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APPENDIX 40 ARMY NATIONAL GUARD DISTRIBUTED LEARNING PROGRAM (DLP)

Section 4001. General.

a. This Appendix to the National Guard Master Cooperative Agreement (MCA) prescribes the terms, conditions, and administrative procedures related to the National Guard Bureau's (NGB) Federal contribution funds for the Army National Guard (ARNG) Distributed Learning Program (DLP) for the ARNG within the 50 States, the Territories of Guam and the U.S. Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia (hereafter referred to as the States).

b. Statement of Facts.

(1) The authorities and provisions set forth in current NGB Directorate of Acquisitions (office symbol NGB-AQ-A) policy, NGR 5-1 (National Guard Grants and Cooperative Agreements) or successor CNGB I&M, and applicable provisions of 2 CFR part 200 are incorporated into this Appendix by reference.

(2) The Training Division (office symbol ARNG-TR), G-3, ARNG Directorate, NGB is the Office of Primary Responsibility (OPR) for this Appendix and the ARNG DLP. The Training Support Branch (office symbol ARNG-TRS) of the Training Division provides the Program Manager (PM) for this Appendix and the ARNG DLP.

(3) The ARNG DLP manages the operations and maintenance of more than 400 ARNG Distributed Learning Classrooms (DLCs) nationwide, providing online capabilities in communities throughout the nation to support the training and readiness of Soldiers and units, assist in the generation of operational forces, and enhance routine and emergency operations. Per Army Regulation (AR) 350-52 (Army Training Support System), 17 January 2014, the ARNG DLCs are a training enabler and one of the Army's DL "point of delivery" capabilities within the Training Information Infrastructure (TII) Program, Army Training Support System Enterprise.

(4) The OPR-PM centrally manages the ARNG DLP and receives funds from Headquarters, Department of the Army (HQDA), Training Program Evaluation Group (TT PEG), through Management Decision Packages (MDEPs) TADT and TSPU, NGB Appropriations 2065 and 2035, for the Program's Federal-level program operations, State-level program operations (State DLPs), and ARNG DLC operations, maintenance, and lifecycle refresh. (The ARNG DLP will receive all of its funds exclusively through MDEP TADT beginning Fiscal Year 2021.)

(a) NGB Appropriations 2065, Operations and Maintenance, Army National Guard (OMNG) is Federally funded through the ARNG DLP Cooperative Agreement (CA), which supports State DLP personnel costs, ARNG DLC operations (including consumable supplies), ARNG DLC maintenance (including repair and limited replacement of ARNG DLC equipment, and cosmetic maintenance of rooms that contain ARNG DLCs), and circuit costs for the ARNG DLCs. The ARNG DLP only funds the operations and maintenance of ARNG DLCs, and their related IT infrastructure, acquired and authorized by the ARNG DLP. (The ARNG DLCs were previously named Distributive Training Technology Project (DTTP) Classrooms from 1997 to 2007. They were renamed as the ARNG DLCs in 2007 to reflect transition of their management from the NGB J-6 to the ARNG G-3 and the change in their status from an NGB project to an HQDA G-3 program.)

(b) NGB Appropriations 2035, Other Procurement Army (OPA) funds the acquisition component of the ARNG DLP. The acquisition component is Federally funded and centrally managed through the Reserve Component Automation System/Force Management System (RCAS/FMS, the current ARNG DLP Fielding Office) of the U.S. Army Program Executive Office Enterprise Information Systems (PEO EIS). RCAS/FMS is responsible for initial equipment purchase, installation, sustainment, new equipment training, help desk support, and lifecycle refresh of the ARNG DLCs.

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(5) ARNG DLC Activities. The ARNG DLCs support ARNG training, enhance ARNG operations, and provide "shared use" for authorized Joint, Interagency, Intergovernmental, and Community (JIIC) individuals and organizations.

(a) ARNG Training. The ARNG DLCs support activities performed by ARNG Soldiers and units in all three of the Army training domains (Institutional, Operational, and Self-Development) as described in AR 350-1 (Army Training and Leader Development), 10 December 2017.

(b) ARNG Operations. The ARNG DLCs enhance activities performed by ARNG Soldiers and units to complete administrative actions and to plan, coordinate, and execute events related to mobilization, individual and unit readiness, and routine and emergency operations.

(c) Shared Use. The State DLPs may provide authorized Joint, Interagency, Intergovernmental, and Community (JIIC) individual and organizational "receivers" with routine and emergency access to ARNG DLCs. The original authority for shared use is derived from the Department of Defense Appropriations Act of 1998, Public Law No. 105-56, Section 8095, which Congress most recently renewed in the Consolidated Appropriations Act of 2016, Public Law No. 114-113, Section 8055. Those laws authorize the Chief, NGB (CNGB) to allow the use of ARNG DLCs "...by any person or entity on a space-available, reimbursable basis." States may allow individuals and organizations of the Federal Government, and organizations and activities that conform to Sections 508 and 509, Title 32, United States Code, to utilize ARNG DLCs on a space-available, non-reimbursable basis. Descriptions of the four categories of authorized receivers follows:

- 1** Joint. Any non-ARNG entity of the Department of Defense.
- 2** Interagency. Any non-Department of Defense entity of the Federal Government.
- 3** Intergovernmental. Any non-Federal government entity (for example, State, County, or local government agencies).
- 4** Community. Any non-governmental entity that conforms to Sections 508 and 509, Title 32, United States Code.

Section 4002. Definitions.

a. ARNG DLP: The Army National Guard (ARNG) Distributed Learning Program (DLP) provides online capabilities in communities throughout the nation to support the training and readiness of Soldiers and units, assist in the generation of operational forces, and enhance routine and emergency operations. The ARNG DLP provides funds through this Appendix to the State-level DLPs so they may operate and maintain the Federally-issued ARNG Distributed Learning Classrooms (DLCs) in their State.

b. Cooperative Agreement Program Manager (CA PM). Refer to current NGB-AQ-A policy, NGR 5-1 (National Guard Grants and Cooperative Agreements) or successor CNGB I&M, and applicable provisions of 2 CFR part 200.

c. Grantee. Refer to current NGB-AQ-A policy, NGR 5-1 (National Guard Grants and Cooperative Agreements) or successor CNGB I&M, and applicable provisions of 2 CFR part 200.

d. Grantor. Refer to current NGB-AQ-A policy, NGR 5-1 (National Guard Grants and Cooperative Agreements) or successor CNGB I&M, and applicable provisions of 2 CFR part 200.

e. In-Kind Assistance (IKA). Refer to current NGB-AQ-A policy, NGR 5-1 (National Guard Grants and Cooperative Agreements) or successor CNGB I&M, and applicable provisions of 2 CFR part 200.

(1) The OPR-PM requires:

(a) IKA items and services be identified on the CA Modification.

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(b) IKA be de-obligated from this Agreement through a CA Modification, thus reducing the total dollars available to the Adjutant General (TAG) of the State.

(2) IKA is not authorized to:

(a) Contract for personnel to manage or operate the ARNG DLCs.

(b) Field or perform lifecycle refresh of ARNG DLCs or related equipment, unless coordinated with and approved by the OPR-PM.

Section 4003. Office of Primary Responsibility.

a. The Training Division (office symbol ARNG-TR), G-3, ARNG Directorate, NGB is the Office of Primary Responsibility (OPR) for this Appendix and the ARNG DLP. The Training Support Branch (office symbol ARNG-TRS) of the Training Division provides the Program Manager (PM) for this Appendix and the ARNG DLP.

b. For the purpose of this Appendix, the Chief, ARNG-TR, is a designee of the CNGB and the Director, ARNG (DARNG), and is authorized to:

(1) Manage and monitor implementation of the ARNG DLP Cooperative Agreements (CAs).

(2) Develop plans, policies, and guidance to implement the ARNG DLP nationwide.

(3) Perform ARNG DLC asset and configuration management.

(4) Plan, coordinate, and synchronize activities to operate and maintain ARNG DLCs through the State DLPs.

(5) Provide connectivity between the ARNG DLCs and the Department of Defense Information Network-Army (National Guard) (DODIN-A(NG)).

(6) Review and approve or disapprove State change requests for ARNG DLCs.

(7) Publish site rate worksheets for JIIC activities, when requested.

(8) Perform all actions required to obtain and distribute funds for the ARNG DLP through the U.S. Army's Planning, Programming, Budgeting, and Execution (PPBE) process.

(9) Give final approval for all ARNG DLP Federal and State budgets and modifications.

(10) Prepare, modify, and implement this Appendix.

(11) Designate a PM for this Appendix and the ARNG DLP with authority to plan, program, budget, execute, and approve the obligation of ARNG DLP funds. The PM also has authority to plan, coordinate, synchronize, and manage ARNG DLP activities and resources.

Section 4004. Scope of Agreement and Service.

The U.S. Property and Fiscal Officer (USPFO) for each State will provide accounting for the proper obligation and expenditure of all Federal funds for State-level ARNG DLP services to include the operation, maintenance, administration, and management of ARNG DLP authorized ARNG DLCs and related IT infrastructure in State-approved facilities to support ARNG training, enhance ARNG operations, and provide shared use for authorized JIIC individuals and organizations.

Section 4005. Authorized Activities and Expenses.

Authorized activities are baseline services and may be subject to the availability of funds. Funds provided

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under this Appendix during a Federal Fiscal Year (FY) may only be applied to costs incurred for authorized activities during the period of the FY (1 October XXXX – 30 September YYYY). Authorized activities include the following:

a. Personnel. The State DLP is authorized the following personnel:

(1) State DL Program Administrator (SDLPA). Each State is authorized one SDLPA, assigned to the State G-3/J-3 or G-6/J-6. The SDLPA plans, coordinates, manages, and oversees the State's DLP operations, developing and implementing the State DLP to achieve the Adjutant General's training and readiness objectives for ARNG State and Federal missions.

(2) Assistant State DL Program Administrator (ASDLPA). With prior approval from the OPR-PM, each State may be authorized one or more full-time or part-time ASDLPAs. The ASDLPA coordinates and directs daily operations of the ARNG DLCs in the State, resolves technical issues, and provides continuity of State DLP administration in the absence of the SDLPA.

(3) State DL Technical Administrator (SDLTA). With prior approval from the OPR-PM, each State may be authorized one or more full-time or part-time SDLTAs. The SDLTA monitors the ARNG DLCs in the State and ensures they comply with all technical, cybersecurity, and information assurance requirements published by the ARNG G-6 and the State G-6/J-6. The SDLTA also assists the Fielding Office, ARNG G-6, and State G-6/J-6 in troubleshooting, diagnosing, and fixing technical issues with the ARNG DLCs in the State.

(4) State DL Classroom Administrator (SDLCA). States are authorized one full-time or part-time SDLCA for each fixed and mobile ARNG DLC in the State. SDLCA may be responsible for more than one ARNG DLC in the State if the SDLPA determines that approach is effective and efficient, and they report to the SDLPA or ASDLPA depending on the State's organization and preference. SDLCA perform day-to-day operations of one or more ARNG DLCs.

b. Personnel Costs. The State is authorized to pay the following State Government civilian DLP personnel costs:

(1) Salaries and wages, to include approved overtime and allowable benefits, in accordance with State personnel policy of similar State Government positions within the same geographic area for State DLP positions validated by the OPR-PM. When no similar State Government position is available for comparison, pay and benefits will be equivalent to a comparable grade and series of a Federal Civil Service position in the geographic area. State DLP employees are subject to corresponding circumstances of other State Government employees if the State has a pay raise, pay freeze, pay cap, hiring freeze, or employee furloughs for similar positions throughout the State. The ARNG DLP funds cannot be used for Federal contracts (for example, In-Kind Assistance) for personnel to provide services for the State DLP or ARNG DLCs under the CA.

(2) Costs associated with benefits, which includes employer's contributions to the following: Federal Insurance Contributions Act (FICA) taxes, group life insurance premiums, worker's compensation insurance premiums, health insurance premiums, unemployment insurance premiums, and State retirement systems, as required by local, State, or Federal law.

(3) Costs for merit and incentive awards, if applicable, based on performance, providing such awards are part of the ARNG DLP and consistent with those offered to similar State Government positions.

(4) Fringe costs for employees as mandated by the State Government.

(5) Training and Certification. Any costs associated with training and certification that directly supports the roles and responsibilities of the duty position of State Government employee DLP personnel requires OPR-PM approval. The OPR-PM routinely provides such approval during annual State DLP

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Management Reviews and provides the SDLPA and Appendix 40 PM with a validated worksheet for the FY that reflects approved training and certification costs.

c. Travel. Payment for official travel of State DLP personnel is authorized at a rate consistent with State policies. Such travel includes site visits within the State, site visits to other States, and attendance at training events and workshops related to the ARNG DLP and the State DLP.

d. Transportation. Payment for transport of State DLP personnel and ARNG DLP assets within a State is authorized subject to the following conditions.

(1) State DLPs may obtain a GSA or State vehicle through their Transportation Office, as either a short-term rental or a long-term (one year) lease, and reimburse the Transportation Office if there is a fee for the vehicle. State DLPs may obtain more than one long-term leased vehicle during an FY only with approval from the OPR-PM.

(2) State DLPs may obtain a commercial vehicle, or reimburse the use of a privately owned vehicle, only in conjunction with approved official travel that conforms to State policies.

(3) State DLPs may ship ARNG DLP assets by commercial carrier if other modes of transportation are unavailable and the Appendix 40 PM or the United States Property and Fiscal Officer (USPFO) approve.

(4) State DLPs are not authorized to purchase a vehicle.

e. Supplies. Payment for consumables, which includes paper and toner for printers, bulbs for projectors, and supplies for State DLP and ARNG DLC activities, to include markers for whiteboards, and other State DLP-related consumables.

f. Operations and Maintenance costs for ARNG DLCs. States must submit a change request to the OPR-PM for review and approval before incurring costs to perform the following actions.

(1) Facilities.

(a) Any costs associated with cosmetic maintenance are limited to only the interior of a room that houses an ARNG DLC. Cosmetic maintenance includes: Cleaning of soiled, or replacement of worn carpeting; repainting of soiled walls; installation of new, or replacement of unserviceable, window treatments (e.g., blinds or curtains).

(b) Cosmetic maintenance **DOES NOT** include construction, reconfiguration, refurbishment, or replacement of structural, electrical, plumbing, HVAC, and networking or audio/video cabling within the walls, ceiling, or floor of a room or a building that houses an ARNG DLC. (The OPR-PM may approve instances of cosmetic maintenance for specific ARNG DLC sites during ARNG DLP Management Reviews. Such instances do not require the State to submit a change request to the OPR-PM for review and approval.)

(2) Furniture. Any costs associated with the repair and refurbishment of worn furniture, or the replacement of unserviceable or unsuitable furniture, used for an ARNG DLC (e.g., workstation tables and chairs, instructor/operator desk and chair, whiteboard) in a room that houses an ARNG DLC.

(3) Information Technology (IT) Components. Any costs associated with the repair of IT end-items (e.g., monitors, printers, and computers) or the replacement of unserviceable accessories (e.g., cables, keyboards, mice, and headsets). Replacement of IT end-items is allowed if the cost of repair exceeds 2/3 the cost of replacement. SDLPA's will send a Change Request to the OPR-PM before they purchase a replacement IT end-item so the OPR-PM can determine if the Fielding Office has replacements on hand. The OPR-PM will approve the purchase of a replacement if the Fielding Office

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has none on hand.

Section 4006. ARNG DLC Circuit Costs. Circuit costs are authorized one per ARNG DLC within the State, as needed, for connection to the 55 domain or the 132 domain of the Department of Defense Information Network—Army (National Guard) (DODIN-A(NG), also known as GuardNet).

Section 4007. Unauthorized Activities and Expenses.

a. Changes to system configurations, unless approved by the OPR-PM, is not authorized. Such changes include separation of Video Tele-Training capability from an ARNG DLC.

b. Obtaining communications connectivity for other than ARNG DLCs is not authorized.

c. The use of OMNG or State-appropriated funds to field or perform lifecycle refresh of ARNG DLCs and related equipment and technical infrastructure is not authorized.

d. In-Kind Assistance (IKA) to contract for personnel to manage or operate ARNG DLCs is not authorized.

e. Reimbursement for training or education of State DLP personnel not specifically required for the performance of duties covered under this Agreement is not authorized.

f. Reimbursement of periodic, recurring, or one-time workers' compensation payouts (claims); additional post-retirement costs, such as additional costs associated with any reimbursement to the State for any post-employment payments to former employees to include health insurance; early retirement incentives, such as bonus payouts; and post-retirement payments of vacation or annual leave is not authorized. Refer to Grants and Cooperative Agreements Policy Letter (GCAPL) 19-01 for further guidance.

g. Reimbursement of costs incurred by, or associated with, the process of collective bargaining between the State and its employees covered by a Bargaining Unit for the purposes of negotiating matters involving employment issues, such as general working or safety conditions on the job, job qualification, and the like is not authorized.

h. Reimbursement of costs associated with arbitration services, professional or otherwise, in the negotiation and settlement of a grievance or other formal complaint filed by an employee or group of employees is not authorized. These are matters between the State and employee(s), and such costs shall be borne by the Grantee.

i. The purchase or lease of a vehicle from a commercial vendor for travel of personnel or transport of equipment, including ARNG Mobile DLCs (MDLCs), is not authorized.

j. Advertising and public relations costs, promotional items, and memorabilia (e.g., key chains, pens, water bottles, clothing, and coins) is not authorized.

k. Transferring funds out of Appendix 40 or Management Decision Package (MDEP) TADT to another MDEP is not authorized, unless approved by the OPR-PM.

l. All other activities are not authorized, unless approved in Section 4005 or by the OPR-PM.

Section 4008. State Budget Process.

a. Federally appropriated ARNG DLP funds must be used for ARNG DLP authorized purposes. USPFO's will report and turn in excess funds, if any, to the OPR-PM for reprogramming.

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b. State Resource Requirements.

(1) ARNG DLP Management Reviews. The OPR-PM will conduct annual Management Reviews to establish State DLP resource requirements for operations, maintenance, and circuit costs. The OPR-PM will use the validated resource requirements to determine critical requirements for future funding allocations and Headquarters, Department of the Army (HQDA) Program Objective Memorandum (POM) submissions. The OPR-PM will schedule Management Reviews with each State, which usually begin in June and end in August every year.

(2) The OPR-PM will send the SDLPAs a memorandum of instruction (MOI) for the annual ARNG DLP Management Reviews. The MOI will contain an ARNG DLP State-Level Resource Template (worksheet), which the SDLPAs will use to document their State DLP resource requirements.

(3) The SDLPAs will submit their completed templates to the OPR-PM, and the OPR-PM will then schedule a Management Review with each SDLPA to verify and validate their future requirements, and to review the performance of their State DLP for the previous year.

c. Distributing State Resources.

(1) The ARNG G-8, Comptroller Division, Budget Execution Branch (office symbol ARNG-RMC-BE) publishes the annual ARNG Program Budget Guidance (PBG) which determines ARNG DLP funding availability.

(2) The ARNG-RMC-BE distributes Annual Funding Program (AFP) to the States after they publish the PBG.

(3) The OPR-PM uses the following criteria to determine distribution of funds to the States:

(a) Funds received through PBG.

(b) Validated State DLP requirements.

(c) State ARNG DLC utilization and reporting during the previous fiscal year (FY).

(d) State submission of Cooperative Agreement (CA) Modifications.

(e) State submission of prior year close-outs.

(f) State conformance to ARNG DLP asset and configuration management standards.

d. Additional State Resources. The States may submit an Unfunded Requirement (UFR) request to the OPR-PM for additional funds if their requirements exceed funds received. SDLPAs submit UFRs to the OPR-PM, who then consolidates and presents the UFRs to the ARNG Programming Budget Advisory Committee (PBAC) for decision.

e. The OPR-PM may request financial or budget reports from the CA Program Manager as required to reconcile obligation of funds, annual close outs, or other financial transactions.

Section 4009. Appendix Administration.

a. The OPR-PM is responsible for the development, administration, and management of this Appendix.

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b. ARNG DLC Equipment Management.

(1) The OPR-PM and RCAS centrally manage the maintenance and lifecycle refresh of ARNG DLC equipment. The OPR-PM obtains OPA funds for that purpose from HQDA and then provides those funds to RCAS for execution. RCAS purchases, configures, ships, installs, and sustains ARNG DLC equipment nationwide. When required, RCAS also conducts training for any new equipment.

(2) The ARNG DLP uses a 5 year schedule to perform lifecycle refresh of ARNG DLC equipment. The ARNG DLP goal is to replace 1/5 of the installed equipment each year, based upon available funds. RCAS maintains and implements the refresh schedule based upon the date of purchase of the equipment.

(3) Change Request Process. The ARNG DLP acknowledges that standard ARNG DLC configurations may not always satisfy local requirements. The States submit change requests to the OPR-PM if they require unique ARNG DLC configurations to address their needs. Examples of changes follow:

(a) Requests to add, remove, move, or alter an existing ARNG Fixed DLC (FDLC), or to add a Mobile DLC (MDLC), MDLC-Lite (MDLC-L), or other DLC to the State DLP.

(b) Requests to add equipment to an ARNG DLC that departs from the approved baseline.

(4) ARNG DLC Utilization and Reporting. The ARNG DLP uses a secure, web-based application called the Distributed Learning Reporting and Scheduling Tool (DLRS-T) to schedule all activities for the ARNG DLCs and produce utilization reports. As previously mentioned, the utilization of ARNG DLCs is one criterion the OPR-PM uses to determine future funding for State DLPs and HQDA requires quarterly reports to ensure States utilize the ARNG DLCs in accordance with HQDA standards.

(5) States must submit final utilization entries in DLRS-T by the tenth business day of every month for the previous month. SDLPAs will update DLRS-T entries if changes occur after initial scheduling. SDLPAs will report utilization by other means should DLRS-T become unavailable.

(6) The OPR-PM reviews utilization rates monthly and during the annual ARNG DLP Management Reviews.

c. Shared Use Reimbursements. The ARNG DLCs provide authorized JIIC receivers with routine and emergency access. A shared use receiver is an individual or organization the State ARNG authorizes on a space-available, reimbursable basis to perform activities at an ARNG DLC that are unrelated to ARNG training or operations. To calculate shared use reimbursable rates, the OPR-PM revises Receiver Site Rate Worksheets every FY and provides them to States to calculate shared use reimbursable rates. The OPR-PM recommends that Grantees allocate "program income" reimbursements to a separate State level account without FY identity because DLP funds have FY identity. The ARNG DLP classifies authorized shared use receivers into the following four categories:

(1) Joint Receivers: All non-ARNG DoD organizations (e.g., Active Components (USN, USAF), Reserve Components (USAR, USMCR), and Commands (USMEPCOM)). Joint Receivers may normally use the ARNG DLCs on a space-available, non-reimbursable basis during State-scheduled operating hours. States may require Joint Receivers to reimburse the State DLP for incremental direct costs incurred during their use of ARNG DLCs during non-State-scheduled operating hours. The Grantee applies the reimbursements to DLP funds, and such funds are not program income.

(2) Interagency Receivers: All non-DoD Federal organizations (e.g., U.S. Department of Agriculture). Interagency Receivers may normally use the ARNG DLCs on a space-available, non-reimbursable basis during State-scheduled operating hours. States may require Interagency Receivers to reimburse the State DLP for incremental direct costs incurred during their use of ARNG DLCs during non-State-scheduled operating hours. The Grantee applies the reimbursements to DLP funds, and such

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funds are not program income.

(3) Intergovernmental Receivers: All non-Federal State, county, municipal, and local governmental organizations (e.g., State Department of Forestry, county sheriff's office, city Department of Emergency Services, or a local public elementary school). Intergovernmental Receivers reimburse the ARNG DLP for all applicable costs incurred during their use of ARNG DLCs. The Grantee applies such reimbursements to DLP Funds, for facility utilization and site operation contractual costs, and applies the remainder to a separate State-level account.

(4) Community Receivers: All non-governmental civic and private organizations. Community Receivers reimburse the ARNG DLP for applicable costs incurred or the comparable commercial rate, whichever is higher, for their use of ARNG DLCs. The Grantee applies such reimbursements to DLP Funds, for facility utilization and site operation contractual costs, and applies the remainder to a separate State level account. Organizations listed in, or conform to, U.S. Code, Title 32, Section 508 (e.g., Boy Scouts of America, Civil Air Patrol, and Campfire Girls) and Section 509 (National Guard Youth ChalleNGe) are exempt from requirements to reimburse the ARNG DLP for shared use.

d. Cooperative Agreement (CA) Modification. A Cooperative Agreement is a legal instrument between the NGB and a State and is required when the NGB transfers something of value through funding (for example, equipment or services) to a State in an assistance relationship. States will perform the following actions to implement CA modifications in accordance with current NGB-AQ-A policy, NGR 5-1 (National Guard Grants and Cooperative Agreements) or successor CNGB I&M, and applicable provisions of 2 CFR part 200.

(1) Execution of MCA Appendix. The State shall execute a CA modification at the beginning of each FY to administratively open the Appendix. Execution is not dependent on funds being obligated at the same time. When ARNG-RMC-BE has not yet issued funding authority (allotment), the CA PM can process, with the USPFO's concurrence, a request to administratively open the Appendix by annotating "Subject to the Availability of Funds" and reflecting zero (0) Federal dollars obligated.

(2) Funding MCA Appendix. The States will fund Appendix 40 annually, either fully or incrementally. The same process applies for de-obligation of funds from the Appendix.

(3) Numbering of the MCA Appendix. States shall number the CAs as prescribed by DoD 3210.6-R, DoDGARS, Section 21.560. The serial numbers for the CA will be in the 1000 series, and the last digit(s) reflect the Appendix number (for example, 1040 represents the ARNG DLP).

(4) States will send copies of signed CA modifications to the OPR-PM.

e. Appendix Close Out. States will submit Appendix 40 close outs for each FY to the OPR-PM in accordance with current NGB-AQ-A policy, NGR 5-1 (National Guard Grants and Cooperative Agreements) or successor CNGB I&M, and applicable provisions of 2 CFR part 200.

Section 4010. Funding Limitation.

a. Approved Budget/Annual Funding Program (AFP): The total amount that ARNG-RMC-BE 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 ARNG-RMC-BE during the fiscal year of execution.

b. Total Dollars Obligated: The total amount of funds obligated under this Appendix. Only funds obligated through an executed CA modification to this Appendix are available for reimbursement to the State. Funds shall be obligated as received by the CA PM.

c. Accomplished as In-Kind Assistance: The total funds expended through Federal Acquisition. The amount may reflect anticipated IKA and be updated as IKA when approved, but as a minimum shall

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reflect the total funds accomplished through IKA support of this Appendix for each fiscal year as it occurs.

d. Program Income: Amounts paid directly to the State for use of ARNG DLCs by authorized Intergovernmental and Community Receivers are program income. The addition of program income does not affect or increase Federal funding contributions.

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

Fiscal Year 20:		TBA P20001	
	<u>AFP</u>	<u>Allotment</u>	
(1)	Approved Budget	\$ _____	\$ _____
(2)	Accomplished as IKA	\$ _____	\$ _____
(3)	Program Income	\$ _____	\$ _____
(4)	Total Amount Obligated	\$ _____	\$ _____

Section 4011. Agreement Particulars

The Grants Officer Representative (GOR) shall record the following information in the Defense Assistance Award Data System (DAADS) to comply with requirements of the Federal Funding Accountability and Transparency Act of 2006.

- a. Grantee/Recipient Category: Government
- b. Grantee/Recipient Type: State Government
- c. Grantee/Recipient DUNS: 070980243
- d. Primary Place of Performance: Same As PPP
(if different from "Issued To" on CA Modification) (include ZIP+4)
- e. Grantee/Recipient County: Primary Place of performance
- f. Grantee/Recipient Congressional District: Primary Place of performance
- g. Major Agency: DoD
- h. Agency Code: 2100
- i. Funding Agency: Army
- j. Program Source Agency: 21
- k. Transaction Type: Cooperative Agreement
- l. CFDA: 12.401
- m. CFDA Program Title: Operation and Maintenance, ARNG
- n. Program Source Account, Funding: 2065
- o. Treasury Appropriation Code: 2065

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p. Award/Obligation Action Date: 1 Oct 2019
q. Starting Date: 1 Oct 2019
r. Ending Date: 30 Sep 2020
s. Record Type: Individual Action
t. Fiscal Year/Quarter: FY20/1st Quarter
u. Unique Federal Award Identification Number (FAIN): W912LN-20-2-1040
v. Approved Budget Amount: P20001
w. R&D Award (Yes or No): No
x. Indirect Cost Rate or CPP Rate: N/A
y. Performance Period: 1 Oct 19-30 Sep 20

EXECUTION

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

<p>State/Territory/District of Vermont:</p> <hr/> <p>KNIGHT.GREGORY. Digitally signed by KNIGHT.GREGORY.CLARK.10500 30985 Date: 2019.08.23 15:41:58 -04'00'</p> <p>By: CLARK.1050030985</p> <p><i>GREGORY C. KNIGHT, Major General The Adjutant General</i></p> <hr/> <p>23AUG19</p> <p>(Date)</p>	<p>National Guard Bureau:</p> <hr/> <p>ABELING.JOHN.JE Digitally signed by ABELING.JOHN.JEFFREY.11714 18646 Date: 2019.08.28 11:57:10 -04'00'</p> <p>By: FFREY.1171418646</p> <p><i>JOHN J. ABELING, Colonel, NGB USPFO for Vermont</i></p> <hr/> <p>(Date)</p>
<p>Approved as to Legal Form:</p> <hr/> <p>Humbert, Jacob Digitally signed by Humbert, Jacob Date: 2019.08.21 13:25:52 -04'00'</p> <p>JACOB A. HUMBERT <i>Assistant Attorney General for Vermont</i></p> <hr/> <p>21 Aug 2019</p> <p>(Date)</p>	<p>Approved as to Legal Form:</p> <hr/> <p>KAFFERLIN.KURT Digitally signed by KAFFERLIN.KURT.ADAM.13915188 62 Date: 2019.08.21 07:59:15 -04'00'</p> <p>ADAM.1391518862</p> <p><i>Kurt A. Kafferlin, Captain, JA - State Judge Advocate</i></p> <hr/> <p>20190821</p> <p>(Date)</p>