



PROTECTING CONGRESS' POWER OF THE PURSE

September 9, 2025

Since January, President Trump and Office of Management and Budget (OMB) Director Russell Vought have waged an unprecedented assault on the rule of law and Congress' constitutional power of the purse. Both the U.S. Supreme Court and the nonpartisan Government Accountability Office (GAO) have confirmed these actions are illegal. GAO recently found that President Trump blocked lifesaving National Institutes of Health research grants, funding that supports work on cures for diseases like Alzheimer's and cancer. GAO also found that the President illegally withheld funds for Head Start, infrastructure, and public-school improvements, further straining the economy and undermining programs families count on.

The Congressional Power of the Purse Act, introduced by Ranking Member Boyle and House Budget Committee Democrats, updates the Impoundment Control Act of 1974 (ICA) and Antideficiency Act to reaffirm that Congress — not the President — holds the power of the purse. It ensures that funding already approved by Congress, including investments in health care, infrastructure, and national security, are delivered to the American people.

CORE OBJECTIVES AND PROVISIONS OF THE CONGRESSIONAL POWER OF THE PURSE ACT:

PROTECT CONGRESS' CENTRAL ROLE IN FUNDING DECISIONS

- Eliminate fast-track procedures for considering rescission packages during the rest of President Trump's term.
- Expound upon existing requirements in the ICA that prevent the President from rescinding funds without Congressional approval (also known as a so-called "pocket rescission"). This includes a requirement that OMB release funding at least 90 days before it expires, whether or not the funding is part of a Presidential rescission or deferral request.

INCREASE TRANSPARENCY IN THE EXECUTIVE BRANCH

- Create an inspector general at OMB to ensure the agency follows the law.
- Require agencies to notify Congress if OMB does not make apportionments (legally binding documents that make funding available to agencies to spend) within the required statutory time period, or if the apportionment improperly conditions the availability of an appropriation.
- Require the executive branch to make public: amounts and explanations of cancelled or expired fund balances; and amounts and legal justifications of obligations incurred by agencies during a lapse in their appropriations.
- Require the executive branch to report to Congress on violations of the ICA and Antideficiency Act identified by GAO.

ADD TEETH TO BUDGET LAW & DETER LAWBREAKING

- Authorize discipline for officials found to have violated the ICA, including suspension without pay, termination of employment, fines, or imprisonment.
- Strengthen and expedite GAO's ability to obtain information from agencies to assess compliance with budget or appropriations law; expedite GAO's ability to sue agencies to release funds being impounded in violation of the ICA.
- Require the Department of Justice to review reports of Antideficiency Act violations and investigate whether a violation occurred knowingly and willfully.

This document has not been reviewed and approved by the Democratic Caucus of the Budget Committee and may not necessarily reflect the views of all members.