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Testimony before the House Rules Committee
Subcommittee on Rules and Organization of the House
“Proposed Reforms to Rule XXI and the Modern
Authorization and Appropriations Process”
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As Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen warned that in his professional military judgment, our greatest national security threat is the national debt. He issued that warning about four trillion dollars of debt ago.

The interest costs on that debt are eating us alive -- \$255 billion this year that will accomplish nothing more than to rent the money we've already spent. The Congressional Budget Office warns that within six years, our interest costs will exceed what we are currently spending on the entire defense budget.

Last May, Congress adopted a budget that changed this disastrous trajectory and pointed us back to balance by 2024. But having set that course, we had to stay that course, and we haven't. The budget now awaiting House action doesn't balance until 2026 – and only then if we are able to summon the discipline to stick to these new numbers.

In very rough figures, we are now spending \$4 trillion per year. \$2 trillion of that is mainly for trust funds: social security and portions of Medicare. When these funds run out of money, benefits automatically plunge. That's a major problem, but not, strictly speaking, a budget problem.

Roughly \$1 trillion is the discretionary spending directly under Congress' annual appropriations control. This spending is actually declining. In 2010, our discretionary spending was \$1.35 trillion. The budget now before us spends \$1.07 trillion. That's down almost \$280 billion.

The problem is the remaining \$1 trillion that Congress does not directly control. That's mainly entitlement programs like food stamps, Obamacare, Medicaid. This spending is exploding. The only way to control it is to change the underlying laws, something that today's divided government makes virtually impossible.

But there is an alternative: to control mandatory spending through the same appropriations process that controls discretionary spending. The problem is that our own rules won't allow it. Rule XXI, Clause 2(b) forbids any changes to mandatory spending in an appropriations bill.

I propose permitting appropriations bills to include such statutory adjustments to mandatory spending as are necessary to keep within the enacted budget. Think of it as one-stop reconciliation. It's necessary because spending is a pleasant experience. Cutting spending is painful. Thus, spending bills pass and the reforms necessary to control spending do not.

This reform would not give the Appropriations Committee carte blanche to assume the prerogatives of authorizing committees. It would be limited to annual and temporary changes necessary to keep spending in line with the budget parameters. It could be done upon consultation with the authorizing committees or at least their chairmen, and would be pursuant to the budget that the Congress has already enacted.

A second reform I urge you to consider is to gradually revive enforcement of House Rule XXI clause 2(a), which forbids appropriations except for purposes authorized by law. This rule dates back to 1837, and is the mechanism that forces Congress to review its programs periodically. As a program's authorization expires, Congress must revisit it to ask the obvious questions: Is it effective? Is it meeting its goals? Is it still needed? Is it worth the money we're paying? Depending on the answer to these questions, Congress then renews the program, reforms it, or lets it die.

This process has broken down to the point that today nearly one third of our discretionary spending is for programs whose authorizations expired years, if not decades, ago. Some of these programs are vital. Others have degenerated into the outrages often cited by taxpayer watchdog groups. But authorizing committees feel no urgency to review them because we routinely fund them anyway, by routinely waiving this rule.

Given the backlog of unauthorized programs, such a reform can't be implemented overnight. But the House should express its intention to restore this rule over a reasonable period, first by freezing appropriations for unauthorized programs and ultimately forbidding them. And of course, case-by-case exceptions could still be made by the House.

Before we can provide for the common defense or promote the general welfare, we must be able to pay for them, and history warns us that countries that bankrupt themselves aren't around very long. I believe these two reforms – that we can make by ourselves, without action by the Senate or by the President – are essential to restoring functional control of the purse strings to Congress.