BULLETIN NO. 98-10 - Apportionment of the Continuing Resolution(s) for Fiscal Year 1999

September 25, 1998

BULLETIN NO. 98-10

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Apportionment of the Continuing Resolution(s) for Fiscal Year 1999

1. Purpose and Background. H. J. Res 128, when it is enacted, will provide continuing appropriations for the period October 1 through October 9, 1998. I am apportioning amounts provided by this continuing resolution (CR), and any extensions of this CR, as specified in section 2. This Bulletin supplements instructions for apportionment of CRs in OMB Circular No. A-34.

2. Automatic Apportionments. Calculate the amount automatically apportioned through the period ending October 9, 1998 (and any extensions of that period) by multiplying the rate (amount) provided by the CR by the **lower of**

- the percentage of the year covered by the CR, or
- the historical seasonal rate of obligations for the period of the year covered by the CR.

See Attachment A to this Bulletin for more detailed instructions on calculating the amount automatically apportioned.

In addition, funds to initiate or resume projects or activities, consistent with existing agency plans, to achieve Year 2000 (Y2K) computer conversion are automatically apportioned through November 8, 1998, as authorized in section 118 of the CR. See Attachment B.

Under an automatic apportionment, all of the footnotes and conditions placed on the prior year apportionment remain in effect.

The CR expires at midnight on Friday, October 9, 1998. In the event that appropriations have not been enacted and the CR has not been extended, as a contingency, you should be prepared to implement your agency plan for dealing with a funding hiatus.

3. Written Apportionments. If a program requires an amount different from the total amount automatically apportioned, you must request a written apportionment.

/S/

Jacob J. Lew

Director

Attachments

Attachment A

Calculating the Automatic Apportionment

Calculate the amount automatically apportioned through the period ending October 9, 1998 (and any extensions of that period) by multiplying the *rate (amount) provided by the CR* by the **lower of**

- the *percentage of the year* covered by the CR, or
- the *historical seasonal rate* of obligations for the period of the year covered by the CR.

1. What is the *rate (amount) provided by the CR*? The *rate (amount) provided by the CR* means **one of the following five annual amounts**:

- the annual amount in the President's budget request,
- the annual amount in the House passed appropriations act for FY 1999,
- the annual amount in the Senate passed appropriations act for FY 1999,
- the annual amount representing the *rate of operations not exceeding the current rate,* calculated as follows:
  - take the amount enacted in FY 1998, including any supplemental appropriations and any rescissions;
  - add the unobligated balance carried forward to FY 1998 (if any), and
  - subtract the unobligated balance at the end of FY 1998 (if any); or
- the annual amount for *current operations*, calculated as follows:
  - take the amount enacted in FY 1998, including any supplemental appropriations and any rescissions; and
  - add the unobligated balance carried forward to FY 1998 (if any).

2. Which of the annual amounts do I use? Use the annual amount representing the *rate of operations not exceeding the current rate*, **except**:

If	Then use
The project or activity is funded at less than the annual amount for *current operations* in the: • President's budget request; • House-passed appropriation (if any); and • Senate-passed appropriation (if any).	The **greater** of the annual amounts in the: • President's budget request; • House-passed appropriation (if any); and • Senate-passed appropriation (if any).
If	**Then use**
The project or activity: • is zero-funded in both appropriations when there is a House-passed appropriation and a Senate-passed appropriation or is zero-funded in the one appropriation when only the House or the Senate has passed an appropriation; • was conducted in FY 1998; and • is included in the President's budget request.	The **lesser** of the annual amount in the President's budget request or the annual amount for *current operations*.

- is zero-funded in both appropriations when there is a House-passed appropriation and a Senate-passed appropriation or is zero-funded in the one appropriation when only the House or the Senate has passed an appropriation;
- was conducted in FY 1998; and
- is included in the President's budget request .

The **lesser** of the annual amount in the President's budget request or the annual amount for *current operations.*

3. **How do I calculate the *percentage of the year* covered by the CR?**

- Take the number of calendar days covered by the continuing resolution, for example, 9 days.

- Divide it by 365 (the number of days in the year). The result in this example is 2.47 %.

- Round the result to the nearest percentage point in tenths. The *percentage of the year* in this example is 2.5%.

4. **How do I calculate the *historical seasonal rate* of obligation?**

- Take the average amount of obligations incurred in prior years during the period covered by the CR. For example, an average of $50,000 was incurred during the first 9 days of the past 3 fiscal years.

- Divide it by the average total annual obligations incurred. For example, an average of $2,050,000 was incurred during each of the past 3 fiscal years. The result in this example is 2.44%.

- Round the result to the nearest percentage point in tenths. The *historical seasonal rate* in this example is 2.4%.

5. **Which percentage do I use?** Use the **lower** of the two percentages calculated in 3 and 4, which is 2.4% in this illustration.

Attachment B

CR Language on Y2K

Sec. 118. Notwithstanding sections 101, 104, and 106 of this joint resolution, until 30 days after the date specified in section 106, funds may be used to initiate or resume projects or activities at a rate in

excess of the current rate to the extent necessary, consistent with existing agency plans, to achieve Year 2000 (Y2K) computer conversion.