

February 19, 2025

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Hakeem Jeffries
House Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Re: Vote “No” On H.R. 32, the Defund Our Communities Act

Dear Speaker Johnson, Leader Jeffries, and Members of the House of Representatives,

We, the undersigned groups, write to express our grave concern regarding H.R. 32, which should be named the [Defund Our Communities Act](#). It would give the Trump administration legal authority to cut federal funding to hundreds of state and local governments—enabling its campaign of intimidation of state and local officials, and its attack on our democratic system.

Our communities are still reeling from the Trump administration’s unilateral attempt to freeze all federal funding, including reported continuing difficulties accessing funds by some service providers, and its continued threats against both government workers and elected officials who refuse to assist its policies targeting members of our communities. Congress should not pass legislation handing the Trump administration vast and vaguely worded authority it may use to further intimidate, coerce and inflict chaos on schools, hospitals, local police, and other institutions that our communities rely on. Nor should Congress, through this legislation, concede its “power of the purse”—a vital aspect of our constitutional balance of powers that is perhaps more important than ever.

A Congressionally Sanctioned and Sweeping Funding Freeze

H.R. 32 would allow the administration to strip a state or local government of federal funds it “intends to use for the benefit” of undocumented immigrants. While couched in terms of immigration, we fear the actual result of this bill would be a funding cut off across the board, putting critical services to all our community members at risk. As you well know, state and local agencies do not generally segregate their funding allocations for citizens versus noncitizens, let alone noncitizens without legal status versus all others.

Tens of thousands of state and local employees—social workers, police officers, teachers, bus drivers, nurses, mental health counselors, and more—stand to lose funding they rely on to do their jobs serving our communities, if this bill is enacted. Countless small businesses with contracts that serve those federal funding recipients could be impacted. The bill specifically names federal funding for “food, shelter, healthcare services, legal services, and transportation,” but leaves the door open to “any” funding being cut. In the first few weeks, this administration has already proven that it will stretch any legal authority far beyond the intended purpose or, as their track record in court so far would suggest, beyond the limits of that authority.

The Trump administration could weaponize H.R. 32 to freeze vast amounts of federal funding to hundreds of cities and dozens of states—simply because state and local agencies choose or are legally obligated not to fully participate in President Trump’s unprecedented mass deportation drive, or because they lack the

resources to do so and are unable to meet the Trump administration's latest demands. Congress should not put the vast array of services that your constituents rely on at the whim and mercy of the Trump administration.

An Attack on Constitutional Balance of Power

This bill would undermine our constitutional balance of powers in two ways: Escalating federal intimidation of state and local governments; and undermining Congress' power of the purse. In both cases, the bill threatens a system of checks and balances that is crucial to ensuring our government serves the people—not the president's personal goals and interests.

Independence of State and Local Officials

The Trump administration is already engaged in a campaign of intimidation, including threatening state and local officials with prosecution for not assisting with the federal deportation efforts—most recently, the Illinois governor—on legally baseless theories.¹ This bill, if enacted, would allow the Trump administration to escalate its attack on the independence of state and local governments, using the threat of withdrawing a vast array of federal funding—on completely unrelated matters—if they fail to comply with federal demands for collaboration in immigration enforcement.

While this bill targets immigration, its passage would set the stage for the federal government to hold states and cities hostage to demands on how history is taught in our schools, and who gets access to healthcare and for what reason.

This approach of federal intimidation of state and local governments undermines federalism—a vital check on presidential power. Under the Tenth Amendment of the Constitution, state and local governments have authority over their own resources. The federal government cannot commandeer state and local government resources, and states and local governments have the right to refuse to help enforce federal regulatory programs. While the federal government may impose restrictions on federal grants to the states, its power is limited by the Constitution. As Chief Justice Roberts wrote in *National Federation of Independent Business v. Sebelius*, “Congress may use its spending power to create incentives for States to act in accordance with federal policies. But when ‘pressure turns into compulsion,’ the legislation runs contrary to our system of federalism.”²

Congress' Power of the Purse

This bill would also undermine Congress' power of the purse, another potent tool in checking presidential overreach. The bill effectively cedes authority over federal funding decisions to the executive branch, shifting power from Congress to the president, weakening the power of constituent voices over the vital matter of public funding for community services.

Perhaps now more than ever, maintaining the separation of powers is vital to safeguarding our democracy. Congress should not concede its own authority over federal grants, and hand the Trump administration authority that it could use to threaten, intimidate and coerce state and local governments across the country. We strongly urge you to make clear your opposition to this bill.

¹ “ACLU of Illinois Responds To Trump Administration Lawsuit Challenging State and Local Policies Prioritizing Public Safety Over Federal Civil Immigration Enforcement,” Feb. 6, 2025, <https://www.aclu-il.org/en/press-releases/aclu-illinois-responds-trump-administration-lawsuit-challenging-state-and-local>.

² Nat'l Fed'n of Indep. Bus. v. Sebelius, 567 U.S. 519, 577 (2012).

Sincerely,

American Civil Liberties Union (ACLU)

AFT | Education, Healthcare, Public Services

Accountability Counsel

Adhikaar for Human Rights and Social Justice

American Friends Service Committee (AFSC)

Americans United for Separation of Church and State

Asian Americans Advancing Justice | AAJC

Asian Community Development Corporation

Alianza Nacional de Campesinas

Bend the Arc: Jewish Action

Build A Better Planet

Caged Dreams

Care in Action

Casa de Venezuela, Inc

Cause Communications

Center for Community Alternatives

Chispa LCV

Center for Food Safety

Center for LGBTQ Economic Advancement & Research (CLEAR)

Center for Policing Equity (CPE)

Center for Progressive Reform

CenterLink: The Community of LGBTQ Centers

Citizens for Global Solutions (CGS)

Climate Justice Alliance

Coalition for Social Justice Action

Community Change Action

Dear Asian Youth

Democrats Abroad

Disciples Center for Public Witness

Drug Policy Alliance

Earth Ethics, Inc.

Economic Policy Institute

Environmental & Public Health Consulting

Equal Justice USA

Fair and Just Prosecution

Faith in Action

Faith in Public Life Action

Faiths for Safe Water

Family Farm Defenders

Food & Water Watch

Franciscan Action Network

Free Speech For People

Friends of the Earth

Fruition Sustainability Solutions Inc

GreenLatinos

Greenpeace USA

Grey Nuns of the Sacred Heart

Haitian Bridge Alliance

Healthy Ocean Coalition

Immigrant Justice Network

Immigration Hub

Impact Fund

Indivisible

Japanese American Citizens League

Jewish Council for Public Affairs (JCPA)

Just Future Project

Just Solutions

Justice and Joy National Collaborative

Justice for Migrant Women

JustLeadershipUSA
JustUS Coordinating Council
Lawyers for Good Government
League of Conservation Voters
League of Women Voters of the United States
Legal Action Center
Legal Services for Prisoners with Children
Local Progress
More Than Our Crimes
MoveOn
NAACP
NAKASEC
National Action Network
National Domestic Workers Alliance
National Education Association
National Employment Law Project
National Immigrant Justice Center
National LGBTQ Task Force Action Fund
National Women's Law Center
NETWORK Lobby for Catholic Social Justice
OneAmerica
People For the American Way
People Power United
Pesticide Action Network
Physicians for Reproductive Health
Planned Parenthood Federation of America
PODER
Pretrial Justice Institute
Prison Policy Initiative
Project On Government Oversight
Pulmonary Hypertension Association

Refugee Council USA
Reproductive Freedom for All
Resource Renewal Institute
RiSE
Robert F. Kennedy Human Rights
Service Employees International Union (SEIU)
Services, Immigrant Rights and Education Network (SIREN)
The Advocates for Human Rights
The Bail Project
The Coming Clean Network
The Democracy Center
The Ethics Project
The Leadership Conference on Civil and Human Rights
The National Council for Incarcerated & Formerly Incarcerated Women and Girls
The Sanctuary Working Group
The Sentencing Project
The Workers Circle
Turning Point for Women + Families
UndocuBlack Network
Union for Reform Judaism
Unitarian Universalists for Social Justice
United for a Fair Economy
UNITED SIKHS
Vera Institute of Justice
We Are All America
Welcome Table Collaborative

Regional, State and Locally Based Organizations

APIA Vote-Michigan

Arab American Association of New York	Madrean Archipelago Wildlife Center
Asian Pacific American Labor Alliance - San Diego	Make The Road New Jersey
Asian Pacific Islanders Civic Action Network, Massachusetts	Make the Road NY
Bayou City Waterkeeper	Milwaukee Riverkeeper
Beyond Savvy Consumers	New England Innocence Project
Black Lion Strategies	North Shore for Palestine
Boston Food Activists	North Shore Islamic Center
Boston Teachers Union, Local 66	Northshore For Palestine
CA LGBTQ Health and Human Services Network	Oasis Legal Services
Friends of Friendship Park	OCA - Asian Pacific American Advocates
Equality California	Palestinian American Community Center
Family Voices NJ	Pioneer Valley Workers Center
Guadalupan Multicultural Services La Casita	Progressive Massachusetts
Greater Boston PFLAG	Pride at Work Eastern Massachusetts
Healthy Environment Alliance of Utah (HEAL Utah)	Progressive Leadership Alliance of Nevada
Illinois Alliance for Reentry and Justice	Rocky Mountain Immigrant Advocacy Network
Illinois Venezuelan Alliance	SEIU Local 509
Indivisible Chicago Alliance	SEIU New Jersey State Council
Indivisible Eastside	SEIU NJ State Council
Instituto del Progreso Latino	Silver State Equality
Jewish Community Relations Council of Greater Boston	SPAN Parent Advocacy Network
Lake County EJ Coalition	The Festival Center
Los Angeles LGBT Center	Three Rivers Waterkeeper
Los Jardines Institute	Together for Brothers
	Trinity United Church of Christ, Chicago
	Voces de la Frontera