

## THE EPOCH TIMES



U.S. Speaker of the House Kevin McCarthy (R-Calif.) delivers remarks after being elected as Speaker in the House Chamber at the U.S. Capitol Building in Washington, on Jan. 7, 2023. (Win McNamee/Getty Images)

PREMIUM **CONGRESS**

# McCarthy's Concessions to Freedom Caucus and What They Mean

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**A** Print

Newly elected House Speaker [Kevin McCarthy](#) (R-Calif.) had to make numerous concessions to win over a holdout group of populist Republicans in order to secure their votes. Here are the key concessions McCarthy had to make, including what some Republican strategists say is the key one—allowing just one member to move to vacate the speaker's chair, giving McCarthy a fragile grip on power.

McCarthy was [elected as the 55th House Speaker](#) in the early hours of Jan. 7 by a vote of 216–212.

While it normally takes 218 votes—a majority of the House—to become speaker, that threshold can be reduced if members are absent or merely vote present.

It's precisely this maneuver that gave McCarthy his coveted win, as six Republicans voted “present” instead of “yea” in the final vote: Reps. Andy Biggs (R-Ariz.), Lauren Boebert (R-Colo.), Eli Crane (R-Ariz.), Matt Gaetz (R-Fla.), Bob Good (R-Va.), and Matt Rosendale (R-Mont.).

In a 20-minute speech following the vote, McCarthy laid out his priorities for the 118th Congress, including securing the southern border, combating “woke” indoctrination in American schools, and unleashing domestic energy production.

“We must get America back on track,” he said. “We’ll hold the swamp accountable.”

The House now plans to vote on a hefty [rules package](#), which includes a series of concessions that the 20 holdout Republicans pushed for.

Some GOP strategists hailed the rule changes as a major win for the House Republicans Conference—the party caucus for Republicans in the House of Representatives—saying it marks the first time in decades that they have independent authority from leadership.



Republican members-elect celebrate as House Republican Leader Kevin McCarthy (R-Calif.) is elected Speaker of the House in the House Chamber at the U.S. Capitol Building in Washington, on Jan. 6, 2023. (Win McNamee/Getty Images)

## Key Concession

McCarthy's road to the gavel was rocky, involving 14 rounds of failed votes before the 15th round brought victory. In order to secure the support of the holdout Republicans, McCarthy had to offer a series of concessions.

Republican strategists say the key concession is found in subsection "q" of the new House rules package ([pdf](#)). It reinstates a centuries-old rule allowing just one member to move to vacate the speaker's position.

Such a motion would be made via a so-called "privileged resolution," which supersedes all other business except adjournment.

"Anyone, anywhere, any time," Rep. Matt Gaetz (R-Fla.) said on Thursday on Capitol Hill, commenting about the power this concession grants to members to try and oust their speaker in a vote of no confidence.

Were this motion to be invoked, McCarthy would need a majority of 218 votes to remain as House speaker.

“This effectively neuters McCarthy,” attorney Jenna Ellis, who represented the 2020 Trump campaign, said in a [post on Twitter](#).

“The original 20 have a pact that if McCarthy does anything outside his promises, they will vote to not retain and he’s gone,” referring to the 20 holdout Republicans who were opposed to McCarthy as speaker.

Under Democratic Speaker Nancy Pelosi (D-Calif.), a move to vacate the speaker’s chair could be made only with support from a majority of either party.

As part of his negotiations with the holdout Republicans, McCarthy first agreed to lower the number of members who could move to vacate the speaker’s chair to five—and later to just one.

McCarthy “will be the weakest speaker we’ve seen in a generation,” Rachel Semmel, former White House Office of Management and Budget communications director, said in a post on Twitter.

“This might be one of the biggest conservative victories since @DaveBratVA7th,” she added, referring to former Rep. Dave Brat (R-Va.), who in 2014 as a Tea Party-backed economics professor delivered a major shock to establishment Republicans by defeating then House Majority Leader Rep. Eric Cantor (R-Va.) in a primary, with Brat hammering him as soft on immigration.

While the move-to-vacate concession has received perhaps the most attention, members of the Freedom Caucus—of which most of the holdout Republicans are members—won another major compromise in the form of more seats on key committees.

## Freedom Caucus Representation on Rules Committee

McCarthy has committed to giving members of the Freedom Caucus more seats on the powerful House Rules Committee.

The committee exerts tremendous power in Congress by setting the terms of debate, deciding what amendments can be added to draft legislation, and determining what gets sent to the floor—or blocked.

The Rules panel usually operates as a tool of the speaker but with more representation, conservatives will gain the ability not only to help bring key amendments to the floor on their priority issues—like government spending or abortion—but they'll also have more opportunities to have their voices heard.

It's unclear how many seats on the 13-member Rules panel will be given to Freedom Caucus members, with [Time reporting](#) that it's four, though it did not cite a source, while [Politico reported](#) it's three, citing anonymous sources.

In recent Congresses, the majority party held nine seats on the panel and the minority four.

The incoming chair of the Rules Committee, Rep. Tom Cole (R-Okla.) [told Politico](#) that “we’ve had plenty of Freedom Caucus members before” and that “we’ll be fine.”

Overall, McCarthy agreed to a number of reforms in House procedures that empower the rank-and-file members and reduce the power of the speaker.

## Hard Line on Debt Limit

Another of McCarthy's high-profile concessions to conservatives contained in the draft rules package involves agreeing to replace the current “pay-as-you-go” requirements with a “cut-as-you-go” measure.

This would prohibit the consideration of legislation that increases mandatory spending within a five-year or ten-year budget window.

The draft rules package also repeals the so-called “Gephardt Rule,” setting up a separate vote on the debt limit. Currently, with the rule in place, the House automatically sends a joint resolution to raise the debt ceiling when the House adopts a budget package, with the change giving conservatives more scope to push for reduced spending.

“They’re going to say that unless they have very steep spending cuts in domestic programs ... they won’t vote for it,” Rep. Jerry Nadler (D-N.Y.) [told The Independent](#).

Republicans are still reeling from last month’s passage of the mammoth \$1.7 trillion omnibus spending bill, with many objecting to both the price tag and process, with Freedom Caucus members expressing the most vehement opposition.

## Spending Reduction

Two other budgetary measures in the draft rules package involve restoring a point of order against a net increase in budget authority for amendments to general appropriations bills and restoring a point of order against budget reconciliation directives that raise net direct spending.

The draft rules package also restores a requirement for a three-fifths supermajority (from a simple majority) vote on increasing the tax rate, another win for conservatives who oppose Washington’s freewheeling tax-and-spend initiatives.

Another measure involves provisions for spending reduction account transfer amendments and requires all general appropriations bills to have spending reduction account sections.

Other concessions include one that would require 72 hours before a bill could come up for a vote and establishes several panels to investigate various issues of concern, including setting up a subcommittee on “weaponization” of the federal government.

The proposal for the subcommittee comes after Republicans recently [signaled that](#) they want a top-to-bottom investigation of the FBI after the so-called “Twitter Files” disclosed that the agency pressured Twitter to censor Americans’ free speech.

Before the rules package can be voted on, the process requires that members are first sworn in.

“If McCarthy tries to back out of any concession, he won’t have the votes for any rules package and we’re back to a stall. Congress can’t move without a rules package affirmed,” Ellis [said in a post](#) on Twitter.

“Bottom line: With this rules package, the 20 have achieved an historic accountability oversight and check on leadership and the Speaker’s power,” she continued.

“I would consider this a TOTAL WIN for Gaetz & Co, the MAGA movement, and therefore America. Declare victory and let’s get to work!”