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Congress of the United States

House of Representatives

Committee on Appropriations

Washington, DC 20515-6015

July 16, 2025

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Dear Colleague:

On June 3, the President transmitted a proposal under the Impoundment Control Act (ICA) of 1974 to rescind \$9.4 billion in previously enacted funding, gutting foreign assistance programs and eliminating all federal support for public broadcasting. As Ranking Members of the Appropriations Subcommittees responsible for these programs, we [wrote you on June 6](#) to highlight, in detail, the devastating consequences of this proposal and urging you to oppose it and presented you with a [fact sheet](#) demonstrating that these cuts were straight out of Elon Musk's playbook.

As you know, the President's proposal would slash \$8.3 billion from international development and humanitarian programs, and that almost all of that funding had been **unlawfully frozen for the first five months of the Administration**. Another \$1.1 billion from the Corporation for Public Broadcasting would be cut, **wiping out all current Federal funding for the next two years**.

These cuts would:

1. increase the prevalence of deadly diseases and pandemics;
2. undermine democracy, peace, and economic development abroad;
3. keep American businesses out of international markets that are closed to them today; and
4. pull the plug on public news, emergency alerts, and educational programming, especially in rural areas.

Despite this, **House Republicans rubberstamped Elon Musk's cuts** on June 12 without change.

What is the Status of the Bill?

The critical international assistance funding remains frozen through this Friday, July 18, while Congress continues to consider the dangerous cuts – and yesterday the Senate began the final stages of debating the proposal.

We will wait to see if the Senate follows House Republicans or if they remove some cuts and return a bill to the House that only bends the knee to most of the President's demands. As we write to you, it appears that the Senate is beginning its consideration with a substitute amendment from Senator Schmitt to remove – after intense pressure from Democrats on both sides of the Capitol – some of the cuts to important programs that provide life-saving and disease-preventing assistance across the

globe. But billions of dangerous cuts remain, with no guarantee that critical programs will be protected.

Yesterday, in a rush to bend over backwards to win the President's approval, House Republicans tried to give themselves authority to rush any spending cuts the Senate might pass this week to the House floor with barely any consideration. The House Republican conference demonstrated their disarray by failing to approve this authority on the floor, but we expect they will stop at nothing until they clear their own path to blindly follow the President's demands.

We ask you to join us – whenever the bill comes back to the House – to defeat these reckless cuts.

What happens on July 18?

Under the Impoundment Control Act of 1974, the President may – but is not required – continue to freeze all the funding that he proposed to be cut in the June 3 special message that would otherwise be available to agencies to spend through July 18. Once we get to July 18, OMB must un-freeze and the President is required to spend all previously frozen funds **unless and until Congress enacts a law** to cut those funds.

Even if Congress is still debating the President's proposal after July 18, **it must all be released and spent**. Freezing the funding outside of the specific, time-limited authority in the ICA – even in anticipation of a potential legislative proposal – is unlawful.

Congress can enact a law to rescind appropriated funding whenever it chooses – that is just one aspect of the legislative branch's power of the purse. But the President must prudently obligate and expend funding appropriated by Congress – that is another aspect of the power of the purse that is just as clear.

What Happens Later this Summer?

While Congress completes consideration of the President's June 3 cuts proposal, we must briefly address the looming threat on the horizon. The Office of Management and Budget (OMB) Director Vought has repeatedly threatened to undermine the rule of law and attack Congress's constitutional power of the purse by tricking the President into submitting an additional and cynically-timed special message.

Congress gave the President permission in the Impoundment Control Act of 1974 to **temporarily – not permanently** – freeze money for a maximum of 45 days after sending a special message to Congress to consider whether it will enact legislation to rescind those funds, subject to further requirements. Absent congressional action to rescind such funding, the Impoundment Control Act further requires the President to release those funds in time to be prudently obligated. OMB Director Vought, however, apparently plans to violate those Impoundment Control Act provisions by proposing the rescission of funding that will expire under current law at the end of the fiscal year on September 30 and freezing that funding until it expires and can no longer be used. This would result in a **permanent and unilateral** cancellation of funding without Congressional permission.

This is unlawful.

As the nonpartisan Government Accountability Office wrote in response to a 2018 bipartisan request:

We conclude that the ICA does not permit the impoundment of funds through their date of expiration. The plain language of the ICA permits only the temporary withholding of budget authority and provides that unless Congress rescinds the

amounts at issue, they must be made available for obligation. Amounts proposed for rescission must be made available for prudent obligation before the amounts expire, even where the 45-day period provided in the ICA approaches or spans the date on which funds would expire.

GAO B-33030, December 10, 2018

The President and OMB Director have one very simple choice if they want to cut spending: come to Congress and request changes to the law. Calling Director Vought's unlawful gambit a "pocket rescission" to give it a false veneer of legitimacy is dishonest and misleading. Absent Congressional legislation, the Constitution and the rule of law requires the Administration to deliver to the American taxpayers the investments passed by both chambers of Congress and signed into law by the President. Anything else would be a betrayal of their oaths of office.

Sincerely,



Rosa L. DeLauro
Ranking Member
Committee on Appropriations



Lois Frankel
Ranking Member
Subcommittee on National Security,
Department of State, and Related
Programs