

Federal judge bars Trump from putting 2,000 additional USAID workers on leave.

By [Spencer S. Hsu](#) and [Missy Ryan](#). *The Washington Post*, 7 Feb 2025

A federal judge temporarily barred USAID from putting 2,200 workers on paid leave and restored 500 others to regular service as opponents of the Trump administration's DOGE downsizing head to the courts to slow layoffs and shutdowns.

A federal judge on Friday blocked the Trump administration from placing about 2,700 U.S. Agency for International Development employees on paid leave and recalling nearly all of those posted abroad, representing a setback to the president's effort to slash the U.S. foreign aid apparatus and bring it in line with his "America First" agenda.

U.S. District Judge Carl J. Nichols, following a hastily called hearing, entered a temporary restraining order in a lawsuit brought Thursday by employee unions challenging the administration's authority to shut down the agency.

The decision came only a day after a [filing](#) by the American Foreign Service Association and the American Federation of Government Employees asking the court to declare unlawful what they called "a series of unconstitutional and illegal actions taken by President Donald Trump and his administration that have systematically dismantled" USAID without authorization from Congress.

Nichols, a 2019 Trump appointee, paused the actions until both sides flesh out their complex but hurriedly sketched claims and return for a fuller hearing Thursday. He cited the "irreparable" harm facing workers if they were cut off from government support including communications, payment and security resources while serving in high-risk environments.

"No future lawsuit could undo the physical harm that might result if USAID employees are not informed of imminent security threats occurring in the countries to which they have relocated in the course of their service to the United States," Nichols wrote in a seven-page opinion.

"Administrative leave in Syria is not the same as administrative leave in Bethesda: simply being paid cannot change that fact," he wrote, referring to a Washington, D.C., suburb, adding during a 90-minute hearing earlier Friday that "there is essentially zero harm to the government" from a week's pause.

The suit marks the first major legal challenge to the push by Trump and his allies, led by billionaire Elon Musk and his U.S. DOGE Service, or Department of Government Efficiency, targeting foreign aid programs and USAID staff as part of their campaign to reshape the federal government.

Those efforts have included orders to [freeze a broad swath of foreign aid programs](#) and fire, furlough or put on leave [the vast majority of USAID's staff](#) at its Washington headquarters and abroad. Trump, in a [social media post](#) Friday morning, asserted without evidence that much of USAID's funding had been spent fraudulently. "THE CORRUPTION IS AT LEVELS RARELY SEEN BEFORE," he said. "CLOSE IT DOWN!"

The lawsuit is just one of a [score of legal challenges mounted by Trump opponents](#) in recent days seeking to slow or halt the administration's barrage of actions to curtail spending, pare back the administrative state, eradicate diversity initiatives and more.

The ruling was the latest order by federal judges — many appointed by Republican presidents — balking at elements of the Trump blitz. Earlier Friday, U.S. District Judge John D. Bates of Washington, a George W. Bush appointee, was weighing whether to temporarily bar DOGE from gaining access to data on millions of Americans at the Labor Department, expressing skepticism that Musk's inexperienced young team of software engineers understood confidential handling requirements.

On Thursday, Seattle federal judge John C. Coughenour, a Reagan appointee, became the second judge to block Trump's executive order to curb birthright citizenship, saying the president was trampling the Constitution to pursue "political or personal gain."

The plaintiffs in the USAID case, in their filing on Thursday, said the whirlwind moves since Trump's return to office had "generated a global humanitarian crisis by abruptly halting the crucial work of USAID employees, grantees, and contractors."

"They have cost thousands of American jobs. And they have imperiled U.S. national security interests," they wrote.

Outside USAID's headquarters near the White House on Friday, workers removed the agency's name from a building sign and took down its flag.

The ruling appears to delay a plan by USAID, [announced on its website earlier this week](#), that it would place all global "direct hire" staff — most of whom are civil service and Foreign Service employees — on administrative leave at midnight Eastern time on Friday, except for specially designated employees.

It was not immediately clear how the edict would affect the agency's thousands of locally hired staff at its missions and programs around the world.

While Republicans including Sen. James E. Risch (Idaho), chair of the Senate Foreign Relations Committee, have supported merging USAID into the State Department, Democrats say attempting such a move without congressional authorization would be illegal.

The administration has made wildly inaccurate claims about USAID to support its drive to shut it down, including a statement Wednesday in [which 11 out of 12 claims were misleading](#), wrong or lacking context, according to a Washington Post analysis.

The White House and USAID did not immediately respond to a request for comment.

The administration's actions jeopardize the United States' longtime status as the world's largest provider of foreign assistance, funding activities from food aid for malnourished children to vaccine distribution and democracy promotion. Foreign aid represents roughly 1 percent of the federal budget.

The rollout of the orders affecting USAID have been characterized by reversals, bare-bones information and widespread confusion.

While Secretary of State Marco Rubio issued a broad carve-out for humanitarian programs days after the initial order to freeze most assistance programs, aid groups say most of those programs have not been able to restart because USAID has not issued guidance needed for them to proceed, and because USAID's payment system remains offline.

Earlier this week, USAID alerted overseas employees that they would be [required to curtail their assignments and return to the United States](#) within 30 days to secure government-paid relocation. The order resulted in mass confusion among employees unsure if they would be able to obtain waivers enabling their children to finish the school year or if they would receive assistance in relocating back to the United States.

At the outset of Friday's hearing, Brett Shumate, acting assistant attorney general of the Justice Department's civil division, said that by the end of the day, 2,200 USAID employees would be placed on paid leave. He said 500 have already been placed on administrative leave, but 600 — roughly double the tally in a plan circulated Thursday — would be kept on.

"The president has discretion to exercise" his constitutional authority over executive branch hiring and firing, and workers had regular avenues to seek remedies after the fact, Shumate said. "If every employee put on administrative leave could come into court, the government couldn't function."

Plaintiffs attorney Karla Gilbride said the actions were part of a "cascade" of irreparable harms to workers posed by the shutdown of the agency. Workers would be cut off from communications systems that ensure security in dangerous environments overseas; payment systems would be shuttered; workers themselves could be exposed to liability for unpaid funding obligations and face immediate threats to their family's stability and health.

"The president does not have authority to do this," she said. USAID "is an independent agency created by Congress, and if it is to be reorganized in this manner, it needs to be done through the proper congressional path."

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