SUMMARY OF MAJOR CHANGES TO DOD 7000.14-R, VOLUME 3, CHAPTER 2				
"APPORTIONMENT/ REAPPORTIONMENT AND FUNDS DISTRIBUTION"				
All changes are denoted by blue font				
Substantive revisions are denoted by a * preceding the section, Paragraph, table or figure that includes the revision				
Hyperlinks are denoted by <u>underlined, bold, italic, blue font</u>				
This updated chapter supersedes the previously published version dated January 2011.				
PARA	EXPLANATION OF CHANGE/REVISION	PURPOSE		
All	Date refresh	Update		
Title	Added funds distribution	Update		
Multiple	Inserted and updated hyperlinks; edited, added and reorganized for clarity and to add funds distribution.	Update		
Entire Chapter	Added and amplified guidance on funds distribution.	Update		

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CHAPTER 2

APPORTIONMENT/ REAPPORTIONMENT AND FUNDS DISTRIBUTION

0201 <u>GENERAL</u>

020101. This Chapter provides information on the apportionment process, and the first level of funds distribution from the Office of the Under Secretary of Defense (Comptroller), Program Budget (OUSD(C)/PB) to the Military Services and Defense Agencies. It includes guidance for the preparation and submission of the Apportionment and Reapportionment Schedule (Standard Form (SF) 132) required by Office of Management and Budget (OMB) Circular No. A-11. Refer to <u>OMB Circular No. A-11</u> (Part 4, sections 120, 121, 123, and Appendix F) and the <u>OMB Internet Apportionment System User Guide</u> for any additional information not otherwise addressed in this chapter.

020102. Apportionment is part of the government-wide system for the administrative control of funds. The legal requirement for apportionment is found at sections 1512 and 1513 of Title 31 United States Code (U.S.C.). Unless expressly exempted or automatically apportioned, all DoD appropriated, collected, and recovered resources require OMB approval through the apportionment/reapportionment process before they are available for distribution and legal obligation. Apportionments may contain quarterly and programmatic limitations on the face of the apportionment document (SF 132) and may provide more account specific guidance in the accompanying footnotes. Revisions to the previous apportionment, called reapportionment, reflect changes to resources previously authorized for obligation, including collections and recoveries of prior year obligations. Apportionments, including footnotes, are legally binding on DoD.

020103. OMB manages and approves apportionments at the Treasury appropriation fund symbol (TAFS) level. Each TAFS is comprised of a Treasury departmental index, a period of availability to incur new obligations, and a Treasury account symbol. A TAFS for Military Personnel, Army would be 21-20BB/20EE-2010, where BB and EE represent the fiscal year beginning point and ending point of authority to incur new obligations specified in appropriations and authorization acts.

020104. Following approval of apportionment/reapportionment requests by OMB, OUSD(C)/PB allocates funds to the Military Services and Defense Agencies. Funds distributed by OUSD(C)/PB may be further subdivided through sub-allocation and sub-allotment to lower levels within the organizations or across organizations for execution.

*0202 <u>REQUIREMENTS</u>

020201. <u>Accounts Requiring Apportionment</u>. All appropriations require apportionment, except appropriations and funds that OMB has informed the agency in writing are not subject to apportionment. Refer to <u>OMB Circular No. A-11</u> (Part 4, Sections 120.7, and 120.8). Appropriations with TAFS for which budgetary resources are available only for transfer to other TAFS are exempt from apportionment.

A. The OMB currently exempts the following accounts from apportionment (available at *OMB's web-based apportionment module*):

1. Department of Defense—Military:

17X8008 17X8423	Office of Naval Records and History Fund Midshipmen's Store, United States Naval				
Academy					
17X8716	Department of the Navy General Gift Fund				
17X8723	Ships Stores Profits, Navy				
17X8730	United States Naval Academy Museum				
Fund	, i i i i i i i i i i i i i i i i i i i				
17X8733	United States Naval Academy General Gift				
Fund					
21X8063	Bequest of Major General Fred C.				
Ainsworth, Library, Walter Reed					
21X8064	Fisher Houses				
21X8174	National Science Center Gift Fund				
21X8927	Department of the Army General Gift Fund				
21X9971	Other DOD Trust Funds				
57X8170	Fisher House Trust Fund, Depart of the Air				
Force					
57X8418	Air Force Cadet Fund				
57X8928	Department of the Air Force General Gift				
Fund					
97X8165	Foreign National Employees Separation Pay				
97X8311	Uniformed Services University of the Health				
Scienc	es Gift Fund				
97X8335	Voluntary Separation Incentive Fund				
97X8337	Host Nation Support Fund for Relocation				
97X9981	Other Department of Defense Trust				
Revolving Funds					

2. Other Defense Civil:

21X5285 Department of Defense, Forest Products Program, Army

- 97 0040 Payments to Military Retirement Fund, Defense
- 97X8097 Department of Defense Military Retirement Fund
- 97X8098 Department of Defense, Education Benefits Fund

020202. <u>Accounts Requiring Reapportionment</u>. All accounts which must be apportioned must also be reapportioned for *any upward adjustment of budgetary resources greater than \$400,000 or two percent (whichever is lower)* before the increased resources may be obligated. The unobligated balances brought forward in unexpired accounts must also be reapportioned annually. Refer to <u>OMB Circular No. A-11</u> (Part 4, sections 120.37, and 120.38). For control purposes, OUSD(C)/PB also apportions decreases in budgetary resources resulting from reprogramming actions and/or funds withdrawn. Expired accounts are not apportioned. Transfer-only accounts are exempt from apportionment. All accounts being reapportioned must be compared to the most current SF133, Report on Budget Execution and Budgetary Resources (SF133), applying at a minimum the standards in paragraph 020204 below.

020203. <u>Funds Controlled and Distributed by OUSD(C)/PB</u>. Initial distribution to Military Services and Defense Agencies is the responsibility of OUSD(C)/PB for all funds appropriated by Congress or made available through above-threshold reprogrammings and transfers from other TAFS. The assigned OUSD(C)/PB analyst for each appropriation account

will allocate funds to the Military Services and Defense Agencies by means of funds authorization documents (FADs). Distribution will be made after funds are apportioned as necessary. Distribution below the level of initial transfer to the Military Services and Defense Agencies will be the responsibility of the Services and Agencies. Transfer-only accounts are not available for obligation or outlay, and budgetary resources in such accounts will not be distributed directly from the transfer accounts; such funds are distributed using reprogramming procedures governed by chapter 6 of Volume 3 of this regulation to the FAD for the recipient appropriation.

020204. <u>Periodic Review</u>. Analysts responsible for preparation of apportionment requests will review apportioned amounts a minimum of four times per year and make any necessary adjustments. The review will be performed two-weeks prior to each quarter-end, and necessary adjustments will be submitted to allow at least 10 days processing time for any necessary reapportionments. At a minimum the review will include the following:

A. Confirm unobligated balances forward, appropriations received, and permanent reductions to amounts reported on the SF133. Coordinate with DFAS to resolve discrepancies.

B. Check *reasonableness* of transfers to amounts reported on the most recent SF133. Reconcile as necessary (possible timing differences). Refer to <u>OMB Circular No. A-11</u> (Appendix F) for proper reporting of expired and unexpired balances transferred.

C. Update recoveries and spending authority from offsetting collections to actual amounts reported on the most recent SF133.

D. Ensure sufficient amounts are apportioned for projected obligations through the end of the respective quarter; for both direct and reimbursable funding, and by quarter or category. Request reapportionment as necessary to avoid a deficiency.

*0203 PROCEDURES

020301. <u>Preparation of Apportionment and Reapportionment Requests</u>. All requests will be created electronically using the <u>OMB's web-based apportionment module</u>. Refer to the <u>OMB Internet Apportionment System User Guide</u> for detailed instructions to prepare SF132 requests. Apportionment requests will be submitted by responsible Military Service and Defense-Wide analysts to OUSD(C)/PB, Program and Financial Control (P&FC), and will be validated in OMB's MAX system prior to submission. Submit requests in accordance with the following:

A. Timing and minimum requirements:

1. For new appropriations, submit requests within 5 calendar days after enactment of appropriations acts appropriating funds to DoD. At the direction of the OUSD(C), the SF 132 apportionment requests may be required to execute fund transfers mandated or authorized in an appropriations act. Refer to paragraph 020504 for information about budgetary resources available to agencies pending OMB approval of an initial apportionment following newly enacted appropriations, and paragraph 020505 for information about apportionment requirements under continuing resolutions.

2. For revolving, public enterprise, and special funds submit requests based on budget estimates by August 14. Amounts must reconcile to the current budget request.

3. Estimated unobligated balances on all multi-year accounts which will be available for obligation in the following year will be submitted by August 14. Estimates will be based on unobligated balances on the July SF133. Include anticipated reimbursements in this request as applicable.

4. Reapportionment requests will be submitted at various times throughout the year as needed to reflect changes in resources. Reapportionment is also necessary if amounts require redistribution among apportionment categories (refer to C below). Refer to paragraph 020204 for minimum review requirements to be performed with every reapportionment. Update collections and recoveries to actual amounts reflected on the SF133 with each reapportionment.

B. Apportionment Categories. Apportionments are identified by four categories (A, B, AB and C) designated in <u>*OMB Circular No. A-11*</u>, Part 4, Section 120.9. DoD uses, at a minimum, the following categories:

1. Category A, Quarterly apportionments as follows:

Line 6001:	First Quarter
Line 6002:	Second Quarter
Line 6003:	Third Quarter
Line 6004:	Fourth Quarter

2. Category B, Program or Project level apportionments will be reported on lines 6011 - 6159 for multi-year accounts. Accounts may be apportioned lump sum, by business area, or by program or project.

3. Defense Working Capital Funds (WCF) requests will identify apportionments for the Military Service/Agency business areas by listing them as separate Category B apportionments.

C. Footnotes are an essential mechanism for administrative control of funds used in apportionments. They provide supporting explanation and clarity. Incorporating explanatory footnotes sufficient to support the changes on the SF132 will facilitate faster processing at OMB. Refer to <u>OMB Circular No. A-11</u>, (Part 4, sections 120.38 – 120.41) for additional information.

1. The following footnotes will be included at a minimum on all DoD

apportionments:

a. "Pursuant to Title 31 U.S.C. Subsection 1553(b), not to exceed 1 percent of the total appropriations for this account is apportioned for the purpose of paying legitimate obligations related to canceled appropriations."

b. "A classified attachment displaying the apportionment of specific classified programs within the amount displayed may be included. All documents associated with this apportionment are unclassified except for the Classified Attachment. The classified apportionment shall be allotted in full and executed without change. Such apportionment shall remain valid during the fiscal year until such time as a reapportionment of such classified apportionment is required. Allotments shall be made no later than 30 days after OMB signs the apportionment or the start of the subsequent calendar month, whichever is later."

c. "Actual amounts recovered are automatically apportioned."

d. "Adjustments to spending authority from offsetting collections may be made without further action from OMB."

2. While under continuing resolution, should a separate written apportionment be required, the following additional footnotes will be included:

a. "For any subsequent extensions of the Continuing Appropriations Act, <u>(*insert year*)</u>, in addition to the amounts previously apportioned, this account will receive the amounts automatically apportioned via <u>(*insert OMB Bulletin number*)</u> using the daily rate, provided that the total amount apportioned during the CR period does not exceed the total annualized level of the CR."

b. "Apportioned amounts may be increased during the CR period for any additional spending authority from offsetting collections received."

D. Allocation Transfers to Other Agencies (Parent/Child transfers). Allocation transfers to other agencies for execution of funds on behalf of DoD will be reflected on all apportionment/reapportionment requests. Refer to the example at <u>OMB Circular No.</u> <u>A-11</u>, Part 4, Section 121, Exhibit 121P. Use line split "P" for "Parent" and "C" for "Child" in the line split column of the apportionment category.

020302. <u>Supporting Information</u>. Each apportionment document will be accompanied by a written explanation of the requested apportionment action (footnotes will suffice for most requests).

020303. <u>File naming conventions</u>. Requests will be submitted with a consistent file naming convention. File names will begin with the two-position fiscal year (FY), followed by the account abbreviation, the two-position Treasury Index, the four-position account number, the 4 or 8-position period of availability (POA), and a sequence number in parenthesis (filenames and sequence numbers may be changed at P&FC when necessary). Examples of acceptable file names:

A. 12 OMA 21 2020 2012 (3).xls would represent Operation and Maintenance, Army's third FY 12 submission.

B. 12 BRAC 97 0512 X (2).xls would represent the Base Realignment and Closure account's second FY 12 submission

C. 12 APAF 57 3010 2012-2014 (2).xls would represent Aircraft Procurement, Air Force's second FY 12 submission of the 2012/2014 POA.

020304. <u>Submission Instructions</u>. MAX-validated SF 132 Apportionment Requests will be submitted to OUSD(C), P&FC at the following email address: <u>OUSDC.Apportionments@osd.mil</u>.

0204 <u>NOTIFICATION TO COMPONENT OF DOD COMPTROLLER AND OFFICE OF</u> <u>MANAGEMENT AND BUDGET ACTION</u>

020401. <u>Notification to DoD Components of OUSD(C) Action</u>. The OUSD(C) will notify the Component involved of amounts recommended by the OUSD(C) if such amounts differ significantly from those requested by the DoD Component.

020402. <u>Action by OMB</u>. The OMB will indicate to the OUSD(C) the action taken in regard to the initial request for apportionment within the time prescribed by law, and in regard to reapportionment, generally within ten days after receipt of the request. This is accomplished via email notification.

020403. <u>Notification to DoD Component of OMB Action</u>. Upon receipt of the email notification of OMB action, the OUSD(C), P&FC will forward the OMB approved apportionment document, together with any correspondence relating thereto, to the OUSD(C) appropriation managers and the DoD Component points of contact. Appropriation managers will issue FADs to the Components.

*0205 SPECIAL INSTRUCTIONS

020501. <u>NATO Security Investment Program</u>. NATO infrastructure recoupments will be reported as collections. If it is anticipated that amounts will be recouped during the FY an estimate should be apportioned as anticipated reimbursements.

020502. <u>Surcharge Collections, Sales of Commissary Stores - Trust Revolving</u> <u>Fund</u>. Title 10 U.S.C. Section 2685 permits obligation of anticipated proceeds from the adjustments or surcharges authorized by Section 2685. Prior to any such obligation of funds, the amounts must be apportioned as contract authority on of the SF 132.

020503. <u>Letter Apportionments</u>. Letter apportionments may be requested by OUSD(C) under certain circumstances, such as periods under Continuing Resolution Authority, or for prior approval reprogramming actions or internal reprogramming actions. Subsequent requests for reapportionment will reflect the amounts approved on the letter apportionment in all columns of the SF 132.

020504. <u>Interim Apportionment Authority for Initial Appropriations Act</u>. In cases where OMB is reviewing the first apportionment request for newly enacted appropriations, OMB automatically apportions up to a 30-day level of resources. Refer to <u>OMB Circular No. A-11</u> (Part 4, section 120.28) for additional guidance to calculate the amount automatically apportioned. Once the written apportionment is approved by OMB, the automatic apportionment ceases to remain in effect. This authority may be further limited or modified by OUSD(C) and OMB direction.

020505. <u>Apportionment Requirements under Continuing Resolution (CR)</u>. When an appropriations act for a fiscal year has not been signed by October 1, Congress generally will pass a resolution appropriating funds to allow for the continuation of government operations for a specified period of time or until under enactment of an appropriations act providing appropriations for the fiscal year. The CR is generally for a short term period, and there may be multiple CRs or CR extensions before an act is finally passed. Each CR must be signed into law by the President before becoming effective. The OMB publishes a bulletin with the first CR providing guidance to clarify how appropriations will be calculated.

A. Annualized appropriations and automatic apportionment while under CR will be calculated by OUSD(C)/PB, P&FC based on the CR and guidance in the OMB bulletin issued with the first CR. The P&FC will provide appropriations and adjustments for reporting in the AR1002 and SF133, and available funds under CR to all Components, along with guidance to be followed while under CR. All P&FC calculations and fund balances/availability will be at the account level. Updates will be provided with each subsequent CR until an appropriations bill is passed. Appropriations and apportionments while under CR will be recorded in the SF133 in accordance with <u>OMB Circular No. A-11</u> (Appendix F).

B. Pursuant to written exceptions from OMB, during the period of a CR DoD reimbursements generally are automatically apportioned to the extent that orders are received. OMB authorizes the exception in writing when it becomes evident that agency operations under a CR are imminent. This special exception for automatic apportionment of reimbursements will be conveyed to Components with the guidance accompanying the initial CR.

C. Should Components require more funds than are automatically available to them under the CR, an exception apportionment will be required. Guidance for submission of an exception will be included in the CR guidance. The OMB requires that Components receiving exception apportionments prepare a written apportionment with each subsequent CR per <u>OMB Circular No. A-11</u> (Part 4, section 123.6 and 123.7). This requirement can be overcome by including the proper footnotes in each written apportionment. Refer to 020301.C. above for mandatory footnotes to include on written apportionments while under CR.

*0206 RESCISSONS AND DEFERRALS

020701. Available budgetary resources may be withheld from obligation or expenditure through impoundment, either permanently (rescission) or temporarily (deferral) under conditions set forth in *<u>Title 31 U.S.C. Section 1512</u>* and the Congressional Budget and Impoundment Control Act (*<u>Title 2 U.S.C. Sections 683 and 684</u>*). Budgetary resources may be deferred to provide for contingencies; to achieve savings made possible by or through changes in requirements or greater efficiency of operations; or as specifically provided by law, except that funds available for only one fiscal year may not be deferred through the end of that year. For additional information and definitions of rescissions and deferrals, refer to <u>*OMB Circular*</u> *No. A-11* (Part 4, section 112).

B. Reapportionment will generally be required when funds are proposed for rescission or deferral. For procedures and special reporting requirements, refer to <u>OMB Circular</u> <u>No. A-11</u> (Part 4, sections 123.5 - 123.13).

C. As the fourth quarter approaches, Components should review all deferrals (particularly of funds expiring at the end of the year) to ensure that amounts deferred for only part of the year will be released in time to be used prudently before the year ends. If a determination is made that such amounts should not be used, a rescission will be proposed prior to the beginning of the fourth fiscal quarter. Only in exceptional cases will rescissions be proposed during the fourth quarter. All proposed rescissions must be approved by the OMB.

D. Refer to <u>OMB Circular No. A-11</u> (Part 4, sections 112-14 – 112-16) for guidance with regard to apportionment actions to be taken when rescission proposals and deferrals are enacted, released, or disapproved.