



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

THE DIRECTOR

December 21, 2018

OMB BULLETIN No. 19-02

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Apportionment of Obligational Authority for Necessary Agency Operations in the Absence of Fiscal Year 2019 Appropriations

1. Purpose and Background. As of December 21st, the only full-year appropriations Acts that have been enacted are the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (Public Law 115-244) and the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 (Public Law 115-245). Because legislation providing fiscal year 2019 appropriations for agencies not funded by those bills expires on December 21, 2018, there will be a lapse for such agencies beginning on December 22, 2018.

During a lapse in appropriations, each agency must operate in accordance with the contingency plan that the agency has prepared under section 124 of OMB Circular A-11 and the applicable guidance that has been issued over the years by the Department of Justice, Office of Legal Counsel and the Office of Management and Budget.

2. Automatic Apportionments. I automatically apportion amounts necessary for obligations required in order to carry out your agency's contingency plan required by section 124 of OMB Circular A-11. As a reminder, this automatic apportionment provides authority to incur obligations, but does not provide any authority to liquidate such obligations. This automatic apportionment does not affect previously approved FY 2019 apportionments of multi-year or permanent law appropriations. Therefore, agencies should continue to operate under such previously approved FY 2019 apportionments for those other funding sources.

3. Reporting. Following enactment of a subsequent continuing resolution or full-year appropriation, you may be required to provide your RMO an accounting of amounts obligated during this lapse in appropriations.

Mick Mulvaney
Director