OMB BULLETIN NO. 99-07 - Apportionment of the Continuing Resolution(s) for Fiscal Year 2000

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON D.C. 20503

THE DIRECTOR

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BULLETIN NO. 99-07

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Apportionment of the Continuing Resolution(s) for Fiscal Year 2000

1. **Purpose and Background**. H. J. Res. 68, when it is enacted, will provide continuing appropriations for the period October 1 through October 21, 1999. 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 21, 1999 (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, I am automatically apportioning funds to initiate or resume projects or activities, consistent with existing agency plans, to achieve Year 2000 (Y2K) computer compliance and for implementation of business continuity and contingency plans, 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 Thursday, October 21, 1999.

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

Jacob J. Lew
Director

Attachments

<div align="right">Attachment A</div>

<div align="center">Calculating the Automatic Apportionment</div>

Calculate the amount automatically apportioned through the period ending October 21, 1999 (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 could be one of the following *annual* amounts:

- the *rate of operations not exceeding the current rate*, calculated as follows:
  - take the net amount enacted in FY 1999, i.e., add any supplemental appropriations and subtract any rescissions;
  - add the unobligated balance carried forward to FY 1999 (if any), and
  - subtract the unobligated balance at the end of FY 1999 (if any); or

- the annual amount for *current rate*, calculated as follows:
  - take the net amount enacted in FY 1999, i.e., add any supplemental appropriations and subtract any rescissions; and
  - add the unobligated balance carried forward to FY 1999 (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 *zero* funded in *both* House and Senate passed versions by October 1 *or* is *zero* funded in the *one* version passed by October 1, • was conducted in FY 1999, and • is included in the President's budget request.	FY 1999 (the current rate)

For accounts regularly funded in the Labor, HHS, Education, & Related Agencies Appropriations Act, if *either* the House or Senate, *or both are reported* as of October 1, the one(s) reported shall be *deemed as passed as of October 1* and the previous rules apply. But, if *both* have *not* been *reported*, then use FY 1999 (the current rate).

For accounts affected by the foreign affairs reorganization, use the current rate distributed into the accounts established in the Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act, 2000 as passed by the House and the Senate.

For projects and activities for decennial census programs, use $189,524,382.

For reimbursement of past losses for the Commodity Credit Corporation Fund, use $11,500,000,000.

For Corrections Trustee Operations, Public Defender Services, Parole revocation, Adult Probation, Offender Supervision, Sex Offender Registration, Pretrial Services, District of Columbia Courts, and Defender Services in District of Columbia Courts, use the rate of operations not exceeding the current rate, multiplied by the ratio of the number of days covered by this joint resolution.

For Radio Free Asia, use FY 1999 (the current rate).

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, 21 days.

- Divide it by 366 (the number of days in the year). The result in this example is 5.74 %.

- Round the result to the nearest percentage point in tenths. The percentage of the year in this example is 5.7 %.

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 21 days of the past 3 fiscal years.

- Divide it by the average total annual obligations incurred. For example, an average of $1,100,000 was incurred during each of the past 3 fiscal years. The result in this example is 4.54545 %.

- Round the result to the nearest percentage point in tenths. The historical seasonal rate in this example is 4.5 %.

5. Which percentage do I use? Use the lower of the two percentages calculated in 3 and 4, which is 4.5% in this illustration.

Attachment B

CR Language on Y2K

Sec. 118. Notwithstanding sections 101, 104, and 106 of this joint resolution, 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 compliance and for implementation of business continuity and contingency plans.

Attachment A - Calculating the Automatic Apportionment

Attachment B - CR Language on Y2K