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Trump Rescission Proposal Builds on Illegal Impoundments, Would Undermine Future Funding Deals

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The Senate is expected to vote soon on President Trump's proposal to rescind \$9.4 billion in previously approved spending, which narrowly passed the House on June 12.¹ Congress is considering the spending cuts package under rules established by the Impoundment Control Act of 1974 (ICA), which provides an expedited process for Congress to consider cuts to existing programs — and, critically, requires only a simple majority to pass the Senate.² That process allows the administration to temporarily pause spending of these funds while Congress considers the proposal; however, after 45 days the funds must be used consistent with existing appropriations law if a rescission is not approved.

The proposed cuts would significantly damage life-saving global health programs, peacekeeping efforts, and economic development abroad, and would hurt domestic community TV and radio stations supported by the Public Broadcasting Service (PBS) and National Public Radio (NPR) — raising concerns among some Republican as well as Democratic senators.³ More fundamentally, the cuts represent the latest salvo in the Administration's unprecedented efforts to block funding enacted into law for programs and entities it disfavors.

Congressional approval of the Administration proposal would mark the first successful presidentially proposed rescissions under the ICA authority since fiscal year 1999 and the largest such rescissions enacted in over four decades. Under normal circumstances, weighing the potential harm from the proposed cuts against the cost savings might be the only consideration.

But this rescission package did not come to Congress under normal circumstances. The Administration illegally impounded the funds at issue for *months* before proposing the package. Moreover, the Administration is unlawfully withholding much larger amounts of funding that it has *not* proposed for rescission, and Office of Management and Budget (OMB) Director Russell Vought has indicated an intention to ignore existing spending directives in the future “without having to get an affirmative vote [from Congress].”⁴ In short, this rescission package is part of a broader Administration effort that threatens to fundamentally upend Congress's spending power under the Constitution and undermine lawmakers' ability to negotiate future spending deals in good faith.

A Primer on Rescission Proposals Under the Impoundment Control Act

Congress enacted the Impoundment Control Act (ICA) in response to President Nixon's unilateral impoundment of appropriated funds, which the courts had already ruled unlawful. The ICA created a process by which a President could seek expedited congressional approval to rescind appropriated funding. Under the ICA, the President can request that Congress take back funding that it previously provided as long as the funding has not yet been obligated (typically meaning committed to a particular purpose or recipient). Specifically:

- Presidents may propose funds they desire to be rescinded, and the requested rescission amounts, through a special message to Congress.
- Congress may choose to act on all or some of the funding accounts the President has proposed for rescission and can modify the amounts of funding to be rescinded, but cannot add programs to a rescission package.
- A rescission package proposed in this manner can pass the Senate with a simple majority and cannot be filibustered.
- Congress has 45 consecutive days to take action on a rescission package. The ICA includes special rules to facilitate prompt consideration of a rescission package if a majority of members wish to vote on it.
- The executive branch can temporarily pause the obligation of funds included in a rescission package while Congress considers the request. However, any funds not approved for rescission within 45 days can no longer be paused and must subsequently be obligated, consistent with existing appropriations law. Given that the funds in this rescission request have been impounded for months, there is a strong argument to be made that the ICA's 45-day standard should apply to an earlier date than when the package was transmitted to Congress on June 3. However, using the date the rescission package was transmitted, the Senate would have until July 18 to take action on it.

For more details, see David Super, "How Congress Would Consider a Rescission Request," CBPP, March 18, 2025, <https://www.cbpp.org/blog/how-congress-would-consider-a-rescission-request>.

Cuts Would Undo Recent Appropriations to Achieve Long-Standing Trump Policy Goals

Although the Administration has framed the rescission package as an effort to codify budget cuts identified by its DOGE initiative,⁵ the Administration's interest in cutting these programs does not appear to originate from new information uncovered since March, when President Trump signed a full-year funding resolution for fiscal year 2025 that appropriated much of this funding. Instead, these are programs the President has long targeted for cuts or elimination.

Roughly half of the identified rescissions (\$4.7 billion) in the package come from accounts the first Trump Administration proposed to eliminate in its very first budget, eight years ago. And more than \$3 billion of the other proposed rescissions are from accounts where the Administration requested significant cuts in that same budget proposal.

The Administration has also claimed that some of the proposed cuts are justified by specific questionable or controversial foreign aid projects from past years. However, Senate Appropriations Chair Susan Collins has said the rescission package "has nothing to do" with those past projects, and thus these past projects "cannot be used to justify the proposed rescissions."⁶

The Administration's use of the ICA to request these rescissions is in one sense surprising, given that Director Vought asserted at his confirmation hearing that both he and the President believe the ICA is unconstitutional.⁷ However, employing the ICA allows for expedited consideration of a proposal to revise the recently enacted funding law and implement long-desired Trump Administration policy by relying on the ICA's lower vote threshold in the Senate. In fact, without this lower vote threshold, the rescission request would likely be dead on arrival, since well fewer than 60 senators are expected to support it.⁸

Targets of Proposed Cuts

The fiscal impact of the Administration's rescission package would be quite small; the savings would offset less than 0.3 percent of the cost of the recently enacted Republican reconciliation bill.^a The cuts target two areas: public television and radio stations and programs that are intended to support global health, disaster assistance, and development programs in poor countries.

Public television and radio: The federal government is the largest single funding source for public television and radio stations.^b Eliminating all federal funding beginning this fall would end a multi-decades-long funding relationship that has long had bipartisan support, in part because this funding plays a particularly important role in smaller, more rural and isolated communities with limited alternatives for local news and public alerts.^c For example, Senator Mike Rounds has said that there are Native American radio stations in South Dakota that “will not continue to exist” if their funding is cut without replacement.^d

Global assistance: The proposed rescission package would reduce funding for a range of global assistance programs, including global health programs, development assistance, and migration and refugee assistance. For example, the rescission package would cut \$400 million from programs to combat HIV/AIDS, including the President's Emergency Plan for AIDS Relief (PEPFAR), a program started by former President George W. Bush. Senate Appropriations Chair Susan Collins noted that the PEPFAR program “has saved more than 26 million lives” and “remains a bipartisan priority of Congress.” She further noted that, “Cutting funds now — funding that is aimed at preventing disease transmission — would be extraordinarily ill-advised and shortsighted.”^e

^a Congressional Budget Office, “Information Concerning the Budgetary Effects of H.R. 1, as Passed by the Senate on July 1, 2025,” July 1, 2025, <https://www.cbo.gov/publication/61537>.

^b Corporation for Public Broadcasting, “CPB Financial Information,” accessed on July 1, 2025, <https://cpb.org/aboutcpb/financials/>. The Corporation for Public Broadcasting's Community Service Grants are allocated to more than 1,500 local rural and urban public media stations. Corporation for Public Broadcasting, “FY 2026 and FY 2028 Justification to Labor, Health and Human Services, Education Related Agencies Subcommittee,” May 30, 2025, <https://cpb.org/sites/default/files/Public-%20FY%202026%20and%20FY%202028%20Justification%20to%20Labor%2C%20Health%20and%20Human%20Services%2C%20Education%20Related%20Agencies%20Subcommittee%20%281%29.pdf>.

^c Christopher Vondracek and Emmy Martin, “Federal funding cut could silence tribal, rural radio stations many in Minnesota consider vital,” Star Tribune, June 27, 2025, <https://www.startribune.com/federal-funding-cut-could-silence-tribal-rural-radio-stations-many-in-minnesota-consider-vital/601372507>.

^d Aris Foley, “Trump budget director faces bipartisan heat in Senate on DOGE cuts,” The Hill, June 25, 2025, <https://thehill.com/business/budget/5370122-vought-bipartisan-heat-senate-doge-cuts/>.

^e US Senate Committee on Appropriations, Majority News, “Senator Collins' Opening Statement at Hearing on President's Rescissions Package Request,” June 25, 2025, <https://www.appropriations.senate.gov/news/majority/senator-collins-opening-statement-at-hearing-on-presidents-rescissions-package-request>.

Administration Illegally Impounded Same Funds Prior to Rescission Request

Transmitting the proposed rescission package to Congress is one of the few arguably *lawful* avenues the Administration has pursued to prevent the spending of congressionally appropriated funding.⁹

In fact, prior to its submission, the Administration illegally impounded the very same foreign aid funds included in the request.¹⁰ Rather than lawfully sending the rescission package to Congress for consideration back in January, President Trump issued a day-one executive order directing a 90-day “pause” of congressionally appropriated foreign-assistance funding, while the State Department and the U.S. Agency for International Development halted award-making, ordered currently funded grantees to stop work, and began a mass termination of existing awards.¹¹

Under the ICA and the terms of appropriations and authorization law, such purported “pauses” (or “deferrals”) in spending lawfully provided funds are only allowed in narrow circumstances that do not apply here.¹² And even in those cases, the Administration is required to transmit a special message to Congress describing the accounts for which funding was being deferred, which the Trump Administration never did.

Further, the Administration outlined its planned rescission proposal in a memo to congressional Republicans in *mid-April*; the delay in formally submitting it to Congress reportedly reflected the Administration’s search for the best political timing during negotiations over its massive tax and spending reconciliation package.¹³ Had the Administration transmitted its formal rescission proposal to Congress in mid-April, the 45 days for consideration of the package would have elapsed before the Administration finally submitted the package on June 3. In other words, the Administration had already paused the foreign aid assistance in the rescission proposal for longer than the ICA allows even *before* formally transmitting the rescission proposal to Congress.

So even as the Administration prepared to use the ICA’s legal pathway for requesting a rescission of funds, it continued to illegally hold back funding for those programs to accommodate a politically motivated delay in submitting the request to Congress.

Administration Also Pursuing Illegal Strategies to Stop Legally Required Spending

The Administration’s rescission proposal is just one of several pathways it is pursuing to stop congressionally directed spending. Other actions the Administration has pursued or is reportedly considering include:

- **Funding freezes.** To date, the Administration’s primary strategy has simply been to illegally impound funds — by announcing a “funding freeze” or “programmatic review” or with no public notice at all — and force those harmed by the impoundments to pursue relief in court.¹⁴ As described above, this is what the Administration was doing to the foreign aid funds it is now proposing to rescind, before the rescission package was formally submitted. Examples of funds that have been unlawfully impounded and are not in the rescission package include funding for the National Electric Vehicle Infrastructure Formula Program, Greenhouse Gas Reduction Fund, and programs funded by the Department of Education, National Institutes of Health, National Science Foundation, and Institute of Museum and Library Services.¹⁵

The Administration has coupled this tactic with illegally hiding apportionment information that might help Congress, the Government Accountability Office (GAO), and the public to determine when an illegal impoundment is occurring at OMB's direction.¹⁶ At the same time, OMB has been directing federal agencies not to cooperate with GAO in its statutory responsibility of investigating instances of illegal impoundment and even to ignore GAO determinations that the Administration is illegally impounding funds.¹⁷

The result has been widespread disruption and damage to programs and services paid for with taxpayer dollars, as the Administration forces grantees, contractors, and beneficiaries to sue the government to reverse the illegal cancellation or withholding of federal funds, or to prevent cuts to agency staffing below levels where appropriated activities or purposes can be carried out. Notably, while Director Vought has publicly claimed that the ICA is unconstitutional and that impounding funds was legal *before* the ICA, the Administration has yet to make these arguments in court when its illegal funding actions have been challenged.¹⁸ Instead, it has claimed that it is not actually impounding funds in specific cases (despite evidence showing otherwise) or that the ICA allows it to withhold funds.¹⁹

- **“Pocket rescissions.”** Director Vought described the Administration's June 3 rescission package as “the first of many rescissions bills” but stipulated that some of the rescission bills “may not actually have to get . . . Congress to pass.”²⁰ Since Congress is required to pass a law in order to rescind funds, this likely refers to a potential plan to engage in illegal so-called “pocket rescissions”: transmitting a rescission proposal to Congress so late in the fiscal year that the funding would likely expire (i.e., no longer be legally available for obligation) before Congress can act.²¹

As Director Vought outlined in a 2021 letter to Congress, OMB considered pursuing such pocket rescissions in the first Trump Administration despite a GAO ruling in 2018 that “the ICA does not permit the withholding of funds through their date of expiration.”²² GAO's analysis found that “the statutory text and legislative history of the ICA, Supreme Court case law, and the overarching constitutional framework of the legislative and executive powers provide no basis” to suggest such a practice is allowable.²³ Other legal experts have similarly determined that the pocket rescission is a “legal fantasy” and a “vacuous” concept.²⁴

The ICA was enacted to curb illegal impoundments, not to create a secret pathway for presidents to bypass congressional approval and impound funds if they are willing to wait until the last 45 days of a fiscal year to do so.

Notably, as researchers at Protect Democracy have found, any rescission proposal at this point in the fiscal year regarding funding that expires in 2025 would be the latest that such a proposal has been delivered under the ICA in over four decades, and would strongly indicate that funds were being illegally impounded *before* the transmission occurred.²⁵

- **Deferred spending under the ICA.** Press reports indicate that the Administration may soon look to “defer” — pause obligation or spending of funds under rules established in the ICA — more than \$30 billion, or more than three times as much funding as it has thus far proposed to rescind. The agencies and departments targeted reportedly include “the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, the National Science Foundation and the departments of Interior and Health and Human Services.”²⁶ The ICA allows a President not only to propose rescissions but also to pause spending for a short time after providing a special message to Congress, as long as the funds

are still spent within the same fiscal year and the deferrals are based on one of a specific set of reasons, which do *not* include policy reasons.²⁷

Since the Administration has transmitted no such message to Congress to date and little time remains in the fiscal year to spend paused funds, a hypothetical Trump Administration deferral proposal coming in the summer of 2025 likely would not be legal under the ICA. This approach would be even more concerning given the Administration's stated interest in illegally impounding funds while delaying rescission requests until it is close enough to the end of the fiscal year to pursue a pocket rescission strategy.

All of these strategies would have the same goal: preventing funding that was lawfully provided by Congress — and, in most cases, agreed to by President Trump in the March appropriations deal — from being spent.

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Taken together, the Administration's attempts to circumvent Congress are not just creating harm for those who have been directly affected to date. They also are creating deep uncertainty for all recipients of federal funds over potential future illegal actions by the Administration that could affect them, and they are undermining Congress's constitutional spending authority.

Rescission Proposal, Impoundments Might Break Appropriations Process

Even beyond the impacts from the specific cuts in the current rescission package and from partially codifying the Administration's freeze on foreign aid funding, enacting the package could damage appropriations negotiations on an ongoing basis by signaling Republicans' willingness to sabotage a bipartisan funding deal.

Enacting the March agreement between Congress and the President providing full-year funding for fiscal year 2025 required at least eight Democratic senators to join with 52 Republican senators to invoke cloture. Enactment of the Administration's rescission package would show that Republicans could quickly revise, with merely 51 Senate votes, a bipartisan agreement reached only a few months earlier that required 60 votes, even as Republicans remain unwilling to prevent or end the Administration's ongoing illegal impoundments.

Enacting appropriations for fiscal year 2026, which starts October 1, will require Democratic senators to join with Republicans to reach the needed 60-vote threshold. This Democratic support may not materialize if Democrats are concerned that any agreement could later be undone if the Administration proposes a rescission package under the ICA that at least 50 Republican senators agree to. Senate Appropriations Vice Chair Patty Murray has said it will "prove very difficult, and maybe even impossible," to agree to bipartisan agreements in the future if they could be quickly amended by partisan rescissions under the ICA.²⁸

If the rescission bill passes, then, combined with the Administration's broader ongoing attempts to impound funds — and Vice President Vance's reported assurance to House Republicans in March that the Administration would continue pursuing the impoundment of funds²⁹ — Democratic senators would have little reason to trust that the funding levels they agree to in an

appropriations bill would be protected from rescission or impoundment, undermining the basis for future appropriations agreements. As a result, it would be far more difficult to reach the bipartisan agreements necessary to fund the government on time and with the resources required to appropriately serve the country's needs.

¹ Library of Congress, "H.R.4 - 119th Congress (2025-2026): Rescissions Act of 2025," accessed on July 1, 2025, <https://www.congress.gov/bill/119th-congress/house-bill/4>.

² For more details on rescission proposals under the ICA, see David Super, "How Congress Would Consider a Rescission Request," CBPP, March 18, 2025, <https://www.cbpp.org/blog/how-congress-would-consider-a-rescission-request>. Congress, on its own accord, can also initiate and enact rescissions of funds previously provided under the same rules by which such funds were originally provided (e.g., with 60 senators in support, if needed to halt a filibuster).

³ Tony Romm, "Some Republicans Join Democrats in Unease Over White House Budget Cuts," New York Times, June 25, 2025, <https://www.nytimes.com/2025/06/25/us/politics/republicans-democrats-unease-white-house-budget-cuts.html>.

⁴ Tony Romm, "White House Eyes Rarely Used Power to Override Congress on Spending," New York Times, June 17, 2025, <https://www.nytimes.com/2025/06/17/us/politics/trump-vought-congress-spending-rescission.html>.

⁵ Romm, "Some Republicans Join Democrats."

⁶ US Senate Committee on Appropriations, Majority News, "Senator Collins' Opening Statement at Hearing on President's Rescissions Package Request," June 25, 2025, <https://www.appropriations.senate.gov/news/majority/senator-collins-opening-statement-at-hearing-on-presidents-rescissions-package-request>.

⁷ Library of Congress, "S.Hrg. 119-4 — The Nomination of the Honorable Russell T. Vought, of Virginia, to be Director of the Office of Management and Budget," January 22, 2025, <https://www.congress.gov/event/119th-congress/senate-event/LC74358/text>.

⁸ Romm, "Some Republicans Join Democrats." The House narrowly passed the rescission proposal 214-212, with no Democrats supporting passage and four Republicans opposing it.

⁹ As discussed below, this package does not appear to comply with the ICA because it was not transmitted when the President made the determination to seek to withhold the funds.

¹⁰ The NPR and PBS funds proposed for rescission are advance appropriations for 2026 and 2027 and thus were not being impounded, though the President separately signed an executive order in May that was intended to "cease federal funding for NPR and PBS" to the extent allowed by law. Patrick Smith and Gary Grumbach, "Trump signs executive order to stop federal funding for NPR and PBS," CNBC, May 3, 2025, <https://www.cnbc.com/2025/05/02/trump-signs-executive-order-to-stop-federal-funding-for-npr-and-pbs.html?msockid=09de6075598c626b26ee75b4589e63dc>.

¹¹ Matthew Lee, "Trump suspends US foreign assistance for 90 days pending reviews," Associated Press, January 21, 2025, <https://apnews.com/article/trump-foreign-aid-9f5336e84c45a6e782fa95f60a919f47>; Ellen Knickmeyer, Matthew Lee, and Mark Sherman, "Trump administration says it's cutting 90% of USAID foreign aid contracts," Associated Press, February 26, 2025, <https://apnews.com/article/trump-usaid-foreign-aid-cuts-6292f48f8d4025bed0bf5c3e9d623c16>.

¹² David Super, "Many Trump Administration Fiscal and Regulatory Actions Are Unlawful," CBPP, February 11, 2025, <https://www.cbpp.org/research/federal-budget/many-trump-administration-fiscal-and-regulatory-actions-are-unlawful>. Under the ICA, such "pauses," or deferrals, are only allowed if done to anticipate increases in needs later in the fiscal year, if technological or similar changes enable the program to fully meet Congress's goals less expensively, or if there are some other grounds authorized by law. But a President may not, for example, propose a deferral to achieve policy goals, based on policy disagreements, or to ensure spending is aligned with the President's executive orders.

¹³ Steven Nelson, "White House readies plan for Congress to ax taxpayer funding for NPR, PBS," New York Post, April 14, 2025, <https://nypost.com/2025/04/14/us-news/white-house-sends-congress-plan-to-ax-all-public-broadcasting-funds-and-codify-doge-aid-cuts/>; Reese Gorman, "The White House Is Considering Delaying Asking Congress to

Codify Spending Cuts,” NOTUS, April 29, 2025, <https://www.notus.org/congress/trump-rescission-spending-congress-delay>.

¹⁴ Office of Management and Budget, “M-25-13: Temporary Pause to Review Agency Financial Assistance Programs,” January 27, 2025, <https://www.washingtonpost.com/documents/deb7af80-48b6-4b8a-8bfa-3d84fd7c3ec8.pdf>; Elena Moore, “A second federal judge has ruled to block the Trump administration’s spending freeze,” NPR, March 6, 2025, <https://www.npr.org/2025/03/06/nx-s1-5312069/trump-federal-funding-freeze-court-order>; Dan Garisto, “National Science Foundation Halts Funding Indefinitely,” Scientific American, May 2, 2025, <https://www.scientificamerican.com/article/under-trump-national-science-foundation-cuts-off-all-funding-to-scientists/>; Sara Reardon, “Judge orders NIH to restore hundreds of grants cut under Trump,” Science, June 16, 2025, <https://www.science.org/content/article/judge-orders-nih-restore-hundreds-grants-cut-under-trump>; Juan Perez Jr., Eric He, and Andrew Atterbury, “‘None of us were worrying about this’: Trump’s latest school money move has state authorities scrambling,” Politico, July 2, 2025, <https://www.politico.com/news/2025/07/02/trump-school-money-state-authorities-scrambling-00436737>.

¹⁵ GAO, “B-337137: U.S. Department of Transportation, Federal Highway Administration—Application of the Impoundment Control Act to Memorandum Suspending Approval of State Electric Vehicle Infrastructure Deployment Plans,” May 22, 2025, <https://www.gao.gov/assets/880/877916.pdf>; Cristin Dorgelo, “The Trump Administration is Threatening Libraries, Museums, and Other Nonprofits That Support the Arts, Humanities, and Learning,” CBPP, July 7, 2025, <https://www.cbpp.org/research/federal-budget/the-trump-administration-is-threatening-libraries-museums-and-other>; Michael Phillis, “The EPA can’t end grants from \$20 billion Biden-era fund for climate-friendly projects, a judge says,” Associated Press, April 16, 2025 <https://apnews.com/article/epa-green-bank-grants-clean-energy-projects-1bcc9dd5c92f8dfb4304add043711278>; Garisto; Reardon.

¹⁶ GAO, letter to OMB Director Vought on availability of apportionment data, April 8, 2025, <https://www.gao.gov/assets/880/878943.pdf>; Carl Hulse, “Bipartisan House and Senate Leaders Urge White House to Restore Spending Website,” New York Times, May 6, 2025, <https://www.nytimes.com/2025/05/06/us/politics/congress-white-house-spending-website.html>.

¹⁷ Eric Katz, “White House says it will cooperate with top watchdog only when it does not ‘unduly burden’ Trump’s agenda,” Government Executive, May 30, 2025, <https://www.govexec.com/oversight/2025/05/white-house-says-it-will-cooperate-top-watchdog-only-when-it-does-not-unduly-burden-trumps-agenda/405713/>; Chris Marquette, “White House directs DOT to ignore GAO ruling on EV funding pause,” Politico, June 4, 2025, <https://www.politico.com/news/2025/06/04/white-house-dot-gao-ev-funding-00384230>.

¹⁸ Richard Kogan, “FAQs on Impoundment: Presidential Actions Are Constrained by Long-Standing Constitutional Restrictions,” CBPP, November 21, 2024, <https://www.cbpp.org/sites/default/files/11-21-24bud.pdf>; Diana Stancy, “‘Constitutional crisis’: The Impoundment Control Act takes center stage after Russell Vought’s confirmation,” Fox News, February 10, 2025, <https://www.foxnews.com/politics/constitutional-crisis-impoundment-control-act-takes-center-stage-washington?msocid=09de6075598c626b26ee75b4589e63dc>. This reticence may reflect the fact that credible legal scholars have not supported those arguments and Supreme Court Justices Kavanaugh and Roberts advised against the President’s ability to impound in previous roles. See Ian Millhiser, “Supreme Court Justice Brett Kavanaugh has very bad news for Donald Trump,” Vox, January 31, 2025, <https://www.vox.com/scotus/397820/supreme-court-brett-kavanaugh-trump-spending-freeze-impoundment>.

¹⁹ USCA Case #25-5097, Document #2115253, filed May 9, 2025, <https://storage.courtlistener.com/recap/gov.uscourts.cadc.41905/gov.uscourts.cadc.41905.01208738285.0.pdf>.

²⁰ Avery Lotz, “Vought floats impoundment to dodge Congress on DOGE cuts,” Axios, June 1, 2025, <https://www.axios.com/2025/06/01/vought-impoundment-doge-cuts-rescissions-congress>.

²¹ Jennifer Scholtes, “White House floats a new funding trick — and GOP lawmakers grimace,” Politico, June 20, 2025, <https://www.politico.com/news/2025/06/20/pocket-rescissions-white-house-funding-trick-00410444>. Also see David Super, “‘Pocket Rescissions’ are a Legal Fantasy,” Balkinization, June 24, 2025, <https://balkin.blogspot.com/2025/06/pocket-rescissions-are-legal-fantasy.html>.

²² OMB letter to House Budget Committee Chair John Yarmuth, January 19, 2021, <https://trumpwhitehouse.archives.gov/wp-content/uploads/2021/01/Response-to-House-Budget-Committee-Investigation.pdf>.

²³ GAO, “B-330330: Impoundment Control Act—Withholding of Funds through Their Date of Expiration,” December 10, 2018, <https://www.gao.gov/assets/b-330330.pdf>.

²⁴ David Super, “‘Pocket Rescissions’ are a Legal Fantasy,” Balkinization, June 24, 2025, <https://balkin.blogspot.com/2025/06/pocket-rescissions-are-legal-fantasy.html>.

²⁵ Protect Democracy, “Evading the Impoundment Control Act (ICA): The Use of So-Called ‘Pocket Rescissions’ to Unlawfully Impound Funds,” <https://protectdemocracy.org/wp-content/uploads/2025/06/Pocket-Rescissions-Explainer.pdf>.

²⁶ Scott Waldman and Corbin Hiar, “White House looks to freeze more agency funds — and expand executive power,” Politico, June 12, 2025, <https://www.politico.com/news/2025/06/12/white-house-agency-funds-executive-power-00395545>.

²⁷ Super, “Many Trump Administration Fiscal and Regulatory Actions.”

²⁸ Senate Appropriations Committee Minority, “Vought Refuses to Rule Out More Illegal End-Runs Around Congress & Refuses to Detail How Trump Will Execute Cuts If Rescissions Bill Passes—Murray Urges Congress to Reject Package in its Entirety,” June 25, 2025, <https://www.appropriations.senate.gov/news/minority/vought-refuses-to-rule-out-more-illegal-end-runs-around-congress-and-refuses-to-detail-how-trump-will-execute-cuts-if-rescissions-bill-passesmurray-urges-congress-to-reject-package-in-its-entirety>.

²⁹ Meredith Lee Hill, “Vance tells House GOP they’ll take the blame if it comes to a shutdown,” Politico, March 11, 2025, <https://www.politico.com/live-updates/2025/03/11/congress/jd-vance-house-gop-shutdown-stopgap-00223400>.