

National Legislative Division Weekly

NEW CONGRESS, NEW RULES



House Speaker Kevin McCarthy joined by, from left, incoming Chairman of House Armed Services Committee Rep. Mike Rogers, R-Ala., Chairman of House Veterans Affairs Committee Rep. Mike Bost, R-Ill., and Chairman of House Foreign Affairs Committee Rep. Michael McCaul, R-Texas

After last week's bruising fight for the Speaker, the House returned this week to take up the Republicans' new set of rules. The Republicans' rule package passed on a 220 to 213 vote, with one Republican voting against it (Rep. Tony Gonzalez TX-23).

There rules emphasize driving down the national debt and reducing federal spending. Ostensibly, the House has been governed by PAYGO, which requires all new spending be offset by either cuts elsewhere in the budget or new taxes. This set of rules will replace that with CUTGO. This prohibits consideration of any provision that would increase mandatory spending over a five or ten year period. Any new spending must be offset by cuts elsewhere in the budget; creation of new or increased taxes is not an option.

Overall, the rules emphasize fiscal responsibility through controlling spending. A three-fifths supermajority would be required to pass any new taxes, which pretty much guarantees no such legislation will be passed.

The package also strives for more in-depth oversight of the Executive Branch. One subsection requires all authorization committees to develop formal oversight plans for their agencies. Those plans are to include recommendations for moving mandatory programs to discretionary spending, and to identify any program that has not been reviewed by Congress in the previous three years.

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On the appropriations side, the package reinstates the 19th century Holman Rule. This allows amendments to appropriations bills that would fire or reduce the salary of a specific federal employee, or to cut a specific program.

That would be combined with more open rules when legislation gets to the House floor, a major demand of the Freedom Caucus members. This would allow lawmakers who do not serve on the relevant appropriations committee to offer amendments targeting programs they particularly dislike.

The package also creates a special committee to combat the “weaponization of the federal government.” It will simply be one element of the number of investigations Republicans intend to open into the Biden Administration.

The Freedom Caucus has also won promises from new Speaker McCarthy (R-CA) that FY24 spending would be limited to enacted FY22 levels. Appropriations Committee ranking member Rep. DeLauro (D-CT) has warned that this basically stymies the appropriations process before it has even started. Senate appropriators from both sides of the aisle have also indicated to reporters that this is not a viable proposition. Even within the House GOP Caucus such a strict limitation runs afoul of defense hawks, who want a three to five percent increase in spending each year.

Constraining spending to FY22 levels is contained in a three-page addendum to the rule package, which was released over the weekend without those pages. The addendum reportedly covers many of the promises McCarthy made to Freedom Caucus members in exchange for their votes, including seats on the Rules Committee and other committee assignments for those holdout Members.

Bills would be limited to a single topic, and each appropriations bill is to be passed individually to avoid year-end omnibus bills. Individual line items and community funding projects (aka, earmarks) could be challenged on the floor by any lawmaker. In floor debate, several Republican Members touted the package’s provision that bills are to be introduced at least 72 hours before it receives floor action. Outgoing Rules Committee chair Rep. McGovern (D-MA) pointed out that he wrote this provision in the last Congress, and it was part of the 117th Congress’ rule. The Republican package does not eliminate the ability for that requirement to be waived, which has been done frequently in the past two years.

Proponents say these rules will allow for greater transparency about what the House is doing at any given time. In reality, it could lead to greater gridlock, as Democrats are highly unlikely to go along with many of the positions taken by the Freedom Caucus and other highly conservative lawmakers.

The package also eliminates pandemic-era provisions allowing for remote operations. This means there will be no more proxy voting, and participation in hearings will only be allowed in person. Republicans have decried proxy voting since its inception early in the pandemic, even as increasing numbers of GOP lawmakers used it in the past year.

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McCarthy agreed to a provision that would allow a single member of the Republican Caucus to challenge his continuing in the role. Previously, a petition from multiple Members was required to force a vote to vacate the position.

MEET THE MIKES: THE NEW MEN IN CHARGE OF MILITARY AND VETERANS OVERSIGHT IN THE HOUSE

[from Military.com](https://www.military.com)

The incoming chairman of the House Armed Services Committee is previewing upcoming fights over "wokeness" in the military while the new House Veterans Affairs Committee chairman is already demanding documents on several subjects from the Department of Veterans Affairs after the Republican conference formally chose them to lead key congressional panels.

In a closed-door meeting Tuesday, House Republicans officially appointed committee leaders for the just-commenced congressional session, including Rep. Mike Rogers, R-Ala., as Armed Services chairman and Rep. Mike Bost, R-Ill., as Veterans Affairs chairman.

Rogers and Bost faced no challengers to becoming chairmen, so their ascension to the top of the panels was never in doubt. But the GOP conference's vote made their jobs official, and for Rogers, it comes after he made headlines in a dramatic moment during last week's battle over the speakership.

In a statement after Tuesday's meeting, Rogers said he will focus on both preparing the military to face threats from adversaries such as Russia and China, and probing policies that advance a "social agenda" in the military.

"Initiatives that service a social agenda but don't advance our national security will be scrutinized," Rogers said. "Those in charge of these initiatives will come before the committee to explain how they will protect our national security. We will leave no stone unturned in holding the Biden administration accountable."

Republicans, including Rogers, have previously vowed to use their House majority to target Pentagon policies they call "woke," a term they apply to a wide range of policies they disagree with, from efforts to make the force more welcoming to minorities and women to the COVID-19 vaccine mandate. Republicans already successfully repealed the vaccine mandate in last year's defense policy bill, but have now pledged to fight to reinstate service members who were discharged under the mandate.

Rogers is perhaps most known as one of Congress' top proponents for the Space Force, having co-sponsored a proposal for a space military branch two years before the Space Force became a reality.

He has also been known as a mild-mannered lawmaker who rarely makes waves. But that reputation didn't mesh with what happened when he got into a confrontation with Rep. Matt Gaetz, R-Fla., on the House floor last week.

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After Gaetz voted "present" in the 14th round of voting for the next House speaker, again denying Kevin McCarthy, R-Calif., the job, Rogers charged up to Gaetz and reportedly shouted something along the lines of "you're finished," prompting Rep. Richard Hudson, R-N.C., to pull Rogers away by his chin and shoulders.

Gaetz is a member of the Armed Services Committee and had reportedly sought to chair an Armed Services subcommittee as one of his conditions to support McCarthy for speaker. Choosing subcommittee chairs is typically the purview of committee chairmen, and Rogers, who is also on the Republican Steering Committee that assigns members to committees, had previously threatened to strip anyone who opposed McCarthy of their committee seats.

McCarthy eventually won the speakership on the 15th round of voting after enough Republicans voted present to lower the threshold needed to win, and both Rogers and Gaetz have indicated they have made up.

"@RepMattGaetz and I have a long and productive working relationship, that I am sure will continue," Rogers tweeted Sunday. Rogers also told reporters Tuesday that Gaetz "made clear he doesn't want" to chair a subcommittee.

Meanwhile, Bost said in his own statement Tuesday he plans to build on "bipartisan successes" from previous years during his tenure as Veterans Affairs Committee chairman.

"In order to do that, we need to hold the Biden administration accountable and restore regular order," Bost said. "This will help us bring VA into the 21st century with commonsense legislation and oversight for the next generation of warfighters, without leaving behind today's veterans."

As his first act as chairman, Bost sent VA Secretary Denis McDonough a letter requesting a slew of documents by Jan. 27, including detailed plans on implementing a new digital system to administer GI Bills benefits, an Institute for Defense Analyses report commissioned by the VA on the electronic health record modernization program's life cycle cost estimate and a comprehensive master plan to expand housing for homeless and at-risk veterans at the West Los Angeles VA Medical Center.

"As chairman, I am committed to overseeing implementation of the landmark, bipartisan expansions of veterans' health care and benefits in recent years, while rooting out mismanagement and waste of taxpayer dollars," Bost wrote. "In order to do that, I rely on the Department of Veterans Affairs (VA) to honor the committee's requests for information and documents within its jurisdiction in a timely fashion."

UPCOMING HEARINGS

- No scheduled hearings