



441 G St. N.W.
Washington, DC 20548

B-330045.1

May 24, 2018

The Honorable Michael R. Pence
President of the Senate

The Honorable Paul Ryan
Speaker of the House of Representatives

Subject: *Impoundment Control Act of 1974: Release of Certain Withheld Amounts*

On May 8, 2018, the President transmitted to Congress a special message proposing rescissions from 38 appropriation accounts. 164 Cong. Rec. S2548 (daily ed. May 8, 2018); 83 Fed. Reg. 22525 (May 15, 2018); see Congressional Budget and Impoundment Control Act of 1974 (ICA), Pub. L. No. 93-344, title X, § 1012, 88 Stat. 297, 333–34 (July 12, 1974), *classified at* 2 U.S.C. § 683. In accordance with our statutory duty to assist the Congress by reviewing the special message, we submitted a letter to you on May 22. B-330045, May 22, 2018; see ICA § 1014(b), 2 U.S.C. § 685(b).

In our letter, we reported that two proposals, R18-28 and R18-30, were not consistent with section 1001(4) of the ICA, which provides that the Act does not supersede any provision of law that requires the obligation of budget authority or the making of outlays thereunder. 2 U.S.C. § 681(4); B-330045, at 10-11. Accordingly, we concluded that these amounts could not be withheld from obligation pending congressional consideration of the rescission proposal.

On May 22, the Office of Management and Budget (OMB) advised us that it had instructed the Department of Transportation to release the funds previously withheld from obligation under rescission proposals R18-28 and R18-30. OMB also approved revised apportionment schedules for the affected accounts. We reviewed these revised schedules and they reflect the release of the previously withheld funds.

If you have any questions, please contact Julia C. Matta, Managing Associate General Counsel, at (202) 512-4023, or Omari Norman, Assistant General Counsel for Appropriations Law, at (202) 512-8272.

Thomas H. Armstrong
General Counsel