | | \$23,250 | \$23,250 | \$29,733 | ✓\$23,250 | \$6,483 | 27.88 | \$0 | 0.00 | |
| 533XX = 570F3-F9 | | \$38,237 | \$38,237 | \$42,838 | ✓\$37,188 | \$4,399 | 11.50 | (\$1,051) | (2.75) | |
| 57020 = 570F3-F9 | | \$402,037 | \$318,827 | \$354,278 | ✓\$354,278 | (\$47,761) | (11.88) | \$37,649 | 11.89 | |
| 57020B = 570F9 | | \$74,879 | \$63,816 | \$79,560 | ✓\$67,990 | \$4,681 | 6.25 | \$4,174 | 6.54 | |
| 57020C = 570F9 | | \$71,099 | \$61,513 | \$78,440 | ✓\$67,480 | \$5,341 | 7.51 | \$5,967 | 9.70 | |
| 57090 = 570F3-F9 | | \$12,800 | \$12,800 | \$11,200 | ✓\$11,200 | (\$1,800) | (12.50) | (\$1,800) | (12.50) | |
| 57090B = 570F9 | | \$3,000 | \$2,000 | \$2,000 | ✓\$2,000 | (\$1,000) | (33.34) | \$0 | 0.00 | |
| 619XX = 619/570F3-F9 | | \$51,608 | \$51,608 | \$27,000 | ✓\$27,000 | (\$24,608) | (47.69) | (\$24,608) | (47.69) | |
| Totals | | \$1,268,665 | \$1,143,408 | \$1,159,417 | ✓\$1,124,653 | (\$107,248) | (8.47) | (\$18,753) | (1.65) | |
| SRM | | | | | | | | | | |
| 000RR = 000RR | | \$0 | \$0 | \$0 | \$0 | \$0 | N/A | \$0 | N/A | |
| 533XX = 52103 | | \$38,342 | \$38,342 | \$31,584 | ✓\$29,642 | (\$8,758) | (17.63) | (\$8,700) | (22.70) | |
| 57020 = 52103 | | \$214,461 | \$294,218 | \$238,680 | ✓\$238,680 | \$24,219 | 11.29 | (\$55,538) | (18.88) | |
| 57090 = 52103 | | \$8,400 | \$8,400 | \$8,400 | ✓\$8,400 | \$0 | 0.00 | \$0 | 0.00 | |
| 619XX = 43043 | | \$25,500 | \$25,500 | \$8,250 | ✓\$8,250 | (\$17,250) | (67.65) | (\$17,250) | (67.65) | |
| Totals | | \$284,703 | \$364,460 | \$284,914 | ✓\$282,972 | \$211 | 0.07 | (\$81,488) | (22.38) | |
| FIRE | | | | | | | | | | |
| 57040 = 570F1 | | \$752,894 | \$752,900 | \$688,303 | \$684,538 | (\$84,591) | (11.24) | (\$88,362) | (11.74) | |
| 57090 = 570F1 | | \$33,550 | \$29,600 | \$27,000 | \$23,500 | (\$8,550) | (19.53) | (\$8,100) | (20.61) | |
| Totals | | \$786,444 | \$782,500 | \$695,303 | \$688,038 | (\$91,141) | (11.59) | (\$94,462) | (12.08) | |
| ENVIRONMENTAL | | | | | | | | | | |
| Totals | | | | | | | | | | |
| SERVICES | | | | | | | | | | |
| Totals | | | | | | | | | | |

Request/Validation Comparisons for 2013 - 2014

NY G6 Fort Drum Military Reservation
Install Code: FPBB0

| FinPlan FEIC | Accounting FEIC | 2013 | | 2014 | | Change in Requested Amount Percent | | Change in Validated Amount Percent | |
|----------------------|--------------------|-----------|-----------|-----------|------------|---------------------------------------|----------------|---------------------------------------|----------------|
| | | Requested | Validated | Requested | Validated | 2014 - 2013 | 2014 / 2013 | 2014 - 2013 | 2014 / 2013 |
| 473 = 473 | | \$248 | \$104 | \$252 | ✓ \$104 | | | | |
| 480XX = 480XX | | \$89,071 | \$60,791 | \$81,250 | ✓ \$55,714 | \$8 | 2.43 | \$0 | 0.00 |
| 531 = 570F8 | | \$0 | \$0 | \$4,100 | ✓ \$0 | (\$27,821) | (31.24) | (\$5,077) | (8.38) |
| 533XX = 570F3-F9 | | \$1,725 | \$725 | \$1,782 | ✓ \$728 | \$4,100 | N/A | \$0 | N/A |
| 609XX = 609/570F3-F9 | | \$2,497 | \$777 | \$2,497 | ✓ \$777 | \$37 | 2.14 | \$3 | 0.41 |
| Totals | | \$93,539 | \$82,397 | \$89,861 | ✓ \$57,323 | \$0 | 0.00 | \$0 | 0.00 |
| SRM | | | | | | (\$23,878) | (25.32) | (\$5,074) | (6.14) |
| 533XX = 52103 | | \$1,972 | \$828 | \$2,014 | ✓ \$828 | | | | |
| 609XX = 52103 | | \$1,200 | \$777 | \$1,200 | ✓ \$777 | \$42 | 2.12 | \$0 | 0.00 |
| Totals | | \$3,172 | \$1,605 | \$3,214 | ✓ \$1,605 | \$0 | 0.00 | \$0 | 0.00 |
| FIRE | | | | | | \$42 | 1.32 | \$0 | 0.00 |
| Totals | | | | | | | | | |
| ENVIRONMENTAL | | | | | | | | | |
| Totals | | | | | | | | | |
| SERVICES | | | | | | | | | |
| Totals | | | | | | | | | |

Request/Validation Comparisons for 2013 - 2014

NY G4 Niagara Falls International Airport
Install Code: RVKQ0

| FinPlan FEIC | Accounting FEIC | 2013 | | 2014 | | Change in Requested Amount Percent | | Change in Validated Amount Percent | |
|----------------------|--------------------|-----------|-----------|-----------|-------------|---------------------------------------|----------------|---------------------------------------|----------------|
| | | Requested | Validated | Requested | Validated | 2014 - 2013 | 2014 / 2013 | 2014 - 2013 | 2014 / 2013 |
| 473 = 473 | | \$1,828 | \$1,448 | \$1,054 | ✓ \$1,293 | | | | |
| 480XX = 480XX | | \$167,335 | \$187,338 | \$163,508 | ✓ \$148,821 | TSU (\$774) | (42.35) | (\$155) | (10.71) |
| 533XX = 570F3-F9 | | \$12,794 | \$10,138 | \$7,381 | ✓ \$9,051 | TSU (\$5,413) | (42.31) | (\$20,715) | (12.38) |
| 57020 = 570F3-F9 | | \$400,505 | \$295,808 | \$277,881 | ✓ \$277,881 | TSU (\$122,844) | (30.68) | (\$1,085) | (10.71) |
| 57020B = 570F9 | | \$81,710 | \$72,100 | \$91,784 | ✓ \$80,202 | TSU \$10,074 | 12.32 | (\$18,145) | (6.14) |
| 57020C = 570F9 | | \$70,933 | \$67,500 | \$75,978 | ✓ \$75,978 | 100% \$5,043 | 7.10 | \$8,102 | 11.23 |
| 57030 = 5703J | | \$1 | \$1 | \$0 | \$0 | \$5,043 | 7.10 | \$8,478 | 12.55 |
| 57090 = 570F3-F9 | | \$12,800 | \$30,100 | \$9,800 | ✓ \$9,800 | (\$1) | N/A | (\$1) | N/A |
| 57090B = 570F9 | | \$4,000 | \$2,000 | \$2,500 | ✓ \$2,000 | (\$3,200) | (25.00) | (\$20,500) | (68.11) |
| 57090D = 570F9 | | \$500 | \$0 | \$2,500 | \$0 | (\$1,500) | (37.50) | \$0 | 0.00 |
| 619XX = 619/570F3-F9 | | \$8,375 | \$8,375 | \$0 | \$0 | \$2,000 | 400.00 | \$0 | N/A |
| 641 = 641 | | \$450 | \$450 | \$450 | ✓ \$450 | TSU (\$8,375) | N/A | (\$8,375) | N/A |
| Totals | | \$759,231 | \$853,252 | \$632,414 | ✓ \$802,854 | (\$128,817) | (18.71) | (\$50,398) | (7.72) |
| SRM | | | | | | | | | |
| 533XX = 52103 | | \$50,897 | \$47,659 | \$59,295 | ✓ \$48,419 | \$8,598 | 16.95 | (\$1,240) | (2.61) |
| 57020 = 52103 | | \$233,171 | \$178,578 | \$170,197 | ✓ \$170,197 | (\$82,974) | (27.01) | (\$8,379) | (3.62) |
| 57090 = 52103 | | \$4,800 | \$3,200 | \$4,800 | ✓ \$4,800 | \$0 | 0.00 | \$1,600 | 50.00 |
| 619XX = 43043 | | \$32,775 | \$22,585 | \$32,775 | ✓ \$25,880 | \$0 | 0.00 | \$3,275 | 14.50 |
| Totals | | \$321,443 | \$250,020 | \$287,067 | ✓ \$247,278 | (\$54,378) | (18.92) | (\$2,744) | (1.10) |
| FIRE | | | | | | | | | |
| Totals | | | | | | | | | |
| ENVIRONMENTAL | | | | | | | | | |
| 57070 = 5703A | | \$59,107 | \$59,100 | \$84,442 | \$59,709 | \$5,335 | 9.02 | \$609 | 1.03 |
| 57090 = 5703A | | \$2,350 | \$2,400 | \$2,730 | \$2,730 | \$380 | 16.18 | \$330 | 13.75 |
| Totals | | \$61,457 | \$61,500 | \$87,172 | \$62,439 | \$5,715 | 9.29 | \$939 | 1.52 |
| SERVICES | | | | | | | | | |
| Totals | | | | | | | | | |

Request/Validation Comparisons for 2013 - 2014

NY G5 Schenectady Municipal Airport
Install Code: VBDZ0

| FinPlan FEIC | Accounting FEIC | 2013 | | 2014 | | Change in Requested | | Change in Validated | |
|----------------------|--------------------|-------------|-------------|-------------|-------------|---------------------|----------------|---------------------|----------------|
| | | Requested | Validated | Requested | Validated | 2014 - 2013 | 2014 / 2013 | 2014 - 2013 | 2014 / 2013 |
| 473 = 473 | | \$3,515 | \$3,515 | \$3,521 | \$3,524 | \$6 | 0.17 | \$9 | 0.25 |
| 480XX = 480XX | | \$632,729 | \$272,703 | \$541,915 | \$335,171 | (\$90,814) | (14.36) | \$62,468 | 22.90 |
| 531 = 570F8 | | \$8,250 | \$8,250 | \$4,500 | \$4,500 | (\$3,750) | (45.46) | (\$3,750) | (45.46) |
| 533XX = 570F3-F9 | | \$24,605 | \$24,605 | \$24,650 | \$24,668 | \$45 | 0.18 | \$63 | 0.25 |
| 57020 = 570F3-F9 | | \$226,473 | \$228,473 | \$247,153 | \$248,493 | \$18,680 | 8.17 | \$18,020 | 7.88 |
| 57020B = 570F9 | | \$79,988 | \$72,772 | \$85,965 | \$78,697 | \$5,979 | 7.47 | \$5,925 | 8.14 |
| 57020C = 570F9 | | \$70,864 | \$70,864 | \$79,719 | \$77,391 | \$8,855 | 12.49 | \$6,527 | 9.21 |
| 57030 = 5703J | | \$37,500 | \$34,415 | \$37,500 | \$0 | \$0 | 0.00 | (\$34,415) | N/A |
| 57090 = 570F3-F9 | | \$8,400 | \$8,400 | \$8,400 | \$8,400 | \$0 | 0.00 | \$0 | 0.00 |
| 57090B = 570F9 | | \$8,500 | \$2,000 | \$2,500 | \$2,000 | (\$8,000) | (70.59) | \$0 | 0.00 |
| 57090D = 570F9 | | \$0 | \$0 | \$2,500 | \$0 | \$2,500 | N/A | \$0 | 0.00 |
| 619XX = 619/570F3-F9 | | \$19,275 | \$19,275 | \$21,000 | \$21,000 | \$1,725 | 8.94 | \$1,725 | 8.94 |
| 641 = 641 | | \$0 | \$0 | \$150 | \$0 | \$150 | N/A | \$0 | N/A |
| *Totals | | \$1,120,097 | \$743,272 | \$1,057,473 | \$799,844 | (\$62,624) | (5.60) | \$56,572 | 7.61 |
| SRM | | | | | | | | | |
| 533XX = 52103 | | \$48,870 | \$48,870 | \$33,422 | \$35,082 | (\$13,448) | (28.70) | (\$11,808) | (25.20) |
| 57020 = 52103 | | \$332,687 | \$332,687 | \$380,664 | \$360,664 | \$27,977 | 8.40 | \$27,977 | 8.40 |
| 57090 = 52103 | | \$9,800 | \$9,800 | \$9,800 | \$9,800 | \$0 | 0.00 | \$0 | 0.00 |
| 619XX = 43043 | | \$37,875 | \$37,875 | \$27,375 | \$27,375 | (\$10,500) | (27.73) | (\$10,500) | (27.73) |
| *Totals | | \$427,032 | \$427,032 | \$431,081 | \$432,701 | \$4,029 | 0.94 | \$5,669 | 1.32 |
| FIRE | | | | | | | | | |
| 57040 = 570F1 | | \$1,957,720 | \$1,830,100 | \$1,849,251 | \$1,839,520 | (\$108,470) | (5.55) | \$9,420 | 0.51 |
| 57090 = 570F1 | | \$70,190 | \$68,900 | \$69,190 | \$68,040 | (\$1,000) | (1.43) | (\$860) | (1.29) |
| Totals | | \$2,027,910 | \$1,897,000 | \$1,918,441 | \$1,905,560 | (\$109,470) | (5.40) | \$8,560 | 0.45 |
| ENVIRONMENTAL | | | | | | | | | |
| 57070 = 5703A | | \$55,783 | \$55,700 | \$63,012 | \$63,012 | \$7,229 | 12.95 | \$7,312 | 13.12 |
| 57090 = 5703A | | \$3,863 | \$3,870 | \$3,863 | \$3,863 | \$0 | 0.00 | (\$7) | (0.19) |
| Totals | | \$59,645 | \$59,570 | \$66,874 | \$66,875 | \$7,229 | 12.11 | \$7,305 | 12.26 |
| SERVICES | | | | | | | | | |
| Totals | | | | | | | | | |

pp
21

Request/Validation Comparisons for 2013 - 2014

NY G7 Stewart International Airport
Install Code: WHAY0

| FinPlan FFIC | Accounting FFIC | 2013 | | 2014 | | Change in Requested | | Change in Validated | |
|----------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-----------------------|------------------------|-----------------------|------------------------|
| | | Requested | Validated | Requested | Validated | Amount 2014 - 2013 | Percent 2014 / 2013 | Amount 2014 - 2013 | Percent 2014 / 2013 |
| 000AA = 000AA | | \$0 | \$955,652 | \$0 | \$0 | \$0 | N/A | (\$955,652) | N/A |
| 000RR = 000RR | | \$0 | \$0 | \$0 | \$0 | \$0 | N/A | \$0 | N/A |
| 473 = 473 | | \$6,574 | \$6,407 | \$4,664 | \$5,871 | (\$1,910) | (29.06) | (\$536) | (8.37) |
| 480XX = 480XX | | \$1,224,304 | \$689,013 | \$1,078,517 | \$911,454 | (\$145,787) | (11.91) | \$222,441 | 32.28 |
| 533XX = 570F3-F9 | | \$145,699 | \$79,349 | \$117,334 | \$75,595 | (\$28,365) | (19.47) | (\$3,754) | (4.74) |
| 57020 = 570F3-F9 | | \$338,248 | \$311,188 | \$318,725 | \$278,504 | (\$17,523) | (5.22) | (\$32,682) | (10.51) |
| 57020B = 570F9 | | \$75,937 | \$63,757 | \$82,012 | \$77,278 | \$6,075 | 8.00 | \$13,521 | 21.20 |
| 57020C = 570F9 | | \$75,937 | \$65,714 | \$77,875 | \$65,714 | \$1,938 | 2.55 | \$0 | 0.00 |
| 57090 = 570F3-F9 | | \$9,600 | \$9,600 | \$8,000 | \$8,000 | (\$1,600) | (16.67) | (\$1,600) | (16.67) |
| 57090B = 570F9 | | \$4,000 | \$2,000 | \$2,000 | \$2,000 | (\$2,000) | (50.00) | \$0 | 0.00 |
| 57090D = 570F9 | | \$0 | \$0 | \$2,000 | \$0 | \$2,000 | N/A | \$0 | N/A |
| 619XX = 619/570F3-F9 | | \$34,500 | \$34,500 | \$34,500 | \$34,500 | \$0 | 0.00 | \$0 | 0.00 |
| 641 = 641 | | \$1,875 | \$900 | \$1,875 | \$900 | \$0 | 0.00 | \$0 | 0.00 |
| Totals | | \$1,914,674 | \$2,218,078 | \$1,727,502 | \$1,459,818 | (\$187,172) | (9.78) | (\$758,262) | (34.19) |
| SRM | | | | | | | | | |
| 533XX = 52103 | | \$68,090 | \$64,758 | \$50,816 | \$60,468 | (\$15,274) | (23.12) | (\$4,290) | (6.63) |
| 57020 = 52103 | | \$412,114 | \$412,114 | \$422,955 | \$412,114 | \$10,841 | 2.63 | \$0 | 0.00 |
| 57090 = 52103 | | \$11,200 | \$11,200 | \$11,200 | \$11,200 | \$0 | 0.00 | \$0 | 0.00 |
| 619XX = 43043 | | \$95,250 | \$93,640 | \$71,250 | \$71,250 | (\$24,000) | (25.20) | (\$22,390) | (23.92) |
| Totals | | \$584,654 | \$581,710 | \$558,221 | \$555,030 | (\$28,433) | (4.87) | (\$26,680) | (4.59) |
| FIRE | | | | | | | | | |
| 57040 = 570F1 | | \$2,514,974 | \$2,515,000 | \$2,464,019 | \$2,464,019 | (\$50,955) | (2.03) | (\$50,981) | (2.03) |
| 57090 = 570F1 | | \$104,500 | \$103,900 | \$98,000 | \$98,000 | (\$6,500) | (6.23) | (\$5,900) | (5.68) |
| Totals | | \$2,619,474 | \$2,618,900 | \$2,562,019 | \$2,562,019 | (\$57,455) | (2.20) | (\$56,881) | (2.18) |
| ENVIRONMENTAL | | | | | | | | | |
| 57070 = 5703A | | \$51,188 | \$0 | \$54,990 | \$51,750 | \$3,803 | 7.42 | \$51,750 | N/A |
| 57090 = 5703A | | \$3,225 | \$3,300 | \$3,225 | \$3,225 | \$0 | 0.00 | (\$75) | (2.28) |
| Totals | | \$54,413 | \$3,300 | \$58,215 | \$54,975 | \$3,803 | 6.98 | \$51,675 | 1,565.90 |
| SERVICES | | | | | | | | | |
| Totals | | | | | | | | | |

Emergency Deficit Control Act of 1985, as amended, and \$469,639,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

(c) Section 5 of Public Law 113-6 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

SEC. 115. (a) Employees furloughed as a result of any lapse in appropriations which begins on or about October 1, 2013, shall be compensated at their standard rate of compensation, for the period of such lapse in appropriations, as soon as practicable after such lapse in appropriations ends.

(b) For purposes of this section, "employee" means:

- (1) a federal employee;
- (2) an employee of the District of Columbia Courts;
- (3) an employee of the Public Defender Service for the District of Columbia; or
- (4) a District of Columbia Government employee.

(c) All obligations incurred in anticipation of the appropriations made and authority granted by this joint resolution for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government functions, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this joint resolution.

SEC. 116. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

(b) For purposes of this section, the term "State" and the term "grantee" shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, "to continue carrying out a Federal program" means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

(c) The authority under this section applies with respect to any period in fiscal year 2014 (not limited to periods beginning or ending after the date of the enactment of this joint resolution) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this

section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

SEC. 117. Expenditures made pursuant to the Pay Our Military Act (Public Law 113-39) shall be charged to the applicable appropriation, fund, or authorization provided in this joint resolution.

SEC. 118. For the purposes of this joint resolution, the time covered by this joint resolution shall be considered to have begun on October 1, 2013.

SEC. 119. Section 3003 of division G of Public Law 113-6 shall be applied to funds appropriated by this joint resolution by substituting "fiscal year 2014" for "fiscal year 2013" each place it appears.

SEC. 120. Section 408 of the Food for Peace Act (7 U.S.C. 1736b) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "December 31, 2012".

SEC. 121. Amounts made available under section 101 for "Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction" may be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system.

SEC. 122. The authority provided by sections 1205 and 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) shall continue in effect, notwithstanding subsection (h) of section 1206, through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2014 for military activities of the Department of Defense.

SEC. 123. Section 3(a)(6) of Public Law 100-676 is amended by striking both occurrences of "\$775,000,000" and inserting in lieu thereof, "\$2,918,000,000".

SEC. 124. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this joint resolution by substituting the date specified in section 106(3) of this joint resolution for "October 1, 2012".

SEC. 125. Notwithstanding section 101, amounts are provided for "The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Salaries and Expenses" at a rate of operations of \$4,820,181,000: *Provided*, That notwithstanding section 302 of Division C, of Public Law 112-74 as continued by Public Law 113-6, not to exceed \$25,000,000 shall be available for transfer between accounts to maintain minimum operating levels.

SEC. 126. Notwithstanding section 101, amounts are provided for "The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Defender Services" at a rate for operations of \$1,012,000,000.

SEC. 127. Notwithstanding any other provision of this joint resolution, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 2786 (113th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2014 Budget Request Act of 2013 (D.C. Act 20-127), as modified as of the date of the enactment of this joint resolution.

APPENDIX 21 ANG FACILITIES OPERATIONS AND MAINTENANCE ACTIVITIES

Section 2101. General.

a. This Appendix to the Master Cooperative Agreement (MCA) prescribes the terms, conditions, policies and administrative procedures related to the National Guard Bureau's (NGB) federal contribution for Facilities Operation and Maintenance Activities (FOMA) of the Air National Guard within a state.

b. Statement of Facts.

(1) The authorities and provisions set forth in NGR 5-1 are incorporated into this Appendix by reference.

(2) The FOMA Appendix provides Federal support to the State Military Department for operation and maintenance of authorized facilities, leases, real property operations, day to day real property maintenance and/or preventive maintenance costs for buildings and systems listed in the USAF Real Property Inventory Detail List (RP-RCS-SAF-MIL (A) 7115) for each installation under tenant code "54" (Air National Guard) and, as per Air Force Handbook 32-9007.

(3) Facilities not identified on the Real Property Inventory Detail List requiring federal support must be approved by NGB/A7AR or be a part of an approved Airport Use Agreement, Support Agreement or an Airport Joint Use Agreement. NGB/A7AR approval will be included as an attachment to the Appendix. Attendant site facilities include, but are not limited to roads, sidewalks, railroads, grounds, airfields, storage areas, fencing, liquid fuel storage and dispensing systems, utility plants and systems for water, storm drainage, sanitary sewage, electricity, communications charges (for administration of this Appendix only), gas, steam, heating, refrigeration, and air conditioning, where authorized.

(4) Federal support may require Grantee matching funds. Specific funding ratios are dependent upon the determination of Unit Missions and can be found on the NGB/A7RP website. This file (CE Cooperative Agreement Funding Levels) will be updated as policy changes occur and will be the primary source for determining funding ratios for the FOMA program. Otherwise, the requirement for Grantee matching funds is based on unit mission(s) as provided below or upon specific notification from NGB/A7RP.

(5) The federal government will contribute 100% of allowable costs for operating and maintaining Regional Simulator Facilities, Regional Training Centers (CRTCs) (excluding units collocated with a CRTC), Ranges, Weather Schools, Foreign and Regional Training Sites, Regional Equipment Operator's Training Schools (REOTS), Technical Education Center (TEC) and allowable costs described as Base Operating Support (BOS), on specific installations, as identified by NGB/A7RP.

(a) Grantee matching funds representing a minimum 15% of allowable FOMA costs are required for ANG Installations designated as Air Education and Training Command (AETC) supported (gained) unless identified above.

(b) Grantee matching funds representing a minimum 20% of allowable FOMA costs are required for ANG Installations designated as permanent active home station fighter alert units and Space Command at Greeley, Colorado.

(c) Grantee matching funds representing a minimum 25% of allowable FOMA costs are required for all other unit/missions.

Section 2102. Additional Definitions. (Reserved)

Section 2103. Office of Primary Responsibility.

a. The Office of Primary Responsibility for this Appendix is the Civil Engineer (NGB/A7), National Guard Bureau, Air National Guard Readiness Center, 3500 Fetchet Avenue, Andrews AFB, MD 20762-5157.

b. The Civil Engineer, for the purposes of this Appendix, is the NGB individual authorized final approval of all Facility Operations and Maintenance Activities, financial plans and modifications to them, and the language of this Appendix. NGB/A7 is authorized to distribute and recall of Facility Operations and Maintenance funds to the USPFO, and to take any other action on behalf of NGB or the Chief, NGB, as specifically reserved under this Appendix. Within the Mission and Installations Support Directorate, the Chief, Engineering Division (NGB/A7) acts for the Mission and Installations Support Director in the day-to-day administration of this Appendix.

Section 2104. Scope of Agreement.

a. Scope of Services.

(1) The Grantee shall furnish services incidental to the operation, sustainment, restoration, and modernization of those facilities authorized federal support and listed on the current (RP-RCS-SAF-MIL (A) 7115). Facilities may include Runway Supervisory Units (RSU), pads and appurtenances, runway distance markers and navigational aids (when not maintained by an Airport Authority) or other ANG funded and required facilities not identified in the 7115 report however, approved by NGB/A7A. Facilities identified as part of an approved Airport Joint Use Agreement (AJUA) will be maintained and funded through the appropriate AJUA.

(2) The Grantee may contract for these services provided that all required and appropriate paragraphs and clauses prescribed in Article VIII of the MCA are included in the contracts and that the performance specifications listed below are met.

b. Performance Specifications.

(1) The Grantee shall have sufficient funds available to meet the non-federal share of the cost for operation maintenance and or preventive maintenance.

(2) The Grantee shall operate and maintain all facilities according to minimum standards required by applicable federal, state, and local agencies for the maintenance and operation of such facilities.

Section 2105. Authorized Activities/Charges.

a. Personnel.

(1) Payments for salaries, to include approved overtime, and allowable benefits in accordance with State personnel policy for the payment of salary and benefits of like state government positions within the same geographic area. If a state has a pay raise, pay freeze or pay cap, a hiring freeze or employee furloughs for like positions throughout the entire state then employees under this Appendix will have corresponding limitations. When there is no like state government position available, salaries and benefits will be equivalent to a comparable grade and series Federal Civil Service position in the geographic area.

(2) Merit and incentive awards based on performance that is part of a program available and consistent with those offered to other similar state government positions.

(3) Costs for training tuition, registration, travel and per diem for personnel employed under this agreement when the training courses, seminars, or workshops are required for the employee's position. Fees for training of FOMA employees are authorized when associated with new requirements or periodic certification, examinations, or licenses that are required by state or federal agencies when operating or maintaining a real property facility.

(4) Travel expenses for personnel performing real property operations and maintenance activities at a location other than that assigned, are allowable to the extent they are payable and at a rate consistent with state regulations.

(5) Costs for OSHA physicals and Personal Protective Equipment (PPE) only when required for the state FOMA staff.

b. Operations and Maintenance.

(1) Costs for normal day to day maintenance and preventive maintenance of the physical plant, which includes but is not limited to buildings, structures, airfield pavements, roads, walks and storage areas, improved or semi improved grounds, railroads, storm drains, insect and rodent control, snow removal, grass and weed cutting, utility and sewage systems, gas, steam, heating, refrigeration, air conditioning ventilation, and liquid fuel storage and dispensing facilities.

(2) Utilities costs for water, electricity, gas, sewage, and other purchased utility services.

(3) Preventive maintenance costs of Real Property Installed Equipment (RPIE).

(4) Operation, maintenance and preventive maintenance costs for structural fire protection, fire alarm systems and fire suppression systems when required for Real Property Installed Equipment, in accordance with ANGETL 08-2, Use of Appendix 21 (FOMA) Funds to Support Organizational Equipment.

(5) Costs of custodial service, garbage and refuse collection, recycling and disposal.

(6) Cost of supplies for day to day maintenance of buildings and grounds, that include equipment and subcontracts of authorized infrastructure are allowable. Verification of the proper federal account should be emphasized to ensure non-FOMA funds are used for those items funded under other federal programs such as local 100% S/R&M or Base O&M.

(7) Cost of housekeeping and operational supplies, utilities, services and subcontracts for those items necessary to provide essential FOMA support of authorized facilities are allowable. If these supplies and/or services are shared by activities outside FOMA support guidelines, the Grantee may charge only the appropriate proportional amount to FOMA.

(a) Housekeeping supplies are those used in the cleaning of the physical plant (e.g., mops, brooms, floor sweepers, cleansers, brushes, window cleaner) as defined in the current Engineering Technical Letter (ETL).

(b) Operational supplies are those items used or consumed in support of the execution of the FOMA appendix. Verification of the proper federal account should be emphasized to ensure non-FO funds are used for those items funded under the federal S/R&M program of this FOMA agreement.

(8) Costs for technical engineering, non-personal services, for the preparation of studies, specialized phases of design, drafting, land surveying, construction inspections, etc., when the Computer Aided Design (CAD) position is vacant or the level of expertise of assigned personnel required for a specific project is insufficient for the project.

(9) Costs for currently approved NGB/A7 negotiated Airport Use, Airport Joint Use Agreement.

(10) Commercial communications costs, including toll charges and wireless communication charges are authorized, when in direct support of the FOMA appendix, within the limitations of Federal Communications regulations.

c. Equipment and Tools.

(1) Costs for equipment and/or tools that exceed a line-item cost of \$5,000 must be approved, in writing, in advance of purchase or lease, by NGB/A7RP.

(2) Rental of equipment or tools is authorized when it is determined the most cost effective method and is necessary to perform authorized services. Rental periods exceeding 150 days must be approved, in writing, in advance of the rental, by NGB/A7RP. Rental of equipment or tools listed under the Unit's Allowance Standards or local LGT are to be funded from those sources and not through the FOMA program.

(3) Reimbursement for costs of maintenance and or repairs to Grantee owned equipment, tools and vehicles used solely in support of the FOMA Appendix may be charged to FOMA, provided the costs do not exceed 50% of the original purchase price of the item.

d. Support costs for certain Morale Welfare Recreation (MWR) or other revenue generating activities may be provided to the activity without reimbursement when authorized under the provisions of AFI 32-1061, paragraph 3-4, AFI 65-106, chapter 2, AFI 32-9003 chapter 6, and AR 60-10/AFJI 34-211, paragraph 1-4. Such support will be

provided using the applicable determination of direct and indirect costs and in the ratio prescribed in the instructions cited.

Section 2106. Unauthorized Activities/Charges.

a. FOMA funding will not be used to support the following:

- (1) Bowling alleys, camping areas, golf course and/or pro shop, VIP quarter, Package (Class VI) stores, family housing/living quarters, museums, store front recruiting offices, utilities and interior renovations for AAFES facilities, revenue producing facilities such as Officers' Club or Open Mess, NCO Club, Services Club, credit union, bank, child care facilities, non-ANG licensed facilities, and recreational vehicle parking areas.
- (2) Organizational furniture items, including but not limited to, modular furniture, window dressings (shades, curtains, etc.), plants, etc.
- (3) Costs for vehicles or equipment purchased through NGB/A4 or listed in an NGB Allowance Standard (AS) and not originally purchased with FOMA funds without approval from NGB/A7RP.
- (4) Costs associated with procurement and/or maintenance of utility poles or other related communication facilities.
- (5) Costs for the purchase, repair, operation, and maintenance of copy machines or inventory control equipment.
- (6) Costs associated with the purchase of any item listed in an applicable Allowance Standard or not classified or listed as Real Property Installed Equipment.
- (7) Costs associated with training for the purpose of employment qualification.
- (8) Funding to support a lodging operation at locations other than TEC and CRTCs. If lodging is approved as the most cost effective measure in lieu of contract quarters, all costs associated with the lodging operation (utilities, lodging personnel, repair and maintenance of the facility, housekeeping supplies, soap, towels, linen, etc.) must be funded from the contract quarters program. These funds may be transferred to FOMA for execution. The funding ratio for approved lodging costs is 100% federal funds.
- (9) Costs for the purchase or rental of uniforms for employees. This would include any personalized type clothing or non-PPE.
- (10) Communication costs for items used for traditional Guardsmen requirements.
- (11) Costs for courses, whether accredited or non accredited and professional training not specifically required for the performance of position duties covered under this agreement.

Section 2107. Financial Plan Requirements.

a. Annual Financial Plan Submission.

- (1) A FOMA Financial Plan (FinPlan) shall be submitted each fiscal year to the local ANG Base Finance Office within each State with a courtesy copy provided to NGB/A7RP. The FinPlan shall indicate anticipated expense amounts, by line item, and shall be based on the maximum Grantee share amount available during the year for which funding is requested. FinPlan submissions are due to NGB/A7RP within the timeframe indicated in the budget call documents, and local Finance Office timetables for submission of Installation and GSU location FinPlan.
- (2) The annual FinPlan shall be approved before execution of this Appendix. The total amount of the approved FinPlan shall be the maximum amount NGB/A7 is obligated to reimburse the Grantee for the cost of performance of this Appendix.
- (3) NGB/A7, at its discretion, may unilaterally increase or decrease the FinPlan totals to include increasing the budget line items that do not involve a Grantee match requirement, increasing line items and waiving the Grantee match requirements on a case-by-case basis. Increases may also occur based upon assurances of the availability of state matching funds.

b. Element of Expense/Investment Codes (EEIC): The EEICs listed in the NGB/A7 approved FinPlan are the only EEICs authorized for use. Additional guidance on the proper use of financial data will be provided as part of the annual fiscal year Financial Guidance issued through NGB/FM.

c. Financial Plan Changes.

(1) Financial Plan changes to increase federal funding, when funded locally, do not need to be forwarded to NGB/A7RP.

(2) Requests for Financial Plan changes, increases or decreases, require NGB/A7RP approval and must be submitted, via email, as scanned documents. The request shall not be binding unless it is so approved. The request and approval shall not be binding unless a CA modification to this appendix has been executed.

(3) Requests for changes to this Appendix to incorporate initial fiscal year funding shall be sent to NGB/A7RP for review and approval. The request will reflect the unit spending plan based on the amount of approved federal funding, as provided in the approved FinPlan, and the availability of state matching funds.

(4) Fiscal year close out requests shall be forwarded to NGB/A7RP for review and approval. Requests will list a summary of all changes and or executed CA modifications processed during the fiscal year that affected this Appendix but did not require NGB/A7RP approval. This list shall contain, at a minimum, the modification number, date of modification, and a synopsis of the processed change. If no modifications were made to this Appendix, other than initial and close out, indicate no other action taken during the fiscal year.

d. FOMA Funding.

(1) Federal funding provided under this Appendix is requirements based and issued within the constraints and limitations of the federal budget. Funding will be provided for authorized personnel positions listed on the manpower authorization document. Federal funding for salaries will not exceed the amount listed on the approved budget for personnel.

(2) Funding will be provided to support only those activities designated in Section 2105. The FOMA may be funded through a combination of Facility Operations (FO) Program funds, Sustainment, Restoration, and Modernization (S/R&M) Program funds and local Base Operation and Maintenance (O&M) funds as approved by the local Financial Management Board (FMB). Funds transferred to the Appendix from local FO, S/R&M or O&M programs can only be used for authorized activities/charges listed in Section 2105. The transfer of funds into the FOMA from other funding programs or the State Military Department, does not require NGB/A7RP approval, but does require a funding modification to the Appendix. Funding the FOMA with other program funds does not guarantee that future year FOMA budgets will be increased accordingly and may require continued from other local funding programs.

(3) Funding may not be transferred from the FOMA program without the prior written approval of NGB/A7RP. Restrictions assigned to FOMA activities apply to the transferred funding and may be used to accomplish the activities authorized under the terms and conditions of the appendix. When local S/R&M or Base O&M funds are transferred to the FOMA Appendix, the state is required to provide matching funds. The transfer of funds to the FOMA program does not change the original Approved Budget/AFP Limitation. Transfers require a funding modification to the FOMA appendix.

(4) Funding for the FOMA Agreement must be obligated within 45 days of receipt. NGB/A7RP, at its discretion, may unilaterally withdraw funding if not coded correctly (by PEC, RC/CC & EEIC) and obligated after the 45 days. All excess and unmatched funding must be returned at the earliest convenience to NGB/A7RP for re-allocation.

Section 2108. Appendix Administration.

a. Personnel/Supervision.

(1) All SMD or state contracted personnel will be located within the Base Civil Engineer (BCE) work area and will receive technical direction (direct management of for priorities, time and funding accountability) from the

BCE or the BCE's designated representative. The BCE may elect to assign personnel under this Appendix to a Geographically Separated Unit (GSU) for which he or she is responsible.

(2) FOMA manpower authorizations will be determined by NGB/A7RP and issued, at a minimum, every four years based on the 7115 Real Property Inventory Detail List records. FOMA manpower authorizations may be adjusted by NGB/A7RP upon justification or due to a permanent mission change.

(3) Supervision of employees will be in accordance with state/SMD policy and procedures. The BCE, or his designated representative, will provide input to the SMD regarding personnel actions (i.e. hiring, performance evaluations, terminations, performance counseling).

b. Equipment/Supplies.

(1) The use of new, existing, and/or surplus government property is authorized upon proper certification by the SMD that such material will be used for FOMA purposes. The value of this property will not be charged to the SMD or used by the SMD to meet the matching funds requirement.

(2) Certain items of government equipment may be provided for SMD use as Government Furnished Equipment (GFE) and/or Vehicles. The absence of GFE and/or Vehicles does not relieve the SMD from its primary responsibility for performance of the terms and conditions outlined in this Appendix. Accountability of GFE and/or Vehicles will be in accordance with Chapter 8. Considerations for damage to Air Force Property used in support of Appendix 21 will be determined using AFMAN 23-220, Chapter 22.10. The SMD/state may insure against the cost of repair on federal vehicles and/or GFE used by SMD employees when such insurance is required by state law or is part of consistent agency practice. The failure to secure insurance against damage renders costs associated with any damage, as a direct or indirect result of the use of a federal vehicle and/or GFE by an SMD employee, as a cost to the state. The Grantee's liability for lost or damaged GFE will be in accordance with applicable State laws.

(3) Supplies and services will be obtained by the Grantee using state/SMD procurement procedures as the primary means of securing services.

(4) The use of federal contracting or procurement (In-Kind Assistance) to obtain supplies or services requires written USPFO approval per NGR 5-1, Chapter 9. IKA is the exception to state contracting or procurement.

(5) Changes to the instructions, terms and/or conditions to this Appendix shall be executed IAW NGR 5-1, Chapter 3. The change shall not be binding unless it is so approved and a CA modification to this appendix has been executed.

Section 2109. Funding Limitations.

a. Approved Budget/Annual Funding Program (AFP): The total dollar amount that NGB anticipates, subject to the availability of funds, being available for reimbursement to the State for its costs in fulfilling its responsibilities under this Appendix. This amount may be increased or decreased by NGB during the fiscal year.

b. Total Dollars Obligated. The total amount of funds obligated for NGB's share under this Appendix. Only funds obligated through an executed CA modification to this appendix are available for reimbursement to the Grantee. Funding must be obligated within 45 days upon receipt by the Base Finance Manager/Comptroller Office.

c. Accomplished as IKA. The total dollars expended through federal acquisition.

d. The following funding limitations are provided for each fiscal year as it occurs.

1. Fiscal Year 2010:

| | Approved Budget/(AFP) | Total Dollars Obligated |
|---|------------------------|-------------------------|
| Federal Share (100%) | \$ 595,674.22 | \$ 595,674.22 |
| Federal Share (75%) | \$ 8,093,800.00 | \$ 8,093,800.00 |
| Federal SRM (100%) | \$ 21,657.20 | \$ 21,657.20 |
| Federal Simulator (100%) | \$ 116,300.00 | \$ 116,300.00 |
| Federal Total | \$ 8,827,371.42 | \$ 9,053,956.00 |
| Accomplished as In-Kind Assistance \$0.00 | | |
| Grantee Share (50%) | \$ 0.00 | \$ 0.00 |
| Grantee Share (25%) | \$ 2,697,933.33 | \$ 2,697,933.33 |
| Grantee Total | \$ 2,697,933.33 | \$ 2,697,933.33 |

2. Fiscal Year 2011:

| | Validated Allocation/(AFP) | Allocation |
|---|----------------------------|------------------------|
| Federal Share (100%) | \$ 706,640.71 | \$ 706,640.71 |
| Federal Share (75%) | \$ 7,698,532.29 | \$ 7,698,532.29 |
| Federal Simulator (100%) | \$ 118,700.00 | \$ 118,700.00 |
| Federal Total | \$ 8,523,873.00 | \$ 8,523,873.00 |
| Accomplished as In-Kind Assistance \$0.00 | | |
| Grantee Share (50%) | \$ 0.00 | \$ 0.00 |
| Grantee Share (25%) | \$ 2,627,069.77 | \$ 2,627,069.77 |
| Grantee Total | \$ 2,627,069.77 | \$ 2,627,069.77 |

3. Fiscal Year 2012:

| | Approved Budget/(AFP) | Total Dollars Obligated |
|---|-----------------------|-------------------------|
| Federal Share (100%) | \$ 740,925.00 | \$ 740,925.00 |
| Federal Share (75%) | \$6,184,463.00 | \$6,184,463.00 |
| Federal Share (SRM 75%) | \$ 210,134.00 | \$ 210,134.00 |
| Federal Share (50%) | \$ 0.00 | \$ 0.00 |
| Federal Total | \$7,135,522.00 | \$7,135,522.00 |
| Accomplished as In-Kind Assistance \$0.00 | | |
| Grantee Share (SRM 25%) | \$ 70,044.67 | \$ 70,044.67 |
| Grantee Share (25%) | \$2,061,487.67 | \$2,061,487.67 |
| Grantee Total | \$2,131,532.34 | \$2,131,532.34 |

4. Fiscal Year 2013:

| | Approved Budget/(AFP) | Total Dollars Obligated |
|---|-----------------------|-------------------------|
| Federal Share (100%) | \$ 679,591.00 | \$ 679,591.00 |
| Federal Share (75%) | \$4,747,684.00 | \$4,747,684.00 |
| Federal Share (SRM 75%) | \$1,851,754.00 | \$1,851,754.00 |
| Federal Share (50%) | \$ 0.00 | \$ 0.00 |
| Federal Total | \$7,215,027.00 | \$7,215,027.00 |
| Accomplished as In-Kind Assistance \$0.00 | | |
| Grantee Share (SRM 25%) | \$ 617,251.33 | \$ 617,251.33 |
| Grantee Share (25%) | \$1,772,784.00 | \$1,772,784.00 |
| Grantee Total | \$2,390,035.33 | \$2,390,035.33 |

5. Fiscal Year 2014:

| | Approved Budget/(AFP) | Total Dollars Obligated |
|---|-----------------------|-------------------------|
| Federal Share (100%) | \$ 815,977.00 | \$ _____ |
| Federal Share (75%) | \$4,747,684.00 | \$ _____ |
| Federal Share (SRM 75%) | \$1,927,096.00 | \$ _____ |
| Federal Share (50%) | \$ 0.00 | \$ _____ |
| Federal Total | \$7,176,190.00 | \$ _____ |
| Accomplished as In-Kind Assistance \$0.00 | | |

| | | |
|-------------------------|-----------------------|----------|
| Grantee Share (SRM 25%) | \$ 642,365.33 | \$ _____ |
| Grantee Share (25%) | \$1,477,170.67 | \$ _____ |
| Grantee Total | \$2,119,536.00 | \$ _____ |

Section 2110. Agreement Particulars.

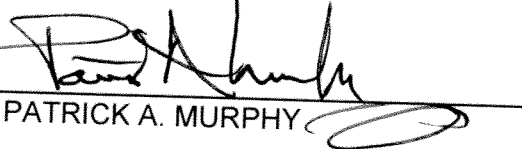
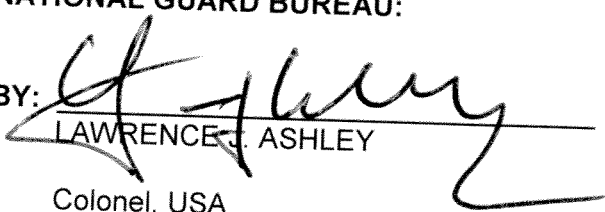
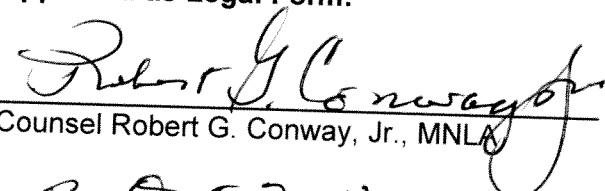
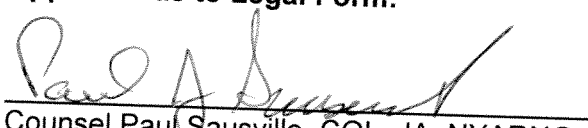
The information below shall be recorded by the Grants Officer's Representative (GOR) for compliance with the reporting requirements of the DoD Assistance Award Action Report System (DAADS) and the Federal Funding Accountability and Transparency Act of 2006.

- a. Grantee/Recipient Category: Government
- b. Grantee/Recipient Type: State Government
- c. Grantee/Recipient DUNS: 044776024
- d. Primary Place of Performance (if different from 'Issued To' on CA Modification Form): New York, 12110-3514

- (To include Zip + 4)
- e. Grantee/Recipient County (Primary Place of Performance): 36
- f. Grantee/Recipient Congressional District (Primary Place of Performance): Albany
- g. Major Agency: DOD
- h. Agency Code: 5700
- i. Funding Agency: Air
- j. Program Source Agency: 57
- k. Transaction Type: Cooperative Agreement
- l. CFDA: 12.401
- m. CFDA Program Title: Operation and Maintenance, Air National Guard
- n. Program Source Account-Funding: 3840
- o. Treasury Appropriation Code: 3840
- p. Award/Obligation/Action Date: 01 Oct 2013
- q. Starting Date: 01 Oct 2013
- r. Ending Date: 30 Sept 2014
- s. Record Type: Individual Action
- t. Fiscal Year/Quarter: 2014/1st Quarter

EXECUTION

IN WITNESS WHEREOF: *The parties, by their signatures, execute this Appendix and agree to its terms and conditions.*

| | |
|--|---|
| <p>STATE OF NEW YORK:</p> <p>BY:  PATRICK A. MURPHY</p> <p>Major General, NYARNG The Adjutant General</p> <p><u>30 Oct 13</u> (Date)</p> | <p>NATIONAL GUARD BUREAU:</p> <p>BY:  LAWRENCE J. ASHLEY</p> <p>Colonel, USA USP&FO for New York</p> <p><u>4 NOV 13</u> (Date)</p> |
| <p>Approved as Legal Form:</p> <p> Counsel Robert G. Conway, Jr., MNLA</p> <p><u>30 Oct 2013</u> (Date)</p> | <p>Approved as to Legal Form:</p> <p> Counsel Paul Sausville, COL, JA, NYARNG</p> <p><u>29 OCT 2013</u> (Date)</p> |