

# H.R.28

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## IN THE HOUSE OF REPRESENTATIVES

January 5th, 2023

Mr. Sullivan of Olympia(for himself, Mr. O'Connor of Frontier, Mr. Kean of Olympia, and Mr. Twos of Lincoln, on behalf of the Guy Administration) introduced the following bill;

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## A BILL

To make consolidated appropriations for the fiscal months beginning January 10, 2023, and ending March 10, 2023

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress Assembled,*

### SECTION 1. SHORT TITLE

This act may be cited as the “General Appropriations and Budget Act of January 2023”.

### SECTION 2. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal months beginning January 10, 2023, and ending March 10, 2023, referred to in this Act as fiscal months January to March, 2023.

### SECTION 3. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress shall remain available until March 10, 2023, unless otherwise specified, provided that official reception and representation expenses do not exceed 1% of appropriations in the same period.

### SECTION 4. ADJUSTMENT OF FUNDS.

Each amount designated in this Act by the Congress shall be adjusted by reducing such amounts by the respective sums made available for such identical projects or activity as provided in the [Shutdown Prevention Act of 2022](#).

### SECTION 5. TRANSFERS OF FUNDS.

None of the funds provided by this Act, provided by previous appropriations Acts that remain available for obligation or expenditure in fiscal months January to March 2023, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the components funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or eliminates a program, project, or activity without the explicit authorization of the Congress, or increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;
- (2) contracts out any function or activity presently performed by Federal employees or any new function or activity proposed to be performed by Federal employees in the President's budget proposal for fiscal months January to March 2023;
- (3) augments funding for existing programs, projects, or activities, in excess of \$5,000,000 or 10 percent, whichever is less;
- (4) reduces funding for any program, project, or activity, or numbers of personnel, by 10 percent or more; or
- (5) results from any general savings from a reduction in personnel that would result in a change in funding levels for programs, projects, or activities as approved by the Congress.

#### **SECTION 6. APPROPRIATE USE OF FUNDS.**

None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in [18 U.S.C. 1913](#). Furthermore, whereas appropriations are such sums as may be necessary, notwithstanding any other provision of law, no amounts made available under such heading shall be made available for transfer to another budget account.

#### **SECTION 7. OBLIGATION OF FUNDS.**

Amounts appropriated by this Act shall be available for obligation and expenditure not later than 2 days after the date of enactment of this Act.

#### **SECTION 8. COMPLIANCE WITH FEDERAL LAW.**

None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

#### **SECTION 9. CONTINUATION OF APPROPRIATIONS.**

Furthermore, such amounts as may be necessary are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2023, and for other purposes: *Provided*, That such sums are provided at a rate for operations as provided in this Act for the fiscal months January to March 2023, under the authority and conditions provided, for continuing projects or

activities, including the costs of direct loans and loan guarantees, that were conducted in fiscal months of January to March 2023, except when otherwise provided for under this Act, and for which appropriations, funds, or other authority were previously made available in this Act: *Provided further*, That such sums shall cease to be provided following the enactment into law of an appropriation for any project or activity provided for in this Act: *Provided further*, That none of the funds provided by this section shall be available for obligation or expenditure through a reprogramming of funds that provides any appropriation or funds for any activity for which appropriations were not made available during fiscal months January to March 2023, unless otherwise specified by law.

#### **SECTION 10. REVENUE.**

Offsets, projected to amount to \$32,441,348,648.84, shall be deposited into the General Fund of the Treasury. Revenues are projected to amount according to the following table:

Source	Bimonthly Revenue
Income Tax	\$ 355,888,537,346.37
Payroll Taxes	\$ 226,084,252,620.20
Corporate Tax	\$ 31,298,260,546.23
Excise Tax	\$77,739,138,424.70
Custom Duties	\$ 13,077,295,233.99
Fed Remittances	\$ 12,601,718,765.33
Other	\$ 3,785,482,005.41
Estate Tax	\$ 4,263,164,585.29
<b>Total Revenue</b>	<b>\$724,737,849,527.53</b>

#### **SECTION 11. EXPENDITURES.**

The following expenditures are reported as totals for Executive Departments and top-level Agencies:

<b>Department of Defense</b>	<b>\$95,262,838,215.21</b>
Military Personnel	\$29,731,131,665.72
Operations and Maintenance	\$29,731,131,665.72

Procurement	\$17,742,543,496.18
Research, Development, Testing and Evaluation (RDT&E)	\$13,839,824,808.18
Revolving & Management Funds	\$259,122,747.43
Other DOD Programs	\$371,412,788.78
Related Agencies	\$177,253,158.14
Overseas Operations	\$743,106,200.78
Operations and Maintenance	\$8,507,787,093.56
Natural Disaster Relief	\$293,445,750.79
<b>Commerce, Justice and Science</b>	<b><u>\$12,427,595,584.99</u></b>
Department of Commerce	\$2,077,846,877.73
Department of Justice	\$5,121,588,931.18
Department of Science	\$5,066,505,145.29
Related Agencies	\$161,654,630.80
<b>Financial Services and General Government</b>	<b><u>\$11,777,251,720.88</u></b>
Treasury	\$7,968,180,676.86
Executive Office	\$97,180,924.62
Judiciary	\$1,132,870,176.83
District of Columbia	\$118,327,416.45
Independent Agencies	\$2,460,692,526.11
<b>Homeland Security</b>	<b><u>\$9,051,579,849.31</u></b>

Departmental Management, Operations, Intelligence, & Oversight	\$348,587,925.89
Security Enforcement & Investigation	\$4,406,142,559.97
Protection, Preparedness, Response, & Recovery	\$4,024,294,410.37
Research, Development, Training, & Services	\$272,554,953.08

<b>Departments of Labor, HHS, and Education</b>	<b><u>\$158,776,171,552.09</u></b>
Department of Labor	\$1,646,343,977.68
Department of Health & Human Services	\$10,239,411,963.75
Centers for Medicare & Medicaid Services	\$125,741,952,841.92
Department of Education	\$13,865,973,138.81
Related Agencies	\$7,282,489,629.92
<b>Agriculture, Rural Dev., FDA</b>	<b><u>\$25,845,162,838.66</u></b>
Agricultural Programs	\$1,014,899,640.31
Farm Production and Conservation Programs	\$466,980,402.73
Rural Development Programs	\$6,439,791,446.15
Domestic Food Programs	\$16,547,895,692.48
Foreign Assistance and Related Programs	\$359,920,986.12
Related Agencies and Food & Drug Administration	\$968,628,038.24
Independent Agencies	\$47,046,632.63

<b>Energy &amp; Water Dev.</b>	<b><u>\$7,835,832,375.04</u></b>
Corps of Engineers - Civil	\$1,267,277,252.16
Department of the Interior	\$253,811,778.97
Energy Research and Development	\$6,127,144,421.19
Independent Agencies	\$187,598,922.72
<b>Department of Interior, Environment</b>	<b><u>\$6,074,164,595.65</u></b>
Department of Interior	\$2,193,586,440.49
Environmental Protection Agency	\$1,460,712,899.87
Department of Agriculture	\$1,244,175,099.77
Department of HHS	\$1,175,690,155.53
<b>Legislative Branch</b>	<b><u>\$939,947,427.76</u></b>
Legislative Branch	\$939,947,427.76
<b>Military Construction, VA</b>	<b><u>\$6,935,005,751.19</u></b>
Department of Defense	\$1,508,248,473.32
Department of Veterans Affairs	\$4,287,321,134.24
Related Agencies	\$33,181,128.57
Overseas Contingency Operations	\$85,463,221.98
Natural Disaster Relief	\$1,020,791,793.09
<b>Department of State, Foreign Operations</b>	<b><u>\$7,867,924,161.49</u></b>
Department of State & Related Agencies	\$2,371,153,957.68

United States Agency for International Development	\$143,057,943.57
Bilateral Economic Assistance	\$3,866,541,074.84
International Security Assistance	\$1,176,246,094.98
Multilateral Assistance	\$296,479,786.32
Export and Investment Assistance	\$14,445,304.11
<b>Transportation, HUD</b>	<b>\$13,412,798,228.50</b>
Department of Transportation	\$1,869,656,995.30
Department of Housing and Urban Development	\$11,481,802,694.99
Related Agencies	\$61,338,538.20
<b>Social Security</b>	<b>\$188,465,998,321.21</b>
<b>Medicare</b>	<b>\$111,125,002,351.28</b>
<b>Social Security and Benefit Replacement Pay/Public Option</b>	<b>\$42,668,851,213.54</b>
<b>Net Interest</b>	<b>\$112,773,226,843.59</b>
<b>Discretionary Programs</b>	<b>\$63,191,379,427.30</b>
<b>Total Expenditures</b>	<b>\$874,430,720,457.69</b>
<b>Total Deficit</b>	<b>-\$149,692,870,930.16</b>

## SECTION 12. EXPENDITURES BREAKDOWN BY DEPARTMENT.

BREAKDOWN. — There shall be a breakdown of expenditures by Department, [here](#).

## SECTION 13. SURPLUS, DEBT AND EMERGENCY FUND.

- (a) DEBT INTEREST.—For payments of interest on the public debt, such sums as may be necessary, projected to amount to \$112,773,226,843.59.
- (b) TOTAL APPROPRIATIONS.—Appropriations contained within this Act from the General Fund of the Treasury, including net interest paid and revenue offsets, are calculated to amount to \$840,160,279,785.72

- (c) **TOTAL REVENUES.**—For the fiscal month of January to March 2023, total revenues are projected to amount to \$724,737,849,527.53.
- (d) **DEFICIT.**—For the fiscal months January to March 2023, total appropriations less total revenues are projected to amount to -\$115,422,430,258.29.
- (e) **DEBT PRINCIPAL.**—For the fiscal months of January to March 2023, in the event that total appropriations are greater than total revenues, the addition to the public debt shall be total appropriations less total revenues. Alternatively, in the event that total appropriations are lesser than total revenues, there shall be appropriated the amount of total revenues less total appropriations for payments against the public debt.
- (f) **RECISSION OF UNSPENT APPROPRIATIONS.**—Appropriated amounts remaining at the end of the period of availability shall be transferred to the General Fund of the Treasury and subsequently appropriated as payments against the public debt.

#### **SECTION 14. PASSENGER SCREENING REFORM ACT**

- (a) **REQUIREMENT.** — Section 44901(a) of title 49, United States Code, is amended in the second sentence by striking “except as otherwise” and all that follows through the end period and inserting “except—
  - “(1) that screening of passengers shall be conducted by employees of a private screening company under a contract entered into pursuant to subsection (m)(1);
  - “(2) for identifying passengers and baggage for screening under the CAPPS and known shipper programs and conducting positive bag-match programs; and
  - “(3) as otherwise provided in section 44919 or 44920.”.
- (b) **ADMINISTRATION.** — The Administrator shall request each qualified private screening company that enters into a contract with the Transportation Security Administration under this section to provide screening services at an airport to submit to the Administrator an annual report that includes recommendations for—
  - (i) new approaches to prioritize and streamline requirements for aviation security;
  - (ii) new or more efficient processes for the screening of all passengers and property at the airport under section 44901;
  - (iii) processes and procedures that would enhance the screening of passengers and property at the airport; or
  - (iv) screening processes and procedures that would better enable the Administrator and the private screening company to respond to threats and emerging threats to aviation security.
- (c) **TESTING.** — The Administrator shall conduct a field demonstration at an airport of each recommendation submitted under paragraph (1) to determine the effectiveness of the approach, process, or procedure recommended, unless the Administrator determines that conducting such a demonstration would compromise aviation



security. This testing shall happen every year. If they fail a testing in any inspection the airport in question will contact the Administrator to hire a new company.

## **SECTION 15. REAUTHORIZATION OF NATIONAL FLOOD INSURANCE ACT.**

### **(a) IN GENERAL. —**

- (i) **FINANCING.** — Section 1309(a) of the National Flood Insurance Act of 1968 ([42 U.S.C. 4016\(a\)](#)) is amended by striking “September 30, 2021” and inserting “December 31, 2025”.
- (ii) **PROGRAM EXPIRATION.** — Section 1319 of the National Flood Insurance Act of 1968 ([42 U.S.C. 4026](#)) is amended by striking “September 30, 2021” and inserting “December 31, 2025”.

### **(b) CONTINUED OPERATION DURING LAPSE OF APPROPRIATIONS. —**

Section 1310(f) of the National Flood Insurance Act of 1968 ([42 U.S.C. 4017\(f\)](#)) is amended—

- (i) by inserting “(1)” after “(f)”; and
- (ii) by adding at the end the following:

“(2)(A) In this paragraph, the term ‘period of a lapse in appropriations from the Fund’ means a period, on or after the first day of a fiscal year, during which an appropriation Act for the fiscal year with respect to the Fund has not been enacted and continuing appropriations are not in effect for the fiscal year with respect to the Fund.

“(B) Notwithstanding paragraph (1), during a period of a lapse in appropriations from the Fund, amounts in the Fund not otherwise appropriated shall be available to the Administrator to carry out the flood insurance program under this title, subject to the same terms and conditions (except with respect to the period of availability), and in an amount not greater than the rate for operations, provided for the Fund in the most recently enacted regular or continuing appropriation Act.

“(C) Amounts in the Fund shall be available under subparagraph (B) for a fiscal year during the period beginning on the first day of a period of a lapse in appropriations from the Fund during the fiscal year and ending on the date on which the regular appropriation Act for the fiscal year with respect to the Fund is enacted (whether or not such law makes amounts available from the Fund) or a law making continuing appropriations with respect to the Fund is enacted, as the case may be.

“(D) Expenditures and obligations made under this paragraph shall be charged to the Fund whenever a regular appropriation Act, or a law making continuing appropriations, with respect to the Fund is enacted for the applicable fiscal year.”.

## **SECTION 16. SOCIAL SECURITY REFORM ACT.**

- (a) SOVEREIGN WEALTH FUND. — The Social Security Trust Fund Is authorized to use a portion of its cash reserve to invest in private holdings held by a private entity in a responsible and reasonable manner.
- (b) RESTRICTION ON PORTION. — The portion of the Social Security Trust Fund’s cash reserve used to invest in private holdings held by a private entity shall exceed no more than one fourth of the total cash reserves of the Social Security Trust Fund.
- (c) RESTRICTION ON USAGE. — Proceeds and Profits generated by investments as laid out in this chapter shall be put back into the Social Security Trust Fund’s cash reserve.
- (d) REGULATION. — The Commissioner shall promulgate, no later than six months following the enactment of this act, the following —
  - (i) Regulations to require the diversification of funds invested, pursuant to this section, into private holdings held by private entities;
  - (ii) Regulations to require further transparency in all funds invested, pursuant to this section, into private holdings held by private entities;
  - (iii) Regulations to prevent corruption in the investment of funds, pursuant to this section, into private holdings held by private entities;
  - (iv) Regulations to prevent abuse in the investment of funds, pursuant to this section, into private holdings held by private entities;
  - (v) Regulations to limit the vulnerability of funds invested, pursuant to this section, into private holdings held by private entities, to volatility;
  - (vi) Regulations to ensure the proceeds and profits generated by funds invested, pursuant to this section, into private holdings held by private entities, are put back into the Social Security Trust Fund’s cash reserve, and are used only to help pay for programs outlined under the Social Security Act as amended; and
  - (vii) Other such regulations as may be necessary.
- (e) OVERSIGHT. — The Federal Open Market Committee, as established by the Glass-Steagall Act of 1933, along with the Board of Trustees of the Trust Funds, as established by [42 U.S.C. 401](#), shall oversee all investment of funds from the Social Security Trust Fund’s cash reserve.
- (f) REPORTS. — The Social Security Administration shall issue a full report to the Congress of the United States each fiscal year quarter, detailing all investments made pursuant to this section.
- (g) DEFINITIONS. — As used in this section:
  - (i) The term “Social Security Trust Fund” shall refer to both the Federal Old-Age and Survivors Insurance Trust Fund, and the Federal Disability Insurance Trust Fund, as laid out by [42 U.S.C. § 401](#).
  - (ii) The term “Private holdings” shall refer to private equities, commodities, and corporate debt.
  - (iii) The term “Private entity” shall have the meaning given such term by [\(6 U.S.C. § 1501\(15\)\)](#)
  - (iv) The term “Fiscal year quarter” shall have the meaning given such term by [\(21 CFR § 1150.3\)](#)

- (v) The term “Commissioner” shall refer to the Commissioner of the Social Security Administration, as created by [42 U.S.C. § 902](#).
- (h) DATE OF EFFECT. — The provisions outlined in this section shall go into effect six months after the date of enactment of this act.

#### **SECTION 17. SEVERABILITY.**

Severability. — Should any one or more provision, section, subsection, sentence, clause, phrase, word, application of this Act be deemed invalid or unconstitutional for any reason in a court with relevant jurisdiction, the rest of the Act, and the application of the remaining provisions, shall not be affected.

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*This bill was authored by Representative Sullivan and Senator. Noah for the use of Congress.*