OneAID Community Updates March 12, 2025

Key Updates

- Judge Ali filed a preliminary injunction in the USAID Implementing Partners case, requiring the government to make payments and permit letter of credit drawdowns for work completed prior to February 13.
- AFSA/AFGE filed a motion for summary judgment asking the court to decide the case on the merits and rule that the dismantling of USAID is unlawful.
- A federal judge in Maryland ordered DOGE/Musk to produce a list of documents signed by the authorizing official for decisions related to USAID's dismantling including taking the agency website down, placing employees on administrative leave, terminating nearly 800 personal services contractors (PSCs), and shutting down USAID headquarters and removing signage.
- USAID was first, but not last: The Trump Administration decimates the Department of Education, issuing reduction in Force (RIF) notices for 1,315 employees, leaving only 2,183 employed by the department.
- OneAID Community is supporting USGLC's <u>#SaferStronger Week of Action for U.S.</u>
 <u>International Assistance</u> inviting all to join in asking Congress to protect international programs that save lives and make America safer, stronger, and more prosperous. Visit their Rapid Response Hub for resources, information, and factsheets.

More details below...

Judge Ali Ruling: Preliminary Injunction Issued in Implementing Partners Case

- On Monday, Judge Amir Ali of the Federal District Court for D.C. blocked the Trump administration from "unlawfully impounding congressionally appropriated foreign aid funds" that the State Department and USAID owed to grant recipients and contractors, requiring it to pay for work completed before February 13. Judge Ali stopped short of ordering administration officials to reinstate thousands of terminated contracts, but made clear that they would have to spend \$58 billion in previous congressionally appropriated funds at some point. (NY Times, AP, Washington Post, Devex, Axios)
- Judge Ali ruled that the Trump administration is likely violating the constitutional separation of powers by withholding funds and usurping Congress's authority to dictate whether the funds should be spent in the first place.
- During a hearing on March 6, Judge Ali had given the agencies until March 10 at 18:00 to process old invoices and pay what was owed to groups suing for work completed before February 13. The order on Monday also required the government to file a report by the end of the week outlining how it would pay others that previously received federal funding before the review.
- While Judge Ali's injunction could be seen as narrow in that he only addressed pre-February 13 obligations, the language he used in the opinion demonstrates his clear view that the executive branch is violating constitutional provisions assigning Congress authority to appropriate funds and congress's shared authority over foreign assistance.
 - Specifically, he stated that the plaintiffs' Administrative Procedure Act and

constitutional claims have a clear likelihood of success, given the documented executive disregard for the separation of powers.

AFSA/AFGE: Motion for Summary Judgment Filed

- On Monday, March 10, the plaintiffs filed a motion for summary judgment asking Judge Carl Nichols of the District Court for D.C. to decide the case on the merits. The plaintiffs had sued alleging that the government shutdown of USAID was unlawful and asked the court to halt the terminations of personnel and foreign aid programs. (<u>Democracy</u> Forward)
- On February 21, Judge Nichols denied plaintiffs' motion for preliminary injunction finding, among other findings, that the plaintiffs were unlikely to succeed on the merits, characterizing the case as essentially about changed employment conditions that could be addressed by administrative bodies and discounting the immediate relevance of the constitutional and statutory claims under the Administrative Procedure Act and separation of powers principles.
- The motion for summary judgment attempts to address the reasons Judge Nichols set forth for denying the preliminary injunction, arguing that the case is not "just" an employment law case and shoring up unions' standing to sue by using language from the more successful CFPB case.
- The motion for summary judgment comes on the heels of Judge Nichols denying the
 plaintiff's request for injunctive relief and essentially asks the judge to rule differently
 based on the same record and similar arguments, which given the circumstances is
 unlikely to succeed.

J. Doe 1-26 v. Musk: Documents Authorizing Dismantling of USAID Requested

- On March 10, Judge Chuang of the District Court for Maryland ordered defendants Musk and DOGE to produce a trove of documents signed by authorizing officials directing the dismantling of USAID, including shuttering the USAID office space, placing staff on administrative leave, transferring office space to another agency, and taking down the USAID website (<u>Court Listener</u>).
- This evidence was requested by plaintiffs to support their request for preliminary injunction and bolster their claim that DOGE/Musk were behind the decision to dismantle USAID. The overall case was filed by anonymous USAID employees and contractors alleging that DOGE/Musk do not have the authority to control the agency or make personnel decisions. (<u>Just Security</u>)

<u>Department of Education Firings Show Project 2025 and DOGE Continue to Dismantle the</u> Federal Government

- The Department of Education's union shared the list of cuts detailing "hundreds of layoffs at the Federal Student Aid office, Institute of Education Sciences and Office for Civil Rights, among other units." The total cuts add up to around half of DOE Staff (NPR).
 - The Institute of Education Sciences oversees monitoring and evaluation research on existing curriculum and education programs and collects data on students and staff such as for the National Assessment of Educational Progress.

- According to Department of Education staff, those impacted by this decision include employees with the General Counsel's Office, the Federal Student Aid oversight group, the office that supports Institutions of Higher Education, and the management office that pays the department's bills and oversees statutory functions.
- Although the Trump Administration asserts that the department's functions will
 continue and that these cuts make the department more efficient, a 50 percent cut
 beginning this Friday will certainly impact operations and disrupt essential education
 services that Americans rely on.

Consistent Topline Messages (Talking Points)

Preserving Foreign Assistance as a U.S. Foreign Policy Tool

- An effort from the Trump administration and Congress to reform and streamline U.S. foreign assistance is welcome, however, the current approach is not a serious reform effort: it is an ineffective, sloppy power grab that is—unintentionally or not—destroying U.S foreign assistance apparatus and depriving the U.S. of a critical soft-power tool. Foreign assistance keeps us safer here at home while demonstrating American generosity and saving millions of lives worldwide.
- This flawed power grab is evident in the broken waiver process, which lacked clear procedures and failed to operate effectively, as well as the cancellation of over 10,000 State and USAID contracts, some of which had already been granted waivers.
- Despite the Administration's claims, even life-saving and critical national security
 projects approved for waivers by Secretary Rubio have not received funding. This
 stems from rushed, careless efforts to alter USAID's financial system (Phoenix), rendering
 it non-operational and incapable of processing payments. This includes efforts to stem
 an Ebola outbreak that could infect Americans, HIV prevention and treatment, and
 sensitive work in conflict zones.
- The Trump Administration's efforts to dismantle USAID has left the U.S. without the systems, experienced personnel, or partners necessary to responsibly and strategically implement foreign assistance.
- Americans agree: foreign assistance is a powerful U.S. soft-power tool, and 89 percent of Americans support spending at least 1 percent of our federal budget on foreign aid. For this reason, Congress must halt these illegal actions by DOGE and instead implement a more strategic, sensible reform effort that restores the legislative branch's important oversight function.

USAID: The first, but not the last

- USAID is the playbook for President Trump and Elon Musk's plan for a rapid and
 potentially illegal overhaul of the U.S. Government without required Congressional
 approval and oversight for agencies codified by statute. Reform is welcome, but what
 DOGE is doing is not reform, it is taking a sledgehammer to destroy a vital tool of U.S.
 national security.
- Rep. Bacon (R-NE) underscored this in his comments to the Wall Street Journal: "[USAID was] funding a lot of stupid stuff—that's a fact. But they're also doing a lot of good

- stuff too. So you don't want to throw the baby out with the bathwater. Instead of taking a sledgehammer, let's get out the scalpel."
- Some Republican Senators have joined their Democratic colleagues in expressing
 alarm over the Trump administration's foreign aid freeze and gutting of USAID. <u>Lindsey</u>
 <u>Graham (R-SC)</u>, <u>Lisa Murkowski (R-AK)</u>, <u>and Susan Collins (R-ME) wrote</u> to Secretary
 Rubio stating they believe the State Department is acting unlawfully by failing to notify
 and consult Congress during the process.
- Instead of undertaking a reform effort—working closely with Congress as is required by law—DOGE has taken a "burn it all down" approach, including mass firings and major infringements on Congress's power of the purse. This may work for tech firms, but it is a dangerous approach for government institutions that must remain accountable to taxpayers, enforce and follow laws, and deliver public goods.

Current Impact

American Economy and Jobs:

• Confirmed Job Losses from our partners at USAIDStopWork: 14,173 Americans have lost their jobs, been furloughed, or placed on administrative leave. 59,634 jobs globally (non-American) have been lost as of March 6, 2025.

Humanitarian Assistance

- In Gaza, nearly all 1.1 million children face critical food insecurity. Due to aid cuts, Save the Children is faced with reducing treatment and services for malnourished children mid-recovery, and closing 10 mother-baby areas for pregnant women and newborns that provide critical nutrition assistance. (ReliefWeb)
- In **Somalia**, due to aid cuts, Save the Children is forced to close about 121 health and nutrition sites, cutting off support for more than 250,000 people. (ReliefWeb)
- In **Afghanistan**, 18 health facilities supported by Save the Children have closed. Only 14 Save the Children clinics have enough funding to remain open for one more month, and without new financial support, they will be forced to close. These 32 clinics supported over 134,000 children in January alone. (ReliefWeb)
- Humanitarian action is driven by interwoven data streams, which guide decisions on
 where, when, and how to respond to crises. As a result of funding cuts, the loss of key
 data streams are expected to create a chain reaction that will exacerbate future
 emergencies and hinder responses: loss of monitoring capacity, blind spots in early
 warning, disrupted funding pipelines, reduced humanitarian access and security failures,
 and vulnerable people will die. (The New Humanitarian)
- UN Emergency Relief Coordinator Tom Fletcher outlines a new action plan to reform the international humanitarian community's way of working in the face of massive funding cuts. (ReliefWeb)

<u>Health</u>

- As a result of the Trump administration's stop work order, a newborn and their mother have died due to the withdrawal of lifesaving medical services.
 - Before the Trump administration began dismantling USAID, one USAID partner

- provided water, sanitation, and health services to refugee camps, remote areas, and health facilities in a "Level 4: Do Not Travel" travel advisory country. Their work supported pregnant women and hundreds of children under 5 years old suffering from Severe Acute Malnutrition.
- The U.S. government has not paid over \$1 million due to this partner, which depends upon those reimbursements in order to resume life-saving care. Stopping this partner's work has stopped payments to medical staff, including obstetricians and pediatricians at the local hospital, causing them to leave their posts. Remaining organizations are not able to expand their operations to compensate for USAID's withdrawal, and remaining workers are overwhelmed with dozens of calls for urgent assistance each day.
- In Kenya, the Trump administration has not authorized the release of funding required to distribute \$34 million worth of medicine and equipment from a warehouse that supplies drugs to some 2,000 clinics nationwide. The commodities at the warehouse include 2.5 million bottles of antiretroviral drugs, 750,000 HIV test kits, and 500,000 malaria treatments. (Reuters)

Democracy, Rights, and Governance

- U.S. funding cuts, alongside a growing global anti-rights movement, threaten to reverse
 hard-won advances in girls' rights. At the current rates of progress in the efforts at
 achieving gender equality, the World Economic Forum estimates that it will take 134
 years for girls and women to achieve equality. (ReliefWeb)
 - The potential loss of previous investment in gender equality on the part of the U.S. government alone—which was \$2.6 billion in 2023— could mean more than 18 million fewer girls attending school each year. There will be 4.7 million fewer women each year accessing economic resources, and 4.2 million fewer individuals each year without psychosocial support, case management, and community-based prevention of gender violence, according to Plan International. (ReliefWeb)

Education

 In Kenya and Uganda, Finn Church Aid programs were halted as a result of the Trump administration's foreign aid cuts, which will potentially result in 209,000 schoolchildren losing access to education and 206 teachers and school staff have lost or are at risk of losing their jobs. The termination of U.S. funding will also directly wipe out the gains in education access for girls and their transition to secondary school. (ReliefWeb)

National/International Media Review

- Politico: How Americans May Feel the Slashing of USAID
- Reuters: <u>US judge says Musk's DOGE must release records on operations run in 'secrecy'</u>
- NPR: The government already knows a lot about you. DOGE is trying to access all of it
- The Hill: Former USAID employees on cuts: 'We are going to put lives in jeopardy'
- KFF: U.S. Foreign Aid Freeze & Dissolution of USAID: Timeline of Events

- The New Humanitarian: <u>Humanitarian aid's extreme donor dependency problem in five charts</u>
- The Atlantic (Opinion): The Diseases Are Coming

Local Media Review

- KARK: <u>Arkansas-based Syrian aid group discusses humanitarian aid struggle as USAID</u> cuts continue
- Johns Hopkins News-Letter: <u>Hopkins programs forced to close as Trump administration</u> ends <u>USAID grants</u>
- News5 Cleveland: <u>Groups working with USAID say the government still has not paid</u> what it owes for their work
- Axios Raleigh: <u>USAID cuts lead to more furloughs in the Triangle</u>
- Florida Spectrum News: <u>Central Florida woman raising awareness on impact of USAID dismantling locally</u>

Additional Resources for Information and Messaging from Our Partners

- USAIDStopWork website and USAIDStopWork Bluesky
- Friends of USAID: <u>Instagram</u>, <u>X/Twitter</u>, <u>YouTube</u>