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REPORT
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ALLOCATION TO SUBCOMMITTEES OF BUDGET TOTALS FOR FISCAL YEAR 2012

SEPTEMBER 8, 2011.—Ordered to be printed

Mr. INOUYE, from the Committee on Appropriations, submitted the following

REPORT

The Committee on Appropriations submits the following report pursuant to section 302(b) of the Congressional Budget Act of 1974, as amended, and to section 106(b)(1) of the Budget Control Act of 2011 (Public Law 112–25).

The Congressional Budget Act requires that as soon as practicable after a concurrent resolution on the budget is agreed to, the Committee on Appropriations shall submit to the Senate a report subdividing among its subcommittees the new budget authority and total outlays allocated to the Committee in the joint explanatory statement accompanying the conference report on such a resolution.

Under the provisions of section 301(a) of the Congressional Budget Act, the Congress shall complete action on a concurrent resolution on the budget no later than April 15 of each year. In the absence of such congressional action, on August 2, 2011, the President approved the Budget Control Act of 2011. Section 106(b)(1) of that act provides for the chairman of the Committee on the Budget to file an allocation, consistent with the terms of the Budget Control Act, to serve as a section 302(a) allocation for purposes of budget enforcement in the Senate. The allocation was filed by the chairman of the Budget Committee on September 7, 2012. The allocation will remain in effect until the adoption by Congress of a budget resolution.

This approach is not without precedent. A similar procedure (S. Res. 308; 101st Congress) was agreed to in the Senate on July 12, 1990, providing an allocation for the Committee for fiscal year 1991. The budget resolution was finally adopted on October 9, 1990. A similar resolution (S. Res. 209; 105th Congress) was agreed to in the Senate on April 2, 1998, providing an allocation for the Committee for fiscal year 1999. Conferees were unable to resolve

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their differences on budget that year. In August 2004, the President approved the Department of Defense Appropriations Act, 2005 (Public Law 108–287). Section 14007 of that act set an allocation consistent with the conference report on S. Con. Res. 95, the budget resolution for fiscal year 2005. That budget conference report was never adopted by the Congress. Again, in June 2006, the President approved the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234). Section 7035 of that act provided section 302(a) allocations to the Committee on Appropriations for fiscal year 2007. Conferees on the fiscal year 2007 budget resolution were unable to resolve their differences.

In other years, in the absence of a budget resolution, the Committee has proceeded with internal guidance, but without any budget enforcement procedures in the Senate. In June 1984, the Committee adopted a non-binding allocation of a non-defense spending. That year the budget resolution was adopted by the Congress on October 1. Again, in July 2002, the Committee adopted a non-binding allocation. That year the Senate did not consider a budget resolution for fiscal year 2003. On July 15, 2010, the Committee adopted its own "Committee Guidance". Last year neither the House nor the Senate considered a budget resolution for fiscal year 2011.

The Committee notes that, under the terms of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by section 101 of the Budget Control Act of 2011, under the chairman of the Committee on the Budget may increase the 302(a) allocation of the Committee on Appropriations if certain conditions relating to funding of specific programs are met. These provisions address such programs as: costs of emergencies (sec. 251(b)(2)(A)(i)); costs of overseas contingency operations (sec. 251(b)(2)(A)(ii)); continuing disability reviews and redeterminations (sec. 251(b)(2)(B)); healthcare fraud and abuse control (sec. 251(b)(2)(C)); and disaster funding (sec. 251(b)(2)(D)).

Set forth below are the allocations to subcommittees:

SUBCOMMITTEE ALLOCATIONS FOR FISCAL YEAR 2012

[In millions of dollars]

Subcommittee	Discretionary				Mandatory		Total	
	Budget authority			Outlays	Budget authority	Outlays	Budget authority	Outlays
	Security	Nonsecurity	Total	Total				
Agriculture, Rural Development, and Related Agencies	1,750	18,030	19,780	22,931	116,916	104,805	136,696	127,736
Commerce, Justice, Science, and Related Agencies	84	52,617	52,701	63,570	272	284	52,973	63,854
Defense	512,992	33	513,025	590,430	514	514	513,539	590,944
Energy and Water Development	11,050	20,575	31,625	45,071	.....	.....	31,625	45,071
Financial Services and General Government	.....	21,731	21,731	25,920	21,455	21,450	43,186	47,370
Homeland Security	41,000	.....	41,000	44,985	1,440	1,402	42,440	46,387
Interior, Environment, and Related Agencies	.....	29,275	29,275	29,275	456	456	29,731	29,731
Labor, Health and Human Services, and Education, and Related Agencies	299	156,835	157,134	177,858	540,370	540,108	697,504	717,966
Legislative Branch	10	4,297	4,307	4,385	136	136	4,443	4,521
Military Construction and Veterans Affairs, and Related Agencies	72,311	221	72,532	78,555	68,448	68,201	140,980	146,756
State, Foreign Operations, and Related Programs	44,504	136	44,640	51,120	159	159	44,799	51,279
Transportation and Housing and Urban Development, and Related Agencies	.....	55,250	55,250	127,900	.....	.....	55,250	127,900
Total	684,000	359,000	1,043,000	1,262,000	750,166	737,515	1,793,166	1,999,515

In addition to the budget allocation for the budget year, the chairman of the Committee on the Budget filed a 302(a) allocation for fiscal year 2011.

Set forth below are the allocations to subcommittees for fiscal year 2011:

SUBCOMMITTEE ALLOCATIONS FOR FISCAL YEAR 2011

[In millions of dollars]

Subcommittee	Discretionary		Mandatory		Total	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Agriculture, Rural Development, and Related Agencies	19,922	23,603	116,980	101,878	136,902	125,481
Commerce, Justice, Science, and Related Agencies	53,428	65,348	257	267	53,685	65,615
Defense	670,848	678,503	292	292	671,140	678,795
Energy and Water Development	31,682	44,775	.....	.....	31,682	44,775
Financial Services and General Government	21,950	24,877	20,780	20,775	42,730	45,652
Homeland Security	41,782	46,374	1,401	1,376	43,183	47,750
Interior, Environment, and Related Agencies	29,559	33,102	446	446	30,005	33,548
Labor, Health and Human Services, and Education, and Related Agencies	156,177	202,525	549,607	549,745	705,784	752,270
Legislative Branch	4,541	4,554	133	131	4,674	4,685
Military Construction and Veterans Affairs, and Related Agencies	77,723	83,993	70,284	70,099	148,007	154,092
State, Foreign Operations, and Related Programs	48,162	51,711	159	159	48,321	51,870
Transportation and Housing and Urban Development, and Related Agencies	55,367	131,690	.....	.....	55,367	131,690
Total	1,211,141	1,391,055	760,339	745,168	1,971,480	2,136,223

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on September 7, 2011, the Committee ordered favorably reported en bloc the fiscal year 2012 budget allocation a proposed by the Chairman, and a bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with an amendment in the nature of a substitute; a bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with an amendment in the nature of a substitute; and a bill (H.R. 2017) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, and for other purposes, with an amendment in the nature of a substitute; provided, that each bill be subject to further amendment and that each bill be consistent with its spending allocations, by a recorded vote of 29–1, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Inouye	Mr. Johnson (WI)
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Kohl	
Mrs. Murray	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson (SD)	
Ms. Landrieu	
Mr. Reed	
Mr. Lautenberg	
Mr. Nelson	
Mr. Pryor	
Mr. Tester	
Mr. Brown	
Mr. Cochran	
Mr. McConnell	
Mr. Shelby	
Mrs. Hutchison	
Mr. Alexander	
Ms. Collins	
Ms. Murkowski	
Mr. Graham	
Mr. Kirk	
Mr. Coats	
Mr. Blunt	
Mr. Moran	
Mr. Hoeven	

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