

173rd CONGRESS

H.R. 10.

IN THE HOUSE OF REPRESENTATIVES

February 6, 2023

Mr. Mourning (for themselves, on behalf of the Charest-Harris Administration,) introduced the following bill;

A BILL

To make consolidated appropriations for the fiscal months beginning February 11, 2024, and ending April 10, 2024.

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

SECTION 1. SHORT TITLE

Short Title. — This act may be referred to as:

- (1) The “Financial Oversight, National Transparency, and Economic Nurturing Omnibus Taxation 2024”;
- (2) The “FONTENOT Act of December-February 2024”;
- (3) The “FONTENOT Act”; or
- (4) The “General Appropriations and Budget Act of February-April 2024”.

SECTION 2. TABLE OF CONTENTS

The table of Contents for this act is as follows:

Section 1: SHORT TITLE
Section 2: TABLE OF CONTENTS.
Section 3: STATEMENT OF APPROPRIATIONS.
Section 4: AVAILABILITY OF FUNDS.
Section 5: TRANSFERS OF FUNDS.
Section 6: APPROPRIATE USE OF FUNDS.
Section 7: OBLIGATION OF FUNDS.
Section 8: COMPLIANCE WITH FEDERAL LAW.
Section 9: CONTINUATION OF APPROPRIATIONS.
Section 10: RECEIPTS.
Section 11: EXPENDITURES.
Section 12: EXPENDITURES AND RECEIPTS BREAKDOWN.
Section 13: SURPLUS, DEBT AND EMERGENCY FUND.
Section 14: HBCU GRANT PROGRAM..
Section 15: SEVERABILITY.
Section 16: SUPREMACY.

SECTION 3. 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 February 11, 2024, and ending April 10, 2024, henceforth referred to in this Act as fiscal months February to April, 2024.

SECTION 4. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress shall remain available until April 11, 2024, unless otherwise specified, provided that official reception and representation expenses do not exceed 1% of appropriations in the same period.

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 February to April 2024, 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 December to February 2024;
- (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 two (2) 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 2024, and for other purposes: *Provided*, That such sums are provided at a rate for operations as provided in this Act for the fiscal months February to April 2024, 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 February to April 2024, 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 February through April 2024, unless otherwise specified by law.

SECTION 10. RECEIPTS.

Offset revenues, projected to amount to \$34,112,893,796.41, shall be deposited into the General Fund of the Treasury of the United States. Revenues are projected to amount according to the following table:

Bimonthly Receipts, Broken down by Source:	
Income Tax	\$352,002,808,195.56
Payroll Taxes (FICA)	\$282,883,645,639.26
Public Patriotic Benefits	\$74,351,495,895.67
Corporate Tax	\$68,150,945,064.93
Excise Tax	\$59,083,851,156.43
Other:	\$46,376,249,104.72
Receipts Totalled:	\$882,848,995,056.58

SECTION 11. EXPENDITURES.

Offset expenditures, projected to amount to \$33,298,044,041.45, shall be appropriated from the General Fund of the Treasury of the United States. The following expenditures are reported as totals for Executive Departments and top-level Agencies:

Department of Defense	\$97,825,000,667.98
Military Personnel	\$25,931,709,918.71
Operations and Maintenance	\$29,003,121,234.04
Procurement	\$17,092,903,653.67
Research, Development, Testing and Evaluation (RDT&E)	\$14,848,501,309.64
Revolving & Management Funds	\$278,943,528.42

Other DOD Programs	\$396,398,537.19
Related Agencies	\$190,811,581.93
Overseas Operations	\$799,947,776.44
Operations and Maintenance	\$8,966,771,165.80
Natural Disaster Relief	\$315,891,962.14
Commerce, Justice and Science	\$15,315,765,322.35
Department of Commerce	\$2,821,692,082.25
Department of Justice	\$6,736,768,631.30
Department of Science	\$5,559,339,690.23
Related Agencies	\$197,964,918.57
Financial Services and General Government	\$13,548,237,338.95
Treasury	\$10,014,169,189.31
Executive Office	\$100,633,320.35
Judiciary	\$620,408,146.31
District of Columbia	\$122,531,050.74
Independent Agencies	\$2,690,495,632.24
Homeland Security	\$10,879,677,882.36
Departmental Management, Operations, Intelligence, & Oversight	\$404,643,920.22
Security Enforcement & Investigation	\$4,916,665,699.35
Protection, Preparedness, Response, & Recovery	\$5,241,984,083.95
Research, Development, Training, & Services	\$316,384,178.84

Departments of Labor, HHS, and Education	\$104,403,055,386.62
Department of Labor	\$1,745,565,781.35
Department of Health & Human Services	\$10,349,895,218.84
Centers for Medicare & Medicaid Services	\$70,586,008,932.76
Department of Education	\$14,586,239,984.75
Related Agencies	\$7,549,624,042.69
Agriculture, Rural Dev., FDA	\$29,387,654,431.10
Agricultural Programs	\$1,284,066,569.39
Farm Production and Conservation Programs	\$538,370,627.21
Rural Development Programs	\$6,866,788,488.20
Domestic Food Programs	\$18,462,546,229.00
Foreign Assistance and Related Programs	\$1,021,587,814.07
Related Agencies and Food & Drug Administration	\$1,165,576,717.98
Independent Agencies	\$48,717,985.25
Energy & Water Dev.	\$7,923,000,483.23
Corps of Engineers - Civil	\$1,563,273,731.94
Department of the Interior	\$262,926,003.80
Energy Research and Development	\$3,020,823,731.48
Independent Agencies	\$209,781,419.88

Department of Interior, Environment	\$7,292,569,607.23
Department of Interior	\$2,580,723,610.84
Environmental Protection Agency	\$1,891,253,192.76
Department of Agriculture	\$1,482,319,193.47
Department of HHS	\$1,338,273,610.15
Legislative Branch	\$893,611,382.17
Legislative Branch	\$893,611,382.17
Military Construction, VA	\$7,492,632,718.15
Department of Defense	\$1,577,126,732.12
Department of Veterans Affairs	\$4,657,045,906.69
Related Agencies	\$35,036,262.80
Overseas Contingency Operations	\$90,241,412.33
Natural Disaster Relief	\$1,133,182,404.21
Department of State, Foreign Operations	\$8,058,690,365.71
Department of State & Related Agencies	\$2,455,390,260.54
United States Agency for International Development	\$148,140,140.86
Bilateral Economic Assistance	\$4,003,901,672.56
International Security Assistance	\$1,129,287,448.67
Multilateral Assistance	\$307,012,363.09
Export and Investment Assistance	\$14,958,479.99

Transportation, HUD	\$14,205,369,773.67
Department of Transportation	\$2,372,637,517.93
Department of Housing and Urban Development	\$11,762,545,268.32
Related Agencies	\$70,186,987.42
Social Security	\$198,315,449,140.20
Additional Mandatory Payments to the SS Trust	\$30,707,286,394.94
Medicare	\$116,932,529,568.36
Net Interest	\$118,666,892,268.96
Discretionary Programs	\$79,260,745,784.61
Receipts, Totalled	\$882,848,995,056.58
Expenditures, (Ex. SSTF)	-\$830,389,658,300.68
SS Trust Fund	-\$30,707,286,394.94
Total Surplus	\$21,740,826,539.99

SECTION 12. EXPENDITURES AND RECEIPTS BREAKDOWN.

BREAKDOWN. — There shall be a breakdown of expenditures by Department, located [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 \$118,666,892,268.96
- (b) TOTAL APPROPRIATIONS.—Appropriations contained within this Act from the General Fund of the Treasury, including net interest paid but excluding additional payments to the Social Security Trust Fund made in Section 13(g)(a), are calculated to amount to \$830,389,658,300.68

- (c) TOTAL REVENUES.—For the fiscal months of February to April 2024, total revenues are projected to amount to \$882,848,995,056.58
- (d) SURPLUS.—For the fiscal months February to April 2024, total appropriations less total revenues, including additional payments to the social security trust fund but prior to payments against the public debt, are projected to amount to \$21,740,826,539.99
- (e) DEBT PRINCIPAL.—
 - (a) Findings. — Total payments against the public debt for February to April 2024 are projected to amount to \$21,740,826,539.99
 - (b) In General. — For the fiscal months of February to April 2024, 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, except as provided in section (g).
- (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.
- (g) SOCIAL SECURITY TRUST FUND. —
 - (a) Findings. — Total Payments outside of standard appropriations to the Social Security Program for the fiscal months of February to April 2024 are projected to amount to \$30,707,286,394.94
 - (b) In General. — In the event that total appropriations to the Social Security Program are lesser than total revenues from the Old-Age, Survivors, and Disability Insurance Payroll tax, during the February to April 2024 fiscal months, then the remaining revenues shall be appropriated to both the Old-Age and Survivors Insurance trust fund and the Disability Insurance trust fund.

SECTION 14. HBCU GRANT PROGRAM.

- (a) Section 22 of the [General Appropriations and Budget Act of March - May 2023](#) is amended as follows:
 - (a) By striking “Upward Mobility for African Americans”, and replacing it with “Konnor J. Harris Historically Black College and University” at each occurrence
 - (a) By striking “\$1,000,000.00” and replacing it with “\$10,000,000.00” at each occurrence
 - (b) By striking “\$107,000,000.00” and replacing it with “\$1,070,000,000.00” at each occurrence

- (c) By adding “, indexed to inflation,” before “per Historically Black College or University per fiscal year.” in section (b)(iii)
- (d) By adding “, indexed to inflation,” before “per fiscal year for the purposes of carrying out the provisions of the grant program established pursuant to this section” in section (b)(vi)

SECTION 15. 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.

SECTION 16. SUPREMACY.

Supremacy. — Any existing provisions of law that contradict this Act shall be considered null and void for the purposes of interpreting this legislation.

Authored in part by: Pierre “Pecan Pete” Fontenot (primary author), Walter Mourning, Konoor Harris, Daniel Sullivan (secondary source by way of templates)