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Critics of the idea, including Senate Foreign Relations Chairman Bob Corker, are already vowing to challenge the move in court. | Drew Angerer/Getty Images

Trump administration to attempt to kill $3B in foreign aid

By **SARAH FERRIS** | 08/17/2018 01:43 PM EDT

The White House budget office believes it has found a way to cancel about $3 billion in foreign aid even if it is never approved by Congress, according to a Republican aide familiar with the plan.

The White House plans to submit the package of so-called rescissions in the coming days, which triggers an automatic freeze on those funds for 45 days. The cuts would largely come from the U.S. funding for the United Nations, according to the aide.

With exactly 45 days left in fiscal 2018, the State Department wouldn't be able to use those funds even if Congress rejects the request because those dollars will have expired by Oct. 1.

The tactic, engineered by OMB chief Mick Mulvaney, is intended to prevent a cascade of end-of-year spending by the State Department. But critics of the idea, including Senate Foreign Relations Chairman Bob Corker (R-Tenn.), are already vowing to challenge the move in court.

"I don't know how they can do that legally, but we certainly look forward to seeing how to counter that, if that's the case," Corker said at a committee meeting Thursday.

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The White House budget office has long targeted the State Department for dramatic funding reductions, to the dismay of many Capitol Hill Republicans.

It would be the second time the Trump administration has submitted this kind of presidential rescissions package. The White House's last request, which would have reclaimed $15 billion across multiple agencies, narrowly passed the House and was rejected by the GOP-led Senate. It was the first time a president had used the rescissions process since 2000.

The new plan is expected to be submitted in time for the House to consider when it returns from its five-week recess after Labor Day.

It would add yet another complication for GOP leaders in an already dizzying schedule for

Even if GOP leaders choose not to take up the package, individual members can force a vote on the floor, which can take up time that might otherwise be used for appropriations bills. In the Senate, forcing a vote could risk endangering the nomination process for Brett Kavanaugh to become the next Supreme Court justice.

If the White House's plan doesn't pass muster in Congress, it could still prompt a bruising legal battle just weeks ahead of the midterms.

The OMB declined to comment. "We do not comment on alleged leaks and will not discuss deliberative and pre-decisional information," an administration official said.

The plan was first reported by The Washington Post.

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