

Congress of the United States

Washington, DC 20515

January 27, 2025

Acting Director Matthew J. Vaeth
Office of Management and Budget
1650 17th Street NW
Washington, DC 20006

Dear Acting Director Vaeth:

As leaders of the House and Senate Committees on Appropriations, we write with extreme alarm about the Administration's efforts to undermine Congress's power of the purse, threaten our national security, and deny resources for states, localities, American families, and businesses. The President has issued a number of Executive Orders to unilaterally freeze or contravene critical funding provided in bipartisan laws, sowing chaos across states, families, and communities. In that vein, you have now issued a series of Office of Management and Budget (OMB) memoranda that only further disarray and inefficiency—in particular, M-25-13, pursuant to which agencies will be ordered to stop vast swaths of federal financial assistance to states, families, and communities as of 5:00 PM ET on Tuesday, January 28. The scope of what you are ordering is breathtaking, unprecedented, and will have devastating consequences across the country. We write today to urge you in the strongest possible terms to uphold the law and the Constitution and ensure all federal resources are delivered in accordance with the law.

In the 116th Congress, then-OMB Director Russ Vought oversaw unlawful and unprecedented actions at OMB that contravened appropriations laws. In the years since, our committees remained laser-focused on preventing such abuse, without regard to whether the President was a Republican or a Democrat, and enacted reforms to increase transparency and reporting to Congress on apportionments and impoundment to protect Congress's institutional interests. Among other requirements, Congress now requires the publication of every apportionment not later than two business days after approval, the publication of any changes in the delegation of apportionment authority in the Federal Register with an explanation of the reasons for any changes to Congress, and reporting by the executive branch of any violations of the Impoundment Control Act of 1974 to Congress, with a copy sent to the Comptroller General. Agencies are also required to notify our committees of any further abuses that would hinder their ability to carry out duly enacted funding laws.

During that same time, Mr. Vought's Center for Renewing America began espousing unfounded theories that the President has an "inherent constitutional power to impound"—a theory long-disavowed by the Department of Justice's Office of Legal Counsel, the Government Accountability Office, and the Supreme Court of the United States. Based on his work at the Center for Renewing America and testimony this month before the Senate Committees on the Budget and Homeland Security and Governmental Affairs, it is clear Mr. Vought feels emboldened to defy Congress, the Constitution, and the Impoundment Control Act.

The President's Executive Orders issued last week appear to be guided by the same philosophy, calling for unlawful actions across the executive branch to halt national security programs, State and local infrastructure projects, and critical programs that lower the cost of living for American families, among numerous other requirements in law.

The memoranda you have issued to effectuate those orders demonstrate a similar commitment to this misguided philosophy. These memoranda, particularly M-25-13, together with the Executive Orders, have sown immense confusion across the country, with some reports indicating that they could immediately halt all federal funding for any grant or loan. This Administration's actions will have far-reaching consequences for nearly all federal programs and activities, putting the financial security of our families, our national security, and the success of our country at risk.

While we may have strong policy disagreements, we should all be united in upholding our nation's laws and the Constitution. We will be relentless in our work with members on both sides of the aisle and in both chambers to protect Congress's power of the purse. The law is the law—and we demand you in your role as Acting OMB Director reverse course to ensure requirements enacted into law are faithfully met and the nation's spending laws are implemented as intended.

Sincerely,



Rosa L. DeLauro
Ranking Member
Committee on Appropriations
U.S. House of Representatives



Patty Murray
Vice Chair
Committee on Appropriations
United States Senate