

FISCAL YEAR 2008 DIRECT AND REIMBURSED PROGRAMS – CIVIL WORKS
CONTINUING RESOLUTION AUTHORITY

FREQUENTLY ASKED QUESTIONS

Question: What is the most that we can allot to an O&M PPA? The House report only provided funding for O&M by region.

Answer: The amount of CRA funds allotted to each eligible O&M PPA may not exceed the lesser of the amount provided for the PPA in the House Report or the amount provided for the PPA in the Senate Report. For the O&M account, the House amount for each PPA is assumed to be equal to the PPA-specific amount in the O&M backup table, as adjusted to reflect the changes discussed in the House report. In addition, MSCs should plan their allotments under the CRA and any CRA extensions so that the sum of allotments to all O&M PPAs in a water resources region for the entire FY would not exceed the House amount for that region.

Question: What information is needed to obtain approval to allot funds to a PPA with zero funds in the House or Senate report?

Answer: If either the House Report or the Senate Report provide zero funds for a PPA, MSC's may not allot any CRA funds to that PPA without prior CECW-I approval. In this case the MSC request should include for each PPA the recent funding history, House and Senate amounts for FY 2008, interested Members of Congress, the amount proposed to be allotted, and the proposed use of the funds.

Question: Should we fund work in the account proposed by the FY 2008 budget?

Answer: Work does migrate among accounts during the CRA. A type of work that was funded from a particular account in FY 2006 and 2007 will be funded from the same account under the CRA.

Question: How do we fund the preparation of a peer review plan for a study that does not have one?

Answer: MSCs may allot funds to a study for only the costs of preparing the peer review plan. Upon completion of the peer review plan, additional funds may be allotted.

Question: How are the MSC and SFOA allotments to project-based Remaining Items determined?

Answer: Each MSC/SFOA will prepare and coordinate with the Program Manager for a Remaining Item (including the CAPs) a plan for program execution while under the CRA. Funding for each Remaining Item will be assumed to be equal to the lesser of the amount for the Remaining Item in the House report or the amount for the Remaining Item in the Senate report.

Question: Can we allocate funds to section 206 projects that were not named by the House for FY 2008? The namings add up to nearly the amount authorized per year (\$25 million).

Answer: See answer above.

Question: What is the threshold for FY 2008 below which a contract must be fully funded?

Answer: \$10 million.

Question: What will happen if FY 2008 funds obligated on a project exceed the amount than it ultimately receives in the Conference plus funds reprogrammed in the meantime?

Answer: If funds already obligated on a PPA exceed the cumulative allotment, a reconciliation will be required. Like a reprogramming, a reconciliation involves revocation of funds from a source PPA and re-allotment to a receiving PPA. The Committees will be notified of reconciliations, but the reconciliations are not subject to the reprogramming restrictions of section 101 of the E&WDAA 2006. The requirement that allotments to projects with zero funding in the House or Senate receive prior CECW-I approval is designed to minimize the risk of needing reconciliations.

Question: What does section 104 of the CRA mean?

Answer: It means that FY 2008 funds under the CRA cannot be allotted to a PPA for which no funds or other budget authority were available in FY 2007, that is, the PPA had no unobligated carry-in to FY 2007 and that did not receive any additional funds or budget authority in FY 2007. This restriction is in addition to the limitation in section 101 that the conditions of the previous Act apply, whereby only PPAs that received funds in FY 2006 can be funded. For a non-CAP PPA, section 101 and section 104 together mean that the PPA can receive a CR allotment only if it received funds in FY 2006 and had funds available in FY 2007.

For a CAP PPA, the PPA can receive a CR allotment if it received funds in FY 2006 and carried funds unobligated into FY 2007, or if it received funds in FY 2007. This is

because in FY 2007 each CAP program was a PPA, not the CAP projects, so projects not funded in FY 2006 could be funded in FY 2007.

Question: How is the bottom line for each account computed?

Answer: In accordance with OMB Bulletin 07-05, the bottom line for each account is the lesser of two percentages times an annual amount. One percentage is the pro rata percentage, 47/366 or 12.84 percent. The second percentage is the historical obligations for the period of the CR as a percent of historical obligations for the entire fiscal year. In computing historical obligations, we used FY 2007 data. The annual amount is FY 2007 enacted (the Work Plan amount).