

# Congress of the United States

Washington, DC 20510

May 20, 2025

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-232, The Capitol  
Washington, D.C. 20515

Dear Speaker Johnson,

We write to express our deep concern over Section 70302 of the *One Big Beautiful Bill Act* (Rules Committee Print 119-3).<sup>1</sup> This provision would significantly undermine the judiciary's longstanding and constitutionally grounded authority to enforce contempt citations — a move that would weaken the separation of powers and pose serious risks to the rule of law in the United States.

As written, Section 70302 would prohibit federal courts from enforcing contempt orders unless the plaintiff posted a bond at the outset of the case. Courts have long held discretion under Federal Rule of Civil Procedure 65(c) to waive such bonds, especially in public interest cases or when the United States is the defendant. By conditioning enforcement on the presence of a bond routinely waived by the courts, this provision would neutralize valid injunctions and leave courts powerless to act in the face of open defiance. This provision covers ongoing cases, effectively changing the law midstream, which would potentially cripple enforcement in cases where judges had no knowledge of the impending change in law and could not have required a bond in advance in order to comply with this new provision. Even those who have already been found to be in violation of the law may walk free of any consequence — not because of the merits of their case, but due to an arbitrary and retroactive restriction.

This is not merely a procedural concern, and this language has nothing to do with the federal budget. It strikes at the very core of judicial authority that is granted in our Constitution.

This provision would impact hundreds of cases, including many in which the government is the plaintiff. Currently, more than 130 school desegregation orders, ongoing civil rights cases, and critical regulatory cases could become unenforceable under this provision.<sup>2</sup> Additionally, cases in which the government was not a party to the lawsuit, such as injunctions in trademark suits between private parties to protect intellectual property, could be left rudderless. Furthermore, courts could find themselves powerless to hold administrations — of either party — responsible for breaking the law, even after they have been found liable.

The contempt power is not partisan. It is a fundamental component of judicial independence built by our Founding Fathers. Weakening it in this way threatens the balance of power upon which our democracy depends.

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<sup>1</sup> [https://rules.house.gov/sites/evo-subsites/rules.house.gov/files/documents/rcp\\_119-3\\_final.pdf](https://rules.house.gov/sites/evo-subsites/rules.house.gov/files/documents/rcp_119-3_final.pdf)

<sup>2</sup> <https://apnews.com/article/school-segregation-order-civil-rights-justice-department-7fc5e2e4ef8e9ad4a283f563c042ae7c#:~:text=More%20than%20130%20school%20systems%20are%20under%20Justice%20Department%20desegregation%20orders%2C%20according%20to%20records%20in%20a%20court%20filing%20this%20year.>

We urge you to uphold the integrity and enforceability of our civil justice system by striking Section 70302 from the *One Big Beautiful Bill Act*.

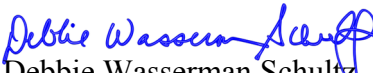
Sincerely,



Laura Friedman  
Member of Congress



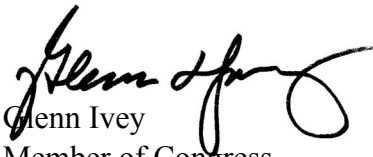
Val Hoyle  
Member of Congress



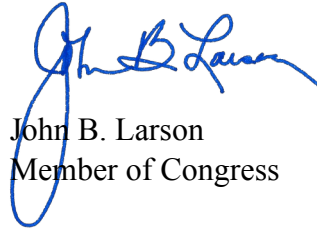
Debbie Wasserman Schultz  
Member of Congress




Rashida Tlaib  
Member of Congress



Glenn Ivey  
Member of Congress



John B. Larson  
Member of Congress



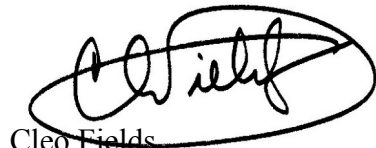
Josh Gottheimer  
Member of Congress



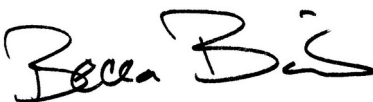
Pramila Jayapal  
Member of Congress



Suzanne Bonamici  
Member of Congress



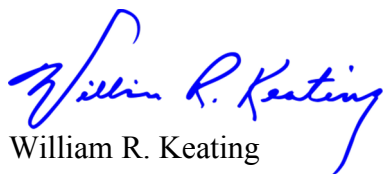
Cleo Fields  
Member of Congress




Becca Balint  
Member of Congress



Jan Schakowsky  
Member of Congress

A blue ink signature of William R. Keating, written in a cursive style.

William R. Keating  
Member of Congress

A black ink signature of Herbert C. Conaway, Jr., written in a cursive style.

Herbert C. Conaway, Jr.  
Member of Congress

A black ink signature of Brittany Pettersen, written in a cursive style.

Brittany Pettersen  
Member of Congress

A black ink signature of André Carson, written in a cursive style.

André Carson  
Member of Congress

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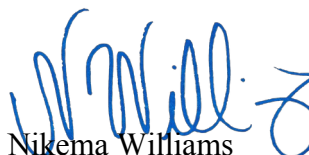
Melanie Stansbury  
Member of Congress

A black ink signature of Dave Min, written in a cursive style.

Dave Min  
Member of Congress

A blue ink signature of Jason Crow, written in a cursive style.

Jason Crow  
Member of Congress

A blue ink signature of Nikema Williams, written in a cursive style.

Nikema Williams  
Member of Congress

A blue ink signature of Sam T. Liccardo, written in a cursive style.

Sam T. Liccardo  
Member of Congress