

National Legislative Division Weekly

CONGRESS

Congress has spent the week focused on preventing the government from defaulting on its debts. While some Republicans have publicly stated their willingness to default (apparently under the assumption this would decrease federal spending), others worked with Democrats to pass a deal brokered between House Speaker McCarthy (R-CA) and President Biden.

The outlines of the deal released over the weekend became the Fiscal Responsibility Act (FRA). It passed the House Wednesday night on a 314-117 vote, with a majority of each Party getting it across the finish line. This left 46 Democrats and 71 Republicans voting against it.

The House Rules Committee hearing to get the bill to the floor stood out for its unusual drama. Republicans hold nine of the 13 seats on the panel. Going into the hearing, Rep. Norman (R-SC) and Rep. Roy (R-TX) had already made clear their opposition to the bill. Without the Rules Committee's imprimatur, the bill could not make it to the floor. Rep. Massie (R-KY) made clear he, too, had doubts about the agreement. However, during the hearing, he said his role is "not to imprint my ideology" on what legislation gets to the floor, and became the deciding vote.

Senate consideration of the bill on Thursday was equally dramatic. Multiple Senators from both sides of the aisle spent the day decrying the level of funding for defense as too low, and leveling other critiques of the debt ceiling agreement. After a full day of negotiating, Senate Majority Leader Schumer (D-NY) allowed a series of votes, starting at 7:30pm, on 11 amendments (10 Republican, one Democratic), and final passage. This made for a very late Thursday night session, but got the Senators out in time to go home on Friday. Earlier in the day, Schumer threatened to stay in session until the bill was passed, even if it meant staying through the weekend.

None of the amendments were adopted. The Senate passed the FRA shortly before 11pm on a 63 to 36 vote.

The FRA sets aside the debt ceiling for two years (without a specified dollar amount), until January 1, 2025. The Treasury Department would be able to take extraordinary measures for an undetermined amount of time after that. This means the debt ceiling will become an issue again early in the next presidential term, regardless of who is elected.

Removing concerns about continuing resolutions (CR) for FY24, the legislation provides automatic continued funding for the federal government at 99% of FY23 spending levels if Congress fails to pass appropriations bills on time.

The agreement keeps non-defense discretionary (NDD) spending at about FY23 levels for FY24, and provides a 1% increase the following year. It claws back about \$30 billion in unspent pandemic appropriations from across the government. After FY25, the agreement sets forth spending growth targets, but only as goals and not in law. Congress has tried to abide by spending caps in the past, only to wave them aside each year.

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Veterans receive special protection in the agreement. Medical spending by the Department of Veterans Affairs (VA) is not reduced, and the Department's pandemic-era appropriations are not rescinded. The Toxic Exposures Fund (TEF) would be funded at \$20,268,000,000 for FY24 and \$24,455,000,000 for FY25. Those funds would be available through FY28 and FY29, respectively. Veterans are also exempt from work requirements in the SNAP (food stamp) and TANF (general social safety net) programs.

The Department of Defense (DoD) will receive \$886 billion in FY24 and \$895 billion for FY25 under the FRA. This represents an increase of about 3.5% between FY23 and FY24, and 1% in FY25. The agreement matches the Administration's FY24 budget request. When the request was originally made, some lawmakers immediately excoriated it as too low and promised to add money during the appropriations process. Senate Minority Leader McConnell (R-KY) called the DoD funding level "the worst part of the deal," but told reporters he supports the agreement in general.

Leading up to the Senate vote on the agreement, Sen. Graham (R-SC) told reporters he wanted to amend the bill to add \$41 billion for the Pentagon. Senate Appropriations Committee Defense Subcommittee chair Sen. Tester (D-MT) agreed the DoD level is too low. However, he also opposed amending the FRA, pointing out this would mean sending the bill back to the House. The process would take up so much time the government would wind up defaulting.

Senate hawks spent Thursday pressuring Schumer for a promise to bring up supplemental spending bills after the appropriations process concludes in order to increase defense spending. There will almost certainly be a supplemental bill concerning aid to Ukraine. However, additional spending for the Pentagon would likely have to go in a separate bill. In the evening, as amendment votes began, Schumer took to the floor to make clear the FRA and debt ceiling agreement "does nothing to limit the Senate's ability" to appropriate supplemental defense spending in response to international threats. Similarly, Schumer made clear, Congress can also still pass emergency supplemental bills to address domestic issues such as responding to natural disasters, addressing the fentanyl crisis, "or other issues of national importance."

NATIONAL GUARD AND RESERVES

The Senate Appropriations Committee's Defense Subcommittee met Thursday morning to review the FY24 budget request for the military's reserve components. As usual, most of the questions revolved around equipment and training of those units.

However, the witnesses did impress upon the panel the importance of addressing service members' needs above those issues. As Lieutenant General Bellon, Commander of the Marine Forces Reserve, put it, "we don't man equipment; we equip Marines and Sailors." National Guard Bureau Chief General Hokanson said supporting Guardsmen and their families "is foundational to all we do."

Army Reserve Chief Lieutenant General Daniels pointed to child care as a special challenge. She said they have a hard time finding providers for child care on the weekends, when the units meet. The Service has run a number of pilot programs to address this issue, but have yet to find a solution.

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The Army Guard is on path to meet its authorized end strength by the end of this fiscal year, and the Air National Guard could reach 97% of end strength, according to Hokanson. He noted that education benefits and health care are “strong draws” for both recruitment and retention.

During the hearing, Sen. Durbin (D-IL) asked the witnesses to consider ways to allow DACA recipients to join the military as a pathway to citizenship. These individuals, who were brought to the US as young children, are undocumented, but many are willing to serve. Durbin said the Pentagon has historically resisted efforts to make this happen. However, he noted, it could help with recruiting troubles.

LEGIONNAIRE OF THE WEEK

In an effort to recognize the weekly accomplishments of our Legionnaires, we will spotlight an individual every week. These individuals demonstrate exceptional grassroots activism by meeting with/contacting their Congressional Representative/Senator to advocate for veterans. Efforts like these truly make a difference and give veterans a voice in Congress.

Daniel Burks, Oregon

This week, we are excited to recognize Daniel Burks from the Department of Oregon, who met with Senator Jeff Merkley (D-OR) and his staff at a Town Hall held at the Ontario Veterans Memorial Hall. Daniel spoke with Senator Merkley about the Pact Act and Be The One along with ensuring continued funding for veteran benefits as well as funding the programs and the staff that the Pact Act now needs.

Thank you, Mr. Burks!

If you have made a grassroots effort and would like to be considered for next week’s “Legionnaire of the Week,” please fill out the Congressional Contact Report Form [here](#). You can also email me at kisaacson@legion.org.

UPCOMING HEARINGS

- On Wednesday, June 7, the Senate Veterans Affairs will hold a hearing titled “An Abiding Commitment to Those Who Served: Examining Veterans’ Access to Long Term Care” at 3pm ET. Viewers can watch the hearing [virtually here](#).