

**Judge says Trump administration made a ‘mess’ of plans for overseas USAID workers.**  
By [KYLE CHENEY](#), *Politico*, 19 Feb 2025

The judge said the Trump administration’s latest statement contradicted a “crystal clear” understanding about how overseas government workers would be treated. A federal judge on Wednesday said the Trump administration had created a “mess” for overseas employees in the U.S. Agency for International Development by appearing to contradict its plans for those who opt to remain abroad rather than return to the United States amid efforts to dismantle the agency.

U.S. District Judge Carl Nichols noted that Peter Marocco, the Trump appointee leading day-to-day operations at USAID, said in [a Feb. 10 sworn statement](#) that employees overseas would be given a “choice” and “option” to remain at their overseas posts and be entitled to their existing benefits, even after being placed on paid administrative leave.

But in a [follow-up statement to the court](#) on Feb. 14, Marocco appeared to change his tune. Rather than casting it as a choice, Marocco said an employee “who is directed to depart post and fails to do so” would no longer be “officially stationed overseas” and could lose access to benefits afforded to foreign service workers.

“This is a mess,” Nichols, a Trump appointee, said during a telephone hearing Wednesday. He suggested Marocco’s latest statement contradicted the “crystal clear” understanding from earlier court proceedings about how overseas government workers would be treated. Nichols’ consternation comes as he considers whether to [further extend](#) his [legal block](#) on the Trump administration’s plans to abruptly dismantle USAID — the agency responsible for administering billions of dollars in foreign assistance — and “repatriate” thousands of workers living abroad within 30 days. He ordered the Justice Department to submit a new declaration by noon Thursday clarifying its position on overseas employees. Unless he extends it, Nichols’ current hold on the Trump administration’s plans expires at Midnight on Friday. Marocco did not immediately respond to a request for comment.

Another federal judge in Washington, D.C., Biden appointee Amir Ali, has [separately ordered](#) USAID to lift a blanket freeze on contracts and grants that was abruptly put in place after Trump’s inauguration last month.

Nichols said the confusion extends to the Trump administration’s offer of a “waiver” for some employees who can’t feasibly return to the United States within the 30-day “repatriation” period.

Marocco initially told Nichols “exceptions” and “extensions” would be available to workers facing “personal or family hardships” and safety or medical concerns. But in his second statement, Marocco indicated that those who stay overseas beyond 30 days without a waiver would lose access to benefits and security systems available to USAID employees.

“There may be some flexibility to allow children to continue in a school if the employee or post already paid for tuition through the current school year consistent with the authorized education allowance,” Marocco wrote. “However, the family would be responsible for providing for their own housing and personal expenses, and would need to comply with applicable visa and related requirements.”

Lawyers representing foreign aid workers said the confusion sown by Marocco’s statements is enough to justify Nichols extending his restraining order against the termination or rushed relocation of overseas employees. “Facts on the ground continue to evolve,” said one of the attorneys, Kaitlyn Golden.

They described devastating personal consequences for some employees stationed abroad who appeared to be abruptly cut off from access to emergency medical services.

In one case, an [unnamed employee](#) indicated he was unable to get the U.S. government to arrange a medical evacuation flight for his pregnant wife and was told by officials in Washington that it was because USAID didn’t have the funds available to orchestrate it.

Eric Hamilton, a Justice Department attorney representing the Trump administration, told Nichols that the government investigated the case and agreed that there had been a “delay” in providing the flight. He said the agency was conducting a review to “do better going forward” and ensure that those emergency flights remain available to USAID employees overseas.

*Nahal Toosi contributed to this report.*